

**WARWICK TOWNSHIP BOARD OF SUPERVISORS MEETING
FEBRUARY 21, 2024
7:00 P.M.
WARWICK TOWNSHIP MUNICIPAL BUILDING**

Chairman, Ken Eshleman convened the February 21, 2024 Board of Supervisors meeting to order at 7:00 p.m. In attendance were supervisors Ken Eshleman, Kelly Gutshall, and Ken Kauffman. Jeff Tennis and Jeremy Strathmeyer were absent. Also in attendance were Brian Harris, Township Manager; Duane Ober, WESC Fire Commissioner; Tom Zorbaugh, Code & Zoning Officer; Billy Clauser, Township Planner; Howard Kramer, Listrak; Dave Madary, Madary Engineering & Design; Ben Craddock, Lancaster Civil; TJ Acosta, Lancaster Civil; Greg Young, Warwick Township; Chuck Haley, Township Engineer; Laura Knowles, Lititz Record; Denise Freeman, 603 Woodcrest Ave., Lititz; Michelle Bingham, 603 Woodcrest Ave., Lititz; Erin Covey, 3 Picnic Woods Rd., Lititz; Bunnie Buckwalter, 1011 Lititz Pike, Lititz; Randy Padfield, PEMA Director; Rhonda Adams, Court Reporter; and Deb Ressler, 565 Millway Road, Lititz.

B. Harris recognized Erin Covey who is a junior at Lancaster Catholic High School and lives on Picnic Woods Road. Erin is here to observe her first municipal meeting on behalf of her local governmental class.

PEMA CITATION PRESENTED TO DUANE OBER: Randy Padfield, Director of the Pennsylvania Emergency Management Association (PEMA) is here to present a citation to Duane Ober from WESC on behalf of the planning efforts that were associated with the Governor's Inaugural Ball at Rock Lititz. D. Ober stated that he was involved from the emergency management point of view but was also representing the fire companies and ambulance. The overall safety planning was done by the Pennsylvania State Police and the Governor's detail. Ober reviewed a safety plan with those in attendance.

Randy Padfield stated that from his perspective at the state the strength of our Emergency Management Program lies in all of the municipal coordinators and county coordinators. All incidences begin and end locally. In reference to the Governor's Ball, he stated that this is a complex situation involving a lot of different agencies and moving parts and it takes a dedicated planning cycle to be able to understand the process. Padfield read the citation to those in attendance.

PUBLIC HEARING TO CONSIDER A CONDITIONAL USE APPLICATION RECEIVED FROM LISTRAK (THE "APPLICANT"). THE APPLICANT IS SEEKING CONDITIONAL USE APPROVAL UNDER SECTION 340-19.C.(10) AND SECTION 340-89 OF THE WARWICK TOWNSHIP ZONING ORDINANCE PERTAINING TO PUBLIC, PRIVATE, COMMERCIAL AND VOCATIONAL AND MECHANICAL TRADE SCHOOLS IN THE CAMPUS INDUSTRIAL ZONE. THE APPLICANT PROPOSES TO OFFER USE OF INTERIOR SPACE TO EASTERN MENNONITE UNIVERSITY FOR LIMITED CLASSROOM SPACE.

THE APPLICANT REQUESTS CONDITIONAL USE APPROVAL UNDER SECTION 340-62 PERTAINING TO COMMERCIAL RECREATION FACILITIES. THE APPLICANT PROPOSES TO OFFER OUTDOOR FIELD USE TO LANCASTER INFERNO SOCCER CLUB FOR SEASONAL PRACTICE AND GAMES.

B. Harris noted the public hearing conditional use application received from Listrak. Harris stated that this is a formal hearing and he does ask everyone to be respectful of the court reporter as she can only interpret one person speaking at a time. If anyone would like to comment during the hearing they are welcome too. At the conclusion of taking the testimony the Board will make a motion to close the public hearing and they will draft a decision for the upcoming Board of Supervisor's Meeting.

R. Adams swore in Dave Madary.

B. Harris mentioned that in the packet there is a letter dated January 18, 2024 from ELA. There are two items being considered as part of this hearing. One is for vocational and mechanical trade schools in the campus industrial zone. The applicant is proposing to offer classes through Eastern Mennonite University for nursing and aviation. The other component of the request has to do with commercial recreation facilities which is also a conditional use in the campus industrial zone. Included in the Board's packet is the application and narrative from Mr. Madary. Additionally a memo from ELA dated February 16, 2024 is at each Board Members seat regarding traffic considerations which could be imbedded into the decision once it is rendered.

D. Madary made note of being in front of the Board last year for a conditional use approval for use in the building for occasional weekend events. Listrak continues to have plenty of space available in their building because their workforce is on a remote policy. Madary stated that the conditional use they are proposing is for Eastern Mennonite University to use the building for weekday aviation and nursing classes. Eastern Mennonite University has approximately 40 students on a typical day including day and evening classes with 8-13 staff members on those days. Madary referred to the plan which shows what was intended to be a full parking lot which was approved in 2016. It was a phased parking situation but their employee count never got anywhere near what they anticipated. The outer half of the parking was not built so it is just a lawn field. The Lancaster Inferno Club has been using the field for young girls soccer for the past year. From the commercial recreation stand point what triggered the conditional use was the desire to add lights to two of the existing poles in the parking lot. Practices go to approximately 7:30 p.m. so during late fall and early spring it gets dark before the practice is over so lights would be beneficial. It will be lights added to the existing 25 foot poles. Madary stated that there is over a 100 foot buffer off of the road to the soccer field and there is a planting buffer that was installed along the road back when the Land Development Plan was approved and the construction initially went through. K. Kauffman asked if there was a photometric plan. Madary stated that it was included as part of the submission packet. K. Kauffman asked if they had approached the FAA regarding the lights. Madary stated that because the lights will be directed downward they did not contact the FAA. The lights can be put on a timer so they go off at the end of evening practices and games. K. Gutshall asked if there will be seating areas for parents watching practices and games. Games would be held on the weekends. Parents would sit in lawn chairs along the side of the field. There will be no night games. H. Kramer stated that Haller was going to install switches directly on the poles. Kramer stated that the lights will likely never be used. He also stated that it is Under 9 and Under 10 year olds playing.

Madary stated that there is ample parking on the site. Students from Eastern Mennonite will be driving to the site with some carpooling. There will not be any bus access. K. Gutshall asked about the

potential for events overlapping at the facility. Madary stated there may be some small events during the week but the big events would only be on the weekends. Kramer noted that there is hardly ever anything scheduled for during the week. B. Harris stated that the applicant was in front of the Planning Commission who endorsed the proposal. K. Gutshall asked what would happen if another soccer group wanted to use the field in the future. B. Harris stated that the conditional use decision can be crafted to indicate that it is for a specific club if wanted and if there would be additional clubs being added or changes then they would come back for a conditional use. The field is not suited for larger clubs to use.

On a motion by K. Kauffman and seconded by K. Gutshall, the Board closed the hearing based on the testimony that was provided and a draft decision will be prepared for the March agenda for consideration.

CONSENT AGENDA:

Approval of minutes Jan.2 & Jan. 17, 2024
Tax Collector's Report
Police Department Report
WESC/EMC Report – 2023 Fire & EMS Statistics

Manager's Report
Public Works Report
Zoning Officer's Report

B. Harris noted that the Authority Board did reorganize last night and the slate of officers is the same on the Authority. We do anticipate that the north tank bid specs will be finalized in March 2024. Additionally, we are putting a bid out for the meter installation. We received funding from the Commonwealth Financing Authority for approximately 900 residential water meters that are going to get installed in conjunction with what we are installing ourselves. The 2023 Fire & EMS Statistics are included that Duane presented to the WESC Board in January. K. Kauffman asked what the budget is for the tank. Harris stated they were estimating a little over \$2.00 per gallon, so \$2.00 - \$2.40 per gallon. Part of the challenge is there are only 2 companies to choose from.

Duane gave a quick review of the 2023 statistics. He noted that the Rothsville fire company has quite a few volunteers who work at AgriTeer that respond to calls during the day. AgriTeer will be moving the end of 2024 or beginning of 2025 which will impact volunteer response during the day. Duane reviewed the different levels of coverage (1 alarm – 4 alarm). Duane reviewed the response to the Martin's Country Market fire. He also reviewed staffing at the fire companies. Ober mentioned the addition of Mike Smith as Deputy Fire Commissioner. Over 900 adults and children were taught how to use a fire extinguisher. Ober noted the tremendous increase in the cost of apparatus and also the time it takes to get a piece of equipment (up to 4 years). There was a discussion on staffing and recruiting and retaining volunteers.

On a motion by K. Gutshall and seconded by K. Kauffman, the Board approved the consent agenda as submitted.

CONSIDER 90 DAY TIME EXTENSION FOR RECORDING OF THE CHRISTOPHER POJE FINAL SUBDIVISION

PLAN: B. Harris stated this is a 90-day extension. Diehm & Sons provided the township with a letter dated February 13, 2024 in regards to the Gerhart preservation regarding the rezoning and the urban growth boundary for that. Harris stated he is optimistic that this will be the last time extension for Poje. Harris is presenting to the Ag Preserve Board February 22, 2024. His intention is to go down with the Resolution that will be adopted tonight to go over the future land use mapping as part of the

comprehensive plan. On a motion by K. Kauffman and seconded by K. Gutshall, the Board approved the 90-day time extension for recording of the Christopher Poje Final Subdivision Plan.

RATIFY OWL HILL ROAD SUBDIVISION 30 DAY TIME EXTENSION: B. Harris stated that at the last meeting the Board endorsed a 30-day time extension for Owl Hill and he indicated that since it was not a specific agenda item that it would be ratified at the next meeting. He mentioned that the plan was recorded today, February 21, 2024. On a motion by K. Gutshall and seconded by K. Kauffman, the Board approved the 30-day time extension for the Owl Hill Road Subdivision.

CONSIDER THE WOODCREST LOTS FINAL SUBDIVISION PLAN AND ASSOCIATED WAIVERS, PREPARED BY LANCASTER CIVIL ENGINEERING COMPANY, DATED 01/03/2024: B. Harris referred to the letter from ELA dated January 16, 2024 regarding the waiver and modification requests associated with the plan. TJ Acosta and Ben Craddock from Lancaster Civil are present to go over the plan. This plan was before the Planning Commission previously with Moravian Manor. The current proposal that did receive Planning Commission recommendation was for the creation of 4 lots, three off of Woodcrest Avenue and one off of Sixth Street with 3 driveways onto Woodcrest and 1 on to Sixth Street.

TJ Acosta stated that these are 4 existing lots that are located at the intersection of West Sixth Street and Woodcrest Avenue with Woodcrest being a state road. Each lot is approximately ½ acre in size. Lot 1 and 2 were impacted by right-of-way acquisition from the installation of the round-a-bout. There is an existing detention basin located on Lot 1. That basin treats run-off from the round-a-bout. The reason that this is a lot add-on is there is a small sliver of property that when the round-a-bout was constructed, bisected the lot and it is now on the other side of the road. The proposal is to combine that sliver of property with Lot 1. Each of the lots will have one new dwelling located on each with paved driveways connecting to the existing roadways. These driveways have been coordinated with Township staff and PennDOT to determine location meeting all the safety and design standards for the township and the state. There are some road improvements located along Woodcrest Avenue. They include construction of sidewalk, curbing (extending from the existing round-a-bout), a small bit of pavement associated with the installation of the curbing, and dedication of additional right-of-way to the township.

There are 4 waivers that are being requested for this project that are all summarized in ELA's letter dated January 16, 2024. The first waiver is Preliminary Plan Application. The second waiver is Improvements to Existing Roadway – specifically just widening which they are proposing a 5 foot shoulder rather than a 7 foot shoulder. The last two waivers are related to stormwater, one for the loading ration in the karst area and the second one is rate control at 1 of the 3 discharge points of the project. K. Gutshall asked who maintains the existing stormwater basin. Acosta stated the owner of Lot 1 will be responsible for that basin that is currently being maintained by Moravian Manor. There was a brief discussion regarding the stormwater. K. Gutshall questioned what is done in the existing basin and what the owner of the property would do with the basin because it is in their front yard. Gutshall suggested planting 1 type of shrub and shrub the whole basin because any kind of planting you are going to put in they are going to take it out or it is going to be so much maintenance. Acosta noted that there are grasses, bushes, and a couple trees proposed for the basin and the reason is this project requires a NPDES permit and have three types of plantings. It has to have grass, plug plantings, and woody vegetation. K. Kauffman asked about the use of sub-surface like the other three lots. Because of the existing retention basin needs to be maintained there is really not a good option for doing anything underground on Lot 1. Gutshall asked if the information on the operations of the easement will be

passed on to the lot owner. Acosta stated that the maintenance agreement as well as the easements and the specific requirements were recorded and will go with the deed for the properties. It will come up with title searches as well. B. Harris stated that if the Board wanted to conditionally approve the plan we can condition it on a landscape plan being acceptable to the Township as well as the Stormwater Management Agreement. We can tweak the stormwater management agreement in our favor and maybe have the land owner report to the township annually.

On a motion by K. Gutshall and seconded by K. Kauffman, the Board made a motion to approve waivers as requested in Lancaster Civil's original narrative as well as conditionally approving the lot add-on and final subdivision plan conditioned on compliance with the ELA letter of January 16, 2024 as well as a landscape plan that is approved by the township and a stormwater management agreement that is acceptable to the township.

CONSIDER MOTION TO APPROVE PAYMENT OF BILLS: B. Harris stated that the total bill register is \$816,000.00 with the bulk of that in the general fund at close to \$700,000.00 of which \$400,000.00 is our Northern Lancaster Regional contribution. We did have \$40,000.00 incurred in the fire company fund. Under Park & Rec we had a \$9,000.00 bill for Aurora Films which is the grant funding that the township received through the LRCDC to make the video for the Veterans Honor Park which we will be presenting that video at the March 27th LRCDC event at Listrak. Escrow fund \$22,000.00 and capital reserve we have \$16,000.00 and that is the Esco installation up at Public Works. Under the street improvement fund we do have a contribution to Warwick Crossing for the sidewalk on Kissel Hill that was agreed upon as part of that subdivision. On a motion by K. Kauffman and seconded by K. Gutshall, the Board approved the payment of bills as submitted.

CONSIDER MOTION TO APPROVE THE TREASURER'S REPORT: B. Harris mentioned when you look at wages year over year the way that the payroll fell in 2024 is very different than 2023. We only had 1 payroll going in to the January 17th meeting and we have had 3 payrolls in this past go around so when you look at that number it is due to timing. On a motion by K. Gutshall and seconded by K. Kauffman, the Board approved the Treasurer's Report as submitted.

CONSIDER MOTION TO DESIGNATE EDGEWOOD DRIVE AS ONE WAY DURING THE THOROUGHbred TERRACE COMMUNITY YARD SALE ON 04/06/2024: B. Harris stat this is to convert Brian Drive into a 1-way. We started doing this in 2014 and it really improved the situation out there. The yard sale is April 6, 2024 and they are requesting from 6 a.m. until noon to have it a one-way off of Brian Drive. On a motion by K. Kauffman and seconded by K. Gutshall, the Board approved designating Edgewood Drive as one-way during the Thoroughbred Terrace Community Yard Sale conditioned on the indemnification agreement being executed.

CONSIDER MOTION TO AUTHORIZE BRUNNERVERVILLE FC SPECIAL FIRE POLICE TO PROVIDE SUPPORT FOR THE PENRYN MUD SALE ON 3/16/2024: This is the annual request from Penn Township for Brunnervilles special fire police to participate in the Penryn Mudsale on Saturday, March 16th from 8 a.m. to 5 p.m. On a motion by K. Kauffman and seconded by K. Gutshall, the Board authorized Brunnerville Fire Company Special Fire Police provide support for the Penryn Mud Sale on 3/16/2024.

CONSIDER RESOLUTION 02-21-2024-01 APPROVING THE REZONING/URBAN GROWTH BOUNDARY MODIFICATION RELATED TO THE GERHART PRESERVATION: B. Harris stated that this is a resolution attesting to the fact that the Board is committed to rezoning a portion of the Gerhart parcels off of

Board of Supervisors

February 21, 2024

Brunnerville Road. Currently it is 125 acres between 3 parcels that are zoned I-1, RE , and Ag. 82 acres are going to be preserved and as part of that we will be rezoning the RE portion and turning a portion of I-1 into agriculture. Additionally, based on the future land use map, we will be redefining our urban growth boundary to reflect that. The Ag Preserve Board did request that the Township do this. This resolution is attesting to the fact that we are committed to this coming out of the Comprehensive Plan. On a motion by K. Gutshall and seconded by K. Kauffman, the Board approved Resolution 02-21-2024-01 Approving the Rezoning/Urban Growth Boundary Modification related to the Gerhart Preservation.

B. Harris mentioned the tree and shrub sale through the Lancaster County Conservation District and that 20% of the proceeds can come back to the LRWA.

Harris stated that the Lititz Public Library will be celebrating 25 years at the current location this year and they have activities planned to highlight the history of the library along with many other programs.

NEXT MEETING: Wednesday, March 6, 2024 at 7:00 a.m. via Zoom

ADJOURNMENT: On a motion by K. Kauffman and seconded by K. Gutshall the meeting was adjourned at 8:22 p.m.

Respectfully submitted,

Brian Harris
Township Manager