

**LITTLE BRITAIN TOWNSHIP  
MAY 9, 2023**

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, May 9<sup>th</sup>, 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	Melissa Anderson	George Osborn
Clark Coates	Daniel S. Beiler	Marcella Peyre-Ferry
Richard Brenneman	Enos Beiler	Dan Risk
David Martin	John F. Beiler	Dallas Sheldon
Christine Jackson	Christy Krassenstein	Isaac Stoltzfus
Margaret DeCarolis		

**MINUTES:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried to adopt the minutes of the April 13<sup>th</sup> Board of Supervisors meetings as printed.

**SANITATION:** It was noted that no report was received for the month of April.

**ZONING:** Zoning Officer, Christine Jackson reported issuing 16 zoning, 5 occupancy, 5 driveway, 1 extension and 3 demolition permits during the month of April along with the acceptance of 2 Zoning Hearing Applications. Ms. Jackson also advised of the following:

- Zoning Hearing Application of Benuel King of 120 Little Britain Road requesting a variance of section 200.7 of the zoning ordinance to allow him to exceed the 20% maximum lot coverage in an agricultural district. He is proposing an addition to his barn for equipment, vegetable and cold storage along with the installation of a driveway. Following a review of the application, it was noted without comment.
- Zoning Hearing Application of Daniel S. Smucker who is requesting a variance of sections 419, 419.1 and 419.2 of the zoning ordinance in order to run a dog kennel on his 8.1-acre property located at 1201 Spruce Grove Rd. The Board agreed during discussion that they did not believe this was a compatible use within the residential district. Following all conversation, a motion was made by Mr. Emling, seconded by Mr. Coates and carried to recommend the denial of this application to the Zoning Hearing Board.
- Request received from Wayne Morris to install a 40' x 60' accessory building on his property prior to the construction of a primary dwelling. She noted that accessory structures up to 50 square feet were authorized per zoning to house a mower, rakes, etc. but anything larger was contingent upon zoning officer approval. She noted that this is the only section of the ordinance that does not provide a clear cut yes or no answer on what is allowable. She that she would like this area of the ordinance to be corrected to provide clear and distinct instruction on what is acceptable and what is not when zoning ordinance revisions are made. Ms. Jackson noted she was not comfortable in making such a determination and requested input/direction from the

Board on how they wanted the matter to be handled. She has contacted the solicitor who recommends denying the request. Mr. Coates noted the size of the structure indicates it could be used as a principal structure. The Board also discussed the ability to properly locate a primary dwelling, septic system and well within setbacks on the property at a later date due to such a large accessory structure. Following a discussion on the matter, a motion was made by Mr. Martin, seconded by Mr. Coates and carried to follow the advice of the solicitor and to deny the request.

- Samuel I Stoltzfus, whose home is located at 28 Dogwood Rd claims the structure was a 2-family dwelling when he purchased it from John Zook. He noted that due to the growth of his family, he converted it back into a single-family dwelling but now desires to convert it back to a 2-family dwelling. Ms. Jackson has researched files dating back to 1976 in an effort to confirm when approval was granted for the 2-family dwelling. Paperwork dated 1999 clearly shows the property containing a primary dwelling unit and farm buildings. A permit issued in 2008 for an enclosed porch and a covered porch were for a single-family dwelling. The only location where a double-dwelling unit is listed on the property is with the County Assessment Records and they do not confirm if these structures are properly permitted or not. They are also unable to notify the municipality of modifications made to property during assessment reviews. Following a review of the information presented, the Board indicated if Mr. Stoltzfus desires to install a double house on the property that he must process a land development plan.

**TAXES:** It was reported that Tax Collector, Agnes Reeder collected \$59,246.29 in Real Estate tax and \$194.00 Interim tax during the month of April.

**ROADS:** Roadmaster, Dan Risk reported on the following April road crew activities.

- Drove Roads.
- Performed routine maintenance on equipment.
- Attended PSATS Convention in Hershey. Checked roads and cleaned branches after storm.
- Hauled and stockpiled stone.
- Cleaned up sticks at the park.
- Worked on equipment.
- Placed mulch around playground equipment at the park.
- Filled potholes.
- Mowed at municipal building and park.
- Replaced signs.
- Hauled and stockpiled anti-skid material.
- Cleaned side gutters.
- Worked on getting water back on at the park.
- Replaced filter in inlet box at Kirks Mill and Charlestown.

Mr. Risk advised the ball field was being used by a church group. Mr. Emling noted that there is an area in the ball field that needs to be filled in. Mr. Emling also questioned if the bugs and/or bees that were discovered in the ball field area had been treated. Mr. Risk advised the holes

previously noticeable are no longer visible. Mr. Emling indicated he wanted the exterminator to spray and treat the area.

**PAYMENT OF BILLS:** Motion made by Mr. Brenneman, seconded by Mr. Coates and carried authorizing the payment of General Fund checks 12966 through 12993 in the amount of \$18,258.39. Motion made by Mr. Coates, seconded by Mr. Brenneman and carried authorizing the payment of American Relief Program check 1003 in the amount of \$2,779.17.

**PUBLIC PARTICIPATION:** Melissa Anderson, a candidate for Magisterial District Judge introduced herself and advised she has 35 years of court experience working in various positions throughout her career. She noted she is familiar with zoning and agricultural concerns in the area and believes she could fairly rule on matters from the bench. Resident, John Beiler questioned dog breeding restrictions in the residential district and why the Board recommended the denial of the Daniel Smucker zoning hearing application. He was advised that dog kennels are not permitted within the residential district and that they require a minimum of 10 acres in districts in which they are allowed. A discussion pursued in which it was confirmed that allowances are made for residents to have a single litter of pups on a residential property in case of unexpected breeding. Resident, Dallas Sheldon questioned why the Township Zoning Ordinance was not available on-line. He was advised the Board has intentionally kept the document offline to prevent people from reviewing past versions of the ordinance or misreading/misinterpreting information found. Copies of the ordinance are available for purchase or may be reviewing in person at the municipal building at any time.

**LATHAM ROAD:** Mr. Risk advised the Board that a Latham Road resident is upset that their trees need to be trimmed as they are hanging over into the road right-of-way. He has spoken with the resident and advised of work that needs to be done to rectify the situation. Mr. Risk indicated that if the resident fails to trim the trees as requested, he will need to trim them to ensure safe travel on the roadway. Mr. Emling suggested contacting the solicitor to confirm that if trees are in right-of-way he is authorized to cut them.

**PLANNING COMMISSION:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried adopting the minutes of the April 25<sup>th</sup> Township Planning Commission meeting as printed.

**Justin Kreider:** Mr. Martin stated that the engineer only had preliminary plans to review and based on the Board's previous denial of the plan and concern over the 20-acre lot on the plan, the Township Planning Commission did not officially comment on the plan. Ms. Jackson pointed out a few items on the proposed plan but as no planner was here to present or discuss the plan, the Board chose to table the plan until further information was available.

**Reuben & Naomi King:** Ms. Jackson advised that comments from the Lancaster County Planning Commission had been received on this plan and she agrees with their second comment that the plan should note the proposed subdivision does not create any new development right and they should identify the existing development rights of Lot 1 and Lot 3. Following a discussion on the matter, a motion was made by Mr. Brenneman,

seconded by Mr. Martin and carried to require the comment as noted above be added to the plan prior to its signing.

**ZONING HEARING BOARD ATTORNEY:** Zoning Officer, Ms. Jackson advised the Board that members of the Zoning Hearing Board met with several prospective attorneys to replace Neil Albert who is retiring after serving as the Zoning Hearing Board Solicitor for 40 years. The Board has selected Julie Miller of Russell, Kraft & Gruber to be their attorney. She further noted that Ms. Miller was highly recommended by both Mr. Albert and the Township Solicitor.

**MUNICIPAL BUILDING RENOVATIONS:** Ms. Jackson advised of information received from Township Engineer, Ed Fisher pertaining to the enclosure of the porch. She noted that a portion of the soffit will need to be removed to confirm the construction of the porch posts as the building blueprints do not include that information. She also noted that in order to use the concrete pad that is currently in place, the walls of the enclosure would need to be inset more than a foot from the edge of the pad and the walls caulked or sealed to prevent water seepage. The removal and installation of another concrete pad would increase the cost estimate between \$25,000.00 and \$30,000.00. Following a discussion on this matter, Mr. Brenneman motioned that the concrete slab be retained, and a sealant be used to prevent leakage. Mr. Martin seconded the motion, which carried. Ms. Jackson further advised that Mr. Fisher also provided comments on the continuing water problems of the building and suggested that all windows be checked to ensure they are installed correctly and tightened as well as caulked on the outside, weep holes checked to confirm they are working correctly and bricks should be sealed with water proofing material every 3 to 5 years. He noted that without removing the siding there is no way to determine if the flashing was installed correctly. Mr. Emling noted that the windowsills are angled incorrectly, and he has been advising this since the building was constructed. Following a discussion, the Board confirmed that a contractor familiar with steel buildings should be contacted to obtain estimates for the recommended repairs. Scenic Ridge and Hoover Buildings were 2 companies recommended. Mr. Risk will contact the companies to obtain estimates.

**COMPREHENSIVE PLAN:** The Board was advised of the progress the Township Planning Commission has made on reviewing the comprehensive plan and it was suggested the Board begin its official review process following the June meeting.

**WATER TESTING:** Mr. Emling indicated green water stains have accumulated in the men's room and believes that the water at both the municipal building and the park should be tested.

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

**Benuel Stoltzfus:** Mr. Coates motioned the escrow funding being held on the Pine Grove Road greenhouse project be released. The motion was seconded by Mr. Brenneman and carried.

**Alexander Vazquez:** Motion was made by Mr. Coates, seconded by Mr. Martin and carried authorizing the release of feature escrow being held on the Green Lane Driveway widening project.

**Ronald Cornell:** A motion to release the escrow funding held on Ridgeway Lot 5 project was made by Mr. Brenneman. The motion was seconded by Mr. Martin and carried.

**TRAININGS/SEMINARS:** Upcoming training and seminars were reviewed.

**ADJOURNMENT:** At 8:23 p.m., being no further business, a motion was made by Mr. Coates, seconded by Mr. Brenneman and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis  
Secretary/Treasurer