

LITTLE BRITAIN TOWNSHIP
December 13, 2022

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, December 13th, at the Municipal Building, 323 Green Lane, Quarryville, Pennsylvania. Prior notice of the meeting was given.

Chairman, Jerry Emling, called the meeting to order at 7:00 p.m. A moment of silence and reflection was followed by the salute to the flag.

PRESENT:	Jerry Emling	Erica Bare	Amos S. Lapp	Christine Sheldon
	Clark Coates	Daniel S. Beiler	Bob May	Dallas Sheldon
	Richard Brenneman	John F. Beiler	Philip Mohon	George Sheldon
	David Martin	Kirstie Breneman	George Osborn	Jeptha Stoltzfus
	Pat Wood	Trisha Colletti	Marcella Peyre-Ferry	John M. Stoltzfus
	Christine Jackson	Sara Davis	Jack Purcell	Levi Stoltzfus
	Margaret DeCarolis	Randy Jackson	Dall Rhinier	Marissa Witmer

MINUTES: Motion made by Mr. Brenneman, seconded by Ms. Wood and carried to adopt the minutes of the November 15th meeting as printed.

SANITATION: It was reported that Mr. Stoner collected \$150.00 during October and \$150.00 during November in sanitation fees. No well permits were issued.

ZONING: Zoning Officer, Christine Jackson reported issuing 7 zoning, 10 occupancy, 1 driveway, 1 extension and 5 demolition permits during November along with the acceptance of 2 Zoning Hearing Applications. Ms. Jackson also advised of the following;

- Zoning Hearing Application of Daniel S. Beiler of 180 Little Britain Road South requesting a variance of section 200.3 of the zoning ordinance to allow him to use a reefer truck for the temporary storage of produce during peak harvest season. Mr. Beiler requested the Board reconsider zoning restrictions on the use of reefer trucks as they are now needed to store produce being grown. He noted that this was a good use for the trucks that are no longer road ready. He stated the cost to construct a structure to house them was cost prohibitive when only used 3 to 6 months per year. He further noted that he was offended when he was advised by the Zoning Officer that he would need to obtain legal counsel to present this request. Ms. Jackson clarified that she informed Mr. Beiler that she is not an attorney and therefore cannot provide legal advice. She further informed Mr. Beiler that as an employee of the township she represents the interests of the Board and that it would be a conflict of interest for her to aid anyone seeking to circumvent the zoning ordinance. Mr. Emling indicated that the Zoning Ordinance is generally updated every 10 years. He stated it is a long, arduous and costly process. He noted that notices of the updates are announced in the newsletters and meetings pertaining to the changes are advertised in the paper. He further indicated that during the 2 years it took for the last updates to be completed and adopted that no one requested any changes of this nature. He said that while everyone involved in the updating of the ordinance attempt to foresee the needs of the Township in advance, they are unable to foresee every situation that may arise.

Mr. Martin also noted that cold storage was not an issue when last revisions were drafted. Resident, Samuel Stoltzfus noted that many farmers are in need of these storage units. Ms. Wood noted that high tunnels were being installed everywhere and questioned the reluctance to use one of these structures to house the reefer unit as they are not that expensive to construct. Ms. Jackson also noted that it is difficult to draft regulations that are acceptable to everyone and gave numerous examples of how a change such as this could have far wider implications than just relieving a need for farmers. Mr. Beiler indicated they did not wish to do away with the zoning ordinance but indicated the community needs to have changes made to it. Ms. Wood questioned how produce is distributed and was advised that there are pickups 6 days a week but they only take what has been sold, which leaves a lot to be stored. She then questioned the option of obtaining another venue for sales to prevent the need for so much storage. Resident, George Sheldon commented that forcing these refrigerated units to be enclosed was a health risk and stated his dismay that farmers are being forced to deal with these regulations. Ms. Jackson advised that all enclosed units must be ventilated. She noted the enclosure is required for aesthetic purposes and noise control. A discussion pertaining to the fees charged for zoning hearings then pursued with questions and answers regarding the use of the money and of the expense to the Township for these hearings. Mr. Beiler then questioned if the township wouldn't be better served to utilize the funding spent on hearings to rewrite the ordinance. Daniel Beiler then questioned how long a grandfathered use could remain on a property and was advised that a grandfathered use could remain until it was removed and gone for a 12-month period at which point it could not be replaced. Following all discussion, a motion was made by Ms. Wood, seconded by Mr. Brenneman and carried supporting the Township Planning Commission's recommendation advising the decision rendered for the application should be consistent with the decision rendered for John Beiler.

- Zoning Hearing Application of Jeffrey and Annette Eckman who own property located at 383 Nottingham Road. They are requesting a special exception to move the already approved used car lot use to the end of the building where the previous sporting goods store was located. This would allow for an office and showroom. He would also like to up the number of cars he is allowed to 9 units. Further, in the event the used car lot is not successful he would like approval to move another business into that space as long as it is consistent with approved regulations for his zoning district. Following a discussion on the application, Mr. Coates motioned the Board defer to the Zoning Hearing Board on this matter. Ms. Wood seconded the motion, which carried.

TAXES: It was reported that tax collector, Agnes Reeder collected \$904.40 in real estate tax and \$29.36 in interim tax during the month of September and \$199.52 in real estate tax and \$54.20 in interim tax during the month of October.

ROADS: Roadmaster, Dan Risk reported on the following November road crew activities:

- Prepped trucks to get frames treated.
- Cleaned and checked on Park.
- Set up meeting room for election. Tore down meeting room following election.

- Worked on equipment.
- Hauled stone.
- Performed routine equipment maintenance.
- Replaced Stop signs.
- Cleaned inlet boxes.
- Removed tree.
- Checked driveway permit sites.
- Blew leaves off roads.
- Inspected emergency lighting.
- Checked on 1 Call sites.

PAYMENT OF BILLS: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried authorizing the payment of General Fund checks 12804 through 12841 in the amount of \$26,456.48.

PUBLIC PARTICIPATION: The meeting was opened for public participation, with no response.

PLANNING COMMISSION: Motion made by Mr. Coates, seconded by Mr. Martin and carried adopting the minutes of the November 22nd Township Planning Commission meeting as printed.

Levi Stoltzfus: Ms. Jackson advised that the Planning Commission recommended contingent approval of the stormwater plan upon township engineer comments being addressed. She noted that the corrections were resubmitted to the engineer earlier today and therefore had not yet been reviewed for compliance. She provided a brief overview of the plan noting that it was for a large greenhouse that is to be placed on a steep sloped lot. Based on the information presented, Mr. Martin motioned the plan be tabled until the January meeting. Mr. Coates seconded the motion, which carried.

AMBULANCE ASSOCIATION: Ms. Jackson provided an overview of the concerns discussed during the November meeting and introduced Marissa Witmer of the Wakefield Ambulance Association (WAA) and John May of the Lancaster Emergency Medical Services Association (LEMSA). Ms. Witmer began by indicating that reciprocal membership and reciprocal billing are two different things. She noted their membership agreement with LEMSAs has been in effect since 2013 and that \$10 of each WAA membership fee has been paid to LEMSAs. She further noted that less than 5% of their dispatched calls went directly to LEMSAs and that they respond to 92% of calls. Mr. May indicated that errors had occurred in billing due to them outsourcing their billing and that anyone overcharged will be receiving a refund. He further noted that 700 plus membership letters that were sent to Little Britain Township residents were sent in error and anyone who has submitted a membership fee to them is being refunded as well. Both agencies indicated a desire to establish common ground and work on doing so in the future. Ms. Witmer also agreed to prepare a statement for the township newsletter to help residents clearly understand the manner in which services and billing would be provided.

RESIDENTIAL CONCERN: Chairman, Mr. Emling advised audience that Zoning Officer, Ms. Jackson serves as an appointed representative of the Township. She is appointed by the Board of Supervisors and is charged with upholding and enforcing the zoning ordinance as written, she does not compose or approve the zoning ordinance. It was noted that 95% of zoning violations are discovered due to residential complaints, the other 5% are discovered through open view doctrine. He further stated that any resident having a concern in the way her job is performed should address it directly with the Board. Resident, George Sheldon then advised the Board that he had received 2 written communications from the Township pertaining to 4 chickens on his property, which he claims are not visible from the road and are family pets. Mr. Sheldon was advised that chickens are considered domesticated farm animals, and therefore are not permitted in the R-2 zoning district unless authorized by the Zoning Hearing Board. She further noted that the chickens are visible from the road and noticed them following a complaint received. Mr. Sheldon reiterated his belief that owning 4 chickens was no different than owning 4 dogs and that he should be able to utilize his property in any manner he chooses. Ms. Jackson advised that per State law, the township must provide for all zoning districts. The R-2 district is defined as a village residential district that is to provide for higher density housing should public water or sewage become available. Based on that, no use that would be contradictory to the specific stated purpose of this zoning district is to be allowed. During a discussion of other zoning issues that have occurred on this property over the years, inclusive of his failure to complete the paving of the 1st eight feet of his driveway after driveway improvements were made, Mr. Sheldon argued millings had been placed. He was informed that millings are not an acceptable material for that project. Roadmaster, Dan Risk advised that he had granted a time extension to complete this work until after the resurfacing of Green Lane. The Board advised Mr. Sheldon that should he wish to pursue this matter, he would be required to file for a Zoning Hearing, although having a hearing does not any in way guarantee him approval of his request.

RESOLUTION #13-22: 2023 Tax Rate- Motion made by Ms. Wood, seconded by Mr. Martin and carried to adopt Resolution #13-22 confirming the Real Estate Tax rate of .301 mills for the year 2023.

RESOLUTION #14-22: 2023 Budget- Motion made by Mr. Coates, seconded by Mr. Brenneman and carried adopting Resolution #14-22 as The Little Britain Township budget for 2023.

USE OF BUILDING REQUEST: The Board was advised of a request for a group of 8 to 13 people to use the municipal building 3 Sundays a month for fellowship and prayer as their church was recently closed. A discussion pursued pertaining to the resolution adopted in 2007 pertaining to the use of the building and the possibility of that policy being revised or revoked due to insurance, security and health concerns but decided to table that matter until a later date. Regarding this request, the Board discussed the separation of church and state and the intent of the resolution when adopted was to be for an individual need and use and not for an ongoing use such as this request. At the conclusion of the discussion, a motion was made Mr. Coates, seconded by Ms. Wood and carried to deny this request for the reasons noted above.

CELL PHONE SERVICE: The Board was advised that Pure Talk does not offer a governmental phone plan and that their unlimited talk, text and data plan would run \$60.00 per

phone per month. Additionally, they would only provide a \$150.00 discount per phone, bringing the price of an iPhone 14 to \$849.00. Verizon Business could offer service for \$35.00 per line per month but would provide no discount on phones. Their price for the iPhone is \$899.00. AT&T confirmed our phone plan is better than what they are currently offering and could be grandfathered at \$31.70 per month per phone. They will also provide iPhone 14's at \$199.00 each and waive all activation and shipping and handling fees. Additionally, they will provide a one-time bill credit of \$250.00. Following a review of the information presented, a motion was made by Mr. Emling, seconded by Mr. Coates and carried to remain with AT&T and upgrade the phones to iPhone 14's.

END OF YEAR PAYMENTS: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried, authorizing the Secretary/Treasurer to pay all end of year bills including the final payment on the Ford F-550.

2023 APPOINTMENTS: The Board was advised of those positions up for re-appointment at the January re-organizational meeting.

LOADER PURCHASE: Roadmaster, Mr. Risk provided an estimate for a JCB 427 Loader that the township tested recently. He noted that the list price following CoStar discounts is \$181,163.00. A trade-in value of \$32,000.00 has been received for the current 2004 Cat Loader. Mr. Risk indicated he would like to advertise the current loader on municipal bid to confirm if he could increase the value of the current equipment. It was noted that a new unit will be available in January but current wait/build time on this type of equipment is 12 to 18 months. Following a discussion on the matter, a motion was made by Mr. Brenneman, seconded by Mr. Martin and carried authorizing Mr. Risk to move forward with the purchase of this equipment. Mr. Risk and Ms. DeCarolis will check finance rates with Stephenson Equipment and Fulton Bank who offer annual payment options.

SEWAGE MANAGEMENT ORDINANCE EXEMPTION REQUEST: The Board was advised of a request received from the property owners of 50 and 55 Wood Lane to extend the time between service and inspections on the septic systems from 3 to 5 years. Verification of recent service was provided along with a recommendation from the hauler to extend the timeframe of service. Following a review of the request, Mr. Coates motioned that the property owners be granted the extension as requested. Mr. Brenneman seconded the motion, which carried. Ms. Wood abstained from voting.

AUDITOR: Zoning Officer, Ms. Jackson advised that Auditor, Madison Statler is moving out of the Township at the end of the year and therefore will be resigning from her elected auditor position. Following a brief discussion, a motion was made by Ms. Wood, seconded by Mr. Coates and carried to appoint Erica Bare to fill the remainder of Ms. Statler's term.

SOUTHERN LANCASTER COUNTY COMPREHENSIVE PLAN: The Board reviewed a notice received from Fulton Township expressing their intent to sign on with the Southern Lancaster County Comprehensive Plan and allowing them 30 days to provide comments and/or concerns about the plan to the County Planning Commission. The Board has no comments. Ms.

Wood did confirm that Little Britain Township would now be responsible for drafting their stand-alone comprehensive plan and all fees associated with that.

RELEASE OF ESCROW: The Board reviewed the comments provided by Township Engineer, Ed Fisher on the plans below prior to taking the following actions:

Adam & Katie Byrne – Motion made by Mr. Coates, seconded by Mr. Wood and carried to release all but \$750.00, which is to be held until the site is stabilized, of the escrow funding being held on the Canterbury Court project.

William Hershey – Mr. Coates motioned the escrow funding being held on the Fern Crest Road project be released. The motion was seconded by Mr. Brenneman and carried.

ADJOURNMENT: At 9:18 p.m. being no further business, motion was made by Ms. Wood, seconded by Mr. Martin and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis
Secretary/Treasurer