

**LITTLE BRITAIN TOWNSHIP  
FEBRUARY 13, 2024**

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, February 13<sup>th</sup> 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 7:30 p.m. A moment of silence and reflection was followed by the salute to the Flag.

<b>PRESENT:</b>	Richard Brenneman	Abner Beiler	Isaac K. Stoltzfoos
	Clark Coates	John F. Beiler	Daniel Stoltzfoos
	Mervin Beiler	Rick Prettyman	Benuel Stoltzfus
	David Martin	Dan Risk	Isaac F. Stoltzfus
	Wayne Reynolds	Daniel B. Smoker	
	Christine Jackson		
	Margaret DeCarolis		

**MINUTES:** Motion made by Mr. Martin, seconded by Mr. Beiler and carried to adopt the minutes of the January 2<sup>nd</sup> meeting as printed.

**SANITATION:** It was reported that Mr. Prettyman issued 3 well permits during the month of January. There were no collections for sanitation fees during the month. Mr. Prettyman was introduced to the Board and advised that he was available should they ever have any questions and/or concerns regarding his work.

**ZONING:** Zoning Officer, Christine Jackson reported issuing 7 zoning, 6 occupancy, 1 driveway and 1 demolition permits during the month of January. Ms. Jackson also advised the Board on the following:

- Zoning Hearing Application of Sherri Gardner of 60 Green Lane requesting a special exception to house chickens in the R-1 zoning district and a variance to allow her to exceed the maximum number of chickens allowed on her 1.5-acre property. She currently has 36 chickens/ducks on her property that she has owned for 2 years. She is agreeable to not replacing any of the livestock upon their death until she is able to maintain the maximum number allowed per her lot size. She has provided a detailed plan of the housing and fencing she proposes and confirmed she can meet established setback guidelines. Mr. Martin asked if the coop would be covered, and Ms. Gardner said it would be if she received approval from the Zoning Hearing Board. Mr. Beiler motioned the Board support this application as presented. Mr. Martin seconded the motion, which carried.
- Mr. Coates questioned the decision of the Zoning Hearing Board on the Sylvan & Lizzie King January Zoning Hearing. Ms. Jackson advised the King's hired an attorney who immediately withdrew all of the variance requests except for the allowance of 2 transportation horses and an expansion of a non-conforming structure. Upon Mr. King's agreement to remove the truck body from his property, the Zoning Hearing Board authorized the 2 transportation horses and structure expansion. They did stipulate

however that Mr. King must maintain a vegetative screen from neighboring properties when clearing trees from his property. She noted that the Zoning Hearing Board was not specific in what they considered vegetative screening and requested the Board establish definitive guidelines to be followed. Mr. Beiler indicated his belief that a 20-foot barrier would be sufficient. Mr. Coates indicated his belief that a 40-foot barrier would be better. Following a discussion on the matter, a motion made was by Mr. Coates, seconded by Mr. Martin and carried establishing the vegetative barrier should be 40 feet.

- Ms. Jackson advised that if the Board wishes to revise the ECHO requirements in the zoning ordinance, they must direct the Township Planning Commission to review the topic and make recommendations on changes. Mr. Coates motioned that the Township Planning Commission be directed to review this section of the zoning ordinance and make recommendations for revisions. Mr. Brenneman seconded the motion, which carried.
- Updates proposed to the Holding Tank Ordinance that was adopted in August 1994. The primary change is to include agricultural wastewater, as is now required. She indicated she would forward the proposed revised ordinance to the solicitor for review. The ordinance would then be advertised and ready for adoption at a later meeting.
- Due to the increasing number of hearings that have attorney's present, it would be beneficial to purchase 2 additional tables for the meeting room. The proposed tables would match the existing tables but be one-half their size, measuring 30' x 60' at a price of \$942 per table. Following a brief discussion, a motion was made by Mr. Brenneman, seconded by Mr. Beiler and carried authorizing the purchase of the tables.
- The Lancaster County Conservation District and the EPA will be holding an informational session at the Township Building on Wednesday, February 21<sup>st</sup> at 2:30 to discuss the Conservation Assessment Initiative. She noted the meeting was open to all farmers within the Solanco region and encouraged residents to attend with questions and/or concerns. She indicated that these agencies would be starting farm inspections shortly and requesting permission to enter their farms. She noted that should permission be denied, they would return with search warrants. Based on information received they are concerned about nutrient loading in streams. A discussion pursued with the Zoning Officer reiterating that the Township is merely hosting the meeting and these are the questions that should be presented to the representatives from the EPA and the Conservation District.
- A number of Right-to-Know requests are being received. She noted the amount of time and research required to comply with State law in fulfilling these requests. It was noted that due to the nature of some of the recent requests the solicitor has been involved. It was noted that while all office personnel fully support the intention of the law, it's use and/or abuse by businesses and residents who are requesting information out of anger or frustration can no longer be fulfilled without other obligations being delayed. It was noted that should the trend of these requests continue that a part-time person may need to be hired to help fulfill these requests.

**TAXES:** It was reported that Tax Collector, Agnes Reeder collected \$1,075.56 in Real Estate tax and \$31.94 in street light tax during the month of December. All unpaid tax statements have been submitted to the County for collection.

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

- Changed oil in Ford 550.
- Checked Roads.
- Cleaned inlet boxes.
- Filled potholes.
- Treated roads for snow.
- Emptied and cleaned trucks following snow.
- Took down trees.
- Installed new brake pads and rotated tires on the Ford 250.
- Removed trees after hours.
- Treated roads following snow.
- Pushed snowdrifts back.
- Cleaned equipment.
- Worked on plows.
- Removed plows from trucks.

Resident, John Beiler commented on a pothole located on King Pen Road. Mr. Risk advised potholes were popping up everywhere with the freezing and thawing taking place. He said they are repairing them as quickly as possible.

**PAYMENT OF BILLS:** Mr. Coates motioned the payment of General Fund checks 13264 through 13322 in the amount of \$68,108.05. Mr. Reynolds seconded the motion, which carried.

**PUBLIC PARTICIPATION:** Resident Brendon Filliaux stated he believed he was treated unfairly by the Zoning Hearing Board regarding the hearing he had requested to allow him to house chickens on his property. He noted he was denied for not having a proper chicken coup but that he advised the Board he would purchase whatever they advised him to. He further stated that there were spelling errors and that his address was listed incorrectly in the decision he received, which an attorney has advised him would be enough for him to win on appeal, if filed. Mr. Beiler advised that he had attended the hearing, and he believes the number of residents present and their passionate protests to his request weighed heavily on the Board decisions. He further advised that based on what Mr. Filliaux was stating it appears the Zoning Hearing Board merely wants him to present more information, clearly advising them of what type of coup he was planning, a sketch plan of his property identifying where the coup would be placed, the removal of chicken droppings, etc. Mr. Filliaux indicated the Board has advised other residents of what they want, yet they denied him outright. Resident, John Beiler questioned why the Board members did not advise him prior to the hearing of what was needed. The Zoning Officer confirmed she had advised him of what should be included in his application, as she does all applicants, and he neglected to provide the information required. Mr. Beiler advised that speaking with the members of the Zoning Hearing Board prior to a hearing could be advantageous to applicants. Ms. Jackson advised that the Zoning Hearing Board serves as a court of law and that applicants are **not** to contact any of the Board's members prior to a hearing as that would be a violation of the Law.

Mr. Coates asked John Beiler the status of the proposed zoning ordinance update pertaining to the use of reefer trucks that his attorney was to be preparing. Mr. Beiler indicated his belief that the matter had been put on hold once the matter had been resolved and his unit was approved by

the Board. Mr. Coates advised that his approval was temporary until revisions could be made to the zoning ordinance. Mr. Beiler said he would contact his attorney.

Resident, Samuel Stoltzfus of 453 Nottingham Road advised that his field lane is being used as a road. He indicated traffic is constantly using the lane and people are driving much too fast. Ms. Jackson advised that google maps and other mapping services use ariel photos to direct traffic and based on the good shape the private lane is maintained, they are mistaking it for a public road. Following a discussion, it was suggested that he post the lane as private property and/or barricade the ends of the lane to prevent people from using it.

**PLANNING COMMISSION:** Motion made by Mr. Coates, seconded by Mr. Reynolds and carried to adopt the minutes of the January 23<sup>rd</sup> Township Planning Commission meeting as printed.

**HIGH TUNNELS:** Mr. Beiler advised those in attendance that he had spoken with the township solicitor, a representative from DEP and municipal officials in other townships. He stated that while Ms. Jackson is applying the law as written, there could be ways to circumvent the law regarding the installation of stormwater and issuance of permits. Ms. Jackson advised that permits must be issued on all structures and stormwater must be installed unless exempted by House Bill 1486. Mr. Beiler then questioned how many farmers have conservation plans that include high tunnels and better management practices being utilized to control stormwaters. Ms. Jackson advised that as long as the better management practices are equal to or better than the stormwater requirements of our ordinance, they are considered acceptable. Resident, Isaac Stoltzfus presented an article from the Lancaster Farming Newspaper indicating that high tunnels are now exempted from stormwater. Ms. Jackson noted that the article was inaccurate. DEP simply removed a technical guidance document from its website on January 27<sup>th</sup> as it was repetitive of the legislation language of ACT 15 of 2018 so it was determined to be no longer necessary.

**ZONING HEARING BOARD ALTERNATE:** It was noted that when George Osborne was appointed to the Zoning Hearing Board in January it left the Board with only one alternate. Jerry Emling has agreed to serve as an alternate. Mr. Beiler stated his belief that someone who has recently appeared before and interacted with the Board may be a more appropriate candidate for the position. He noted he had spoken with Mr. Filliaux about the opening and obtained his agreement to serve on the Board. Mr. Martin questioned if Mr. Filliaux was familiar with zoning, who indicated his knowledge was limited. Members of the Amish community indicated their desire to see someone younger appointed to the position. Following a discussion on the matter, a motion was made Mr. Coates, seconded by Mr. Reynolds and carried to appoint both Mr. Emling and Mr. Filliaux to serve as alternates on the Zoning Hearing Board.

**AMENDMENT TO THE AGENDA:** Ms. Jackson requested an amendment to the agenda to allow for two additional release of escrow requests for Jarid Tshudy to be reviewed. Motion made by Mr. Martin, seconded by Mr. Beiler and approved to amend the agenda.

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

**Benjamin S. Stoltzfus:** A motion was made by Mr. Coates, seconded by Mr. Martin and carried authorizing the release of escrow being held on the Fulton View Road project.

**Frank Focht:** Mr. Coates motioned all but \$500.00 of the escrow funding being held on the Blue Gill Road project be released. Mr. Brenneman seconded the motion, which carried.

**Jarid Tshudy:** The motion to release the escrow funding held on the 19 Nottingham Road project was made by Mr. Coates, seconded by Mr. Martin and carried.

**Jarid Tshudy:** A motion was made by Mr. Martin to release the escrow funding held on the 341 Nottingham Road project. The motion, which carried was seconded by Mr. Coates.

**ADJOURNMENT:** At 9:36 p.m., being no further business, a motion was made by Mr. Beiler, seconded by Mr. Reynolds and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis  
Secretary/Treasurer