

LITTLE BRITAIN TOWNSHIP
August 13, 2024

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

Chairman, Richard Brenneman, called the meeting to order at 7:31 p.m. A moment of silence and reflection was followed by the salute to the Flag.

PRESENT:

Richard Brenneman	Abner Beiler	Benjamin B Lapp
Clark Coates	John Beiler	Brian Masterson
Mervin Beiler	Damon Ferrari	Marcella Peyre-Ferry
David Martin	Susie Ferrari	Rick Prettyman
Wayne Reynolds	Ivan Fisher	Dan Risk
Christine Jackson	Ben Fredrick	Jewell Shivery
Margaret DeCarolis	Memmo King	Tim Trostle
		Amos Zook

MINUTES: Motion made by Mr. Beiler, seconded by Mr. Martin and carried to adopt the minutes of the July 9th Board meeting as written.

SANITATION: It was reported that Rick Prettyman collected \$450.00 in sanitation fees during the month of July. No well permits were issued.

ZONING: Ms. Jackson, Zoning Officer reported issuing 12 zoning, 15 occupancy, 1 extension and 2 demolition permits during the month of July along with the acceptance of 1 Zoning Hearing Application. Ms. Jackson also advised the Board of the following:

- Zoning Hearing Application of Ivan Fisher who purchased the Pine View Trucking property at 350 Nottingham Road. He is requesting a special exception from section 507 of the zoning ordinance to substitute or replace a non-conforming use. Mr. Fisher reviewed his application with the Board advising of the properties and buildings current uses with those he desires to have. He further advised of current employees, traffic and business hours with those he is proposing to run his business of L Fab Enterprises. The business would manufacture post drivers, hydraulic hoses, perform welding services and the cutting of steel along with the addition of a retail sales area. Ms. Jackson notified the Board that should the Zoning Hearing Board deny his special exception request for the substitution of use than he has also requested a variance of section 200.3, permitted used. Ms. Jackson further noted that she has advised Mr. Fisher that he will need to aware of his livestock counts. Following a review and discussion of the application, a motion was made by Mr. Beiler, seconded by Mr. Martin and carried to recommend approval of the application as presented.
- A copy of the DEP inspection report on the Riverside Compost, LLC property located on Kirks Mill Road was enclosed for the Board’s review along with notification from the Attorney General’s office that the ACRE complaint filed by Mr. Vivero has been denied. As the case is currently in ligation, no further discussion was had.
- Provided review of email received from Cory Zimmerman of DEP of July 17th advising that effective immediately Mr. Prettyman was no longer authorized to provide Sewage Enforcement Officer (SEO) services to the township due to a conflict of interest based on

him providing pumping services within the Township. Ms. Jackson and solicitor, Ms. Sanders contacted DEP advising that Mr. Prettyman had received confirmation from Tim Wagner of DEP prior to his retirement that he would be able to continue pumping within the township but would be prohibited from designing or installing systems, at which point he sold off those portions of his business. Through numerous calls and emails on the matter, DEP has now agreed that Mr. Prettyman may continue to provide SEO within Little Britain. They are requesting that the township institute a mandatory pumping ordinance and prohibit Mr. Prettyman from pumping out any septic system which he authorized its installation. The Township adopted Ordinance #1-19 in November of 2019 establishing the mandatory pumping of septic system. Mr. Sanders will follow up with DEP on the requirement regarding the pumping of systems installed during Mr. Prettyman's term as SEO. Ms. Jackson expressed her gratitude to Mr. Prettyman for the exceptional work he provides for the township and his flexibility in not performing pumping services while this matter was being reviewed with DEP. She further noted her disappointment in the amount of time and effort DEP has applied to this issue based on a single complaint when there are numerous other, important projects that require their attention and response.

TAXES: It was reported that Tax Collector, Agnes Reeder collected \$3,285.54 in Real Estate tax and \$72.36 in Street Light tax during the month of July.

ROADS: Roadmaster, Dan Risk advised of the following July roadcrew activities:

- Mowed road banks.
- Checked on and cleaned the park.
- Re-graded dirt roads following storm.
- Cleaned off inlet boxes.
- Replaced inlet filter on Charlestown.
- Hauled stone.
- Removed tree after hours.
- Mowed at the township and park.
- Reglued floor tiles in breakroom.
- Sprayed weeds on the roads.
- Picked up sticks at the park.
- Helped Drumore Township with bridge.
- Trimmed tree limbs.

The Zoning Officer, Ms. Jackson questioned if Mr. Risk has a contact for Frontier as they have poles down at the farm that they have been attempted to have rectified for over 14 months. Mr. Risk indicated he no longer has an individual to call and must call in on the public number.

PAYMENT OF BILLS: Motion made by Mr. Reynolds, seconded by Mr. Martin and carried authorizing the payment of August General Fund checks 13475 through 13510 in the amount of \$26,628.37. Motion made by Mr. Martin, seconded by Mr. Coates and carried authorizing the payment of American Rescue Plan check 1008 in the amount of \$32,355.00.

PUBLIC PARTICIPATION: Resident, Amos Zook advised the Board he would like to see section 440 of the zoning ordinance updated to allow for more animals on lots less than 20 acres. He believes the current regulations are too restrictive and would like to see the number of animals

allowed be based on weight versus number count. Mr. Zook was advised that this section of the ordinance was updated 4 to 5 years ago at the request of Amish residents. Ms. Jackson further noted the numbers utilized were to protect water quality, over grazing of grassland and to prevent conflict between zoning districts. Resident, John Beiler questioned why allowable counts could not be based upon a resident's ability to manage their property in an acceptable manner. He was advised that zoning is based on clear criteria and not subjective opinions.

TOWNSHIP PLANNING COMMISSION: Motion made by Mr. Coates, seconded by Mr. Brenneman and carried to adopt the minutes of the July 23rd Township Planning Commission meeting as presented.

Amos & Mary Beiler – Brian Masterson of Register Associates presented the land development plan. He noted the Beiler's were planning to install a second dwelling unit on the property. Mr. Masterson requested a waiver of land development and approval of the Sewage Facility Module – **Resolution 7-24**. Following a review of the plan Mr. Mervin Beiler motioned the approval of the waiver of land development and the acceptance of the Sewage Facility Module. Mr. Martin seconded the motion, which carried.

Jarid Tshudy- Tim Trostle of Strausser Surveying presented the storm water management plan and advised that the property owner wants to install a larger accessory structure than originally planned. He will be removing the previous stormwater management features implemented and installing new based on the current accessory structure. The revised stormwater plan has been approved by the Lancaster County Conservation District. He is requesting a waiver of the Table 2 Rational Ruoff Coefficients for Open Space and authorization for the Zoning Officer to sign outside of a meeting upon receipt of a clean letter from the Township Engineer. Upon completion of the plan review, a motion was made by Mr. Martin, seconded by Mr. Beiler and carried authorizing the requests as presented.

QUARRYVILLE LIBRARY: Jewell Shivery of the Quarryville Library presented the Board with information on current membership numbers, donations and services being offered by the library. She also noted that the library had received Gold Star status and thanked the board for its continued support.

WAKEFIELD AMBULANCE ASSOCIATION: The Board was advised of an e-mail received from Christopher Colletti of the Wakefield Ambulance Association (WAA). The e-mail notes that to sustain service in the area they are projecting a need to obtain \$20.00 per resident for basic life support services and \$30.00 per resident for advanced life support services. The Board discussed the request and noted their belief that a fee per property may be a better way to institute a fee versus a per capita fee. Following a lengthy discussion, a motion was made by Mr. Beiler, seconded by Mr. Coates and carried to have the Secretary/Treasurer respond to their e-mail requesting a definitive dollar amount being sought by the WAA and a copy of their annual budget.

DRAFT HOLDING TANK ORDINANCE: Zoning Officer, Ms. Jackson presented a draft holding tank ordinance to the Board for review. She requested they review it and be prepared to discuss it at the September meeting.

DRAFT REFRIGERATOR TRAILER ORDINANCE: Zoning Officer, Ms. Jackson presented the Board with a draft of the proposed refrigerator trailers for storage ordinance for review. She

noted the solicitor also enclosed a confidential attorney/client letter with the proposed ordinance outlining options the Board may wish to consider prior to the adoption of the ordinance. Resident, John Beiler said he noticed some changes were made from the original draft ordinance submitted by his attorney, Shelia O’Roark. Ms. Jackson advised that the draft submitted by his attorney was forwarded for review to the Township’s attorney and will also be forwarded to the Township Planning Commission for review and comment. It was noted that Mr. Beiler was advised at the start of this process that not all the relief being sought would be granted but that the Township and residents wishing for the use of these units could hopefully achieve a happy median. Ms. Jackson also noted again that the proposed ordinance will not provide relief for all farmers, especially those on smaller lots, due to the units having to be kept out of sight. Following a discussion on this matter, Mervin Beiler motioned that setback requirements be established but not require the units be hidden from sight. Mr. Coates seconded the motion, which carried.

WASTEWATER REGULATIONS: Ms. Jackson, Zoning Officer advised that the Township Solicitor is seeking final confirmation of the wastewater regulations. Based on information obtained thus far, holding tanks will still be required. Questions remain regarding the pumping of the tanks and/or the ability to dispel the water on farmland. Factors such as chemical use during the washing of produce and farm size will also have an impact on final determinations. Ms. Jackson also pointed out that Rick Prettyman has been appointed by the Township to administer the holding tank regulations as well as the permitting of wells. These services to the township are separate from his duties and responsibilities as the Sewage Enforcement Officer.

RED KNOB FARM: The Board was advised that Red Knob Farm, which is currently enrolled in the Lancaster Agricultural Security Program, is in the process of selling an agricultural conservation easement for approximately 114 acres of its land.

BLACK AND LITTLE BRITAIN ROADS PROJECT: Zoning Officer, Ms. Jackson advised the Board the road project for the Black and Little Britain Roads intersection improvements has been advertised for bid. Final bids will be received in time for review at the September meeting. Due to Little Britain Road being a state-owned road, the state will have a representative present to inspect work throughout the project. In order to obtain billing for this service, the Township is required to register for PennDOT’s Engineering and Construction Management System. (E-Permitting)

WELL ISOLATION ZONE: Resident, Bennie Lapp of 756 Ashville Road advised the Board he is working to design a new septic system to replace his malfunctioning cesspool. To maintain the 100-foot isolation distance from the well on a neighboring property, the only location for the new septic system would place the system at 68 feet from the Lapp’s well. This is a rare occurrence and going forward the matter would have to be brought to the Zoning Hearing Board for approval. Following a discussion on the matter, a motion was made by Mr. Beiler, seconded by Mr. Coates and carried authorizing the 32-foot variance of the well isolation zone. The Board strongly encouraged the water to be tested annually to confirm its potability.

PARK USE REQUEST: Ben Frankling of the Delaware Astronomical Society, which is a non-profit amateur astronomy organization expressed an interest in utilizing the park to host astronomy workshops and “star parties.” He indicated the difficulty of locating an area with dark skies and minimal light pollution to observe the night sky. He indicated his group would set up equipment in the ball field and provide the free event to anyone wishing to attend. He noted they generally have 15 to 40 people in attendance. Park Board member Pat Wood had been contacted for comment and

foresees no problem with the request if someone will monitor the gate to ensure only those entering for the event are allowed in following sunset. Mr. Franklin advised his group would be willing to sign a waiver of liability. Following a discussion on the matter, Mr. Beiler motioned the request be approved provided the gate has someone stationed there to monitor those entering and that the Board be notified prior to the scheduling of each event. Mr. Brenneman seconded the motion, which carried.

RESOLUTION #6-24: Municipal Authority Resolution for use of the Engineering and Construction Management System. Motion made by Mr. Beiler, seconded by Mr. Martin and carried adopting Resolution #6-24 requesting access to PennDOT's Engineering and Construction Management System.

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

Christopher Dunmon: Motion was made by Mr. Coates, seconded by Mr. Martin and carried authorizing the release of the feature escrow being held on the Jubilee Road project.

Kevin Alexander: Based upon the inspection, repairs and maintenance are required on Brookside Place project, therefore the engineer recommends all remaining funding be held. Ms. Jackson has advised the property owner of what remedial steps need to be taken.

John Stoltzfus: Due to the weather, the inspection on this property has been delayed. Ms. Jackson requested authorization to release the funding held on this project once the project is inspected and found in conformance with the plan. A motion was made by Mr. Coates, seconded by Mr. Brenneman and carried authorizing the release of escrow funding as requested.

EXECUTIVE SESSION: An executive session was called at 9:42 p.m. The meeting reconvened at 9:44 p.m. at which time Mr. Brenneman advised the Board met to discuss a legal matter.

TRAINING/SEMINARS: Upcoming training and seminar information was available for review by the Board.

ADJOURNMENT: At 9:44 p.m., being no further business, a motion was made by Mr. Coates, seconded by Mr. Reynolds and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis
Secretary/Treasurer