

LITTLE BRITAIN TOWNSHIP
December 11, 2018

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, December 11th, 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 was followed by the salute to the flag.

PRESENT: Jerry Emling	Thomas Cepis	Marcella Peyre-Ferry
Clark Coates	Chuck Ford	Agnes Reeder
Richard Brenneman	Debbie Helm	Dan Risk
Shawn Reimold	Kenny Helm	Reber Testerman
Pat Wood	Brian Masterson	Tim Trostle
Christine Jackson	George Osborn	
Margaret DeCarolis		

MINUTES: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried to adopt the minutes of the November 13th meeting as printed.

SANITATION: It was reported that Mr. Stoner collected \$1,050.00 in sanitation fees during the month of November. No well permits were issued.

EXECUTIVE SESSION: Mr. Emling called for an executive session at 7:03 p.m. The meeting reconvened at 7:21 p.m. at which time Mr. Emling indicated the session was held to discuss a legal issue.

SETTLEMENT AGREEMENT: Motion made by Mr. Reimold to accept a settlement agreement with Blakinger Thomas to release a claim against the firm for errors regarding professional services rendered and to have attorney Theresa Mongiovi complete the negotiations on this matter. Ms. Wood seconded the motion, which carried.

ZONING: Zoning Officer, Christine Jackson reported issuing 6 zoning, 3 occupancy, 1 demolition, 1 extension and 3 driveway permits during November along with the acceptance of 3 Zoning Hearing Application. Ms. Jackson also advised of the following;

- Zoning Hearing Application of Charles Ford. Mr. Ford was present and advised the Board that he received a variance in November 2017 allowing him to keep 2 mini donkeys on his 1.28 acre property located at 1947 Spruce Grove Road. He stated that when purchasing the donkeys he was unaware that the female was pregnant. She gave birth in July of this year and he is now seeking approval to keep the 3 animals on his property. He clearly stated that he has no intention of breeding or acquiring any additional animals and is requesting that all other variances he received in 2017, which he is complying with, remain as previously approved. The Board noted the application without comment.
- Zoning Hearing Application of Daniel S. Beiler of 180 Little Britain Road requesting a variance of section 200.7 of the zoning ordinance to subdivide his property into 2

parcels with one parcel having a minimum lot size less than the 20 acres required. Ms. Jackson advised that the property has been cut in half twice by PECO. Mr. Beiler has a power line right-of-way leases on approximately 17 acres of land located in the middle of his property. It was noted that the second property would also be utilized as a produce farm. The Beiler's have no desire to make use of land development procedures to install a second dwelling unit on the property. Following a review of the application, the Board noted it without comment.

- Zoning Hearing Application of Kenneth and Deborah Helm. Mr. Helm was present and advised the Board that he had previously received a variance allowing a BYOB event venue on his property. He noted that upon further research he discovered that with the BYOB classification of the venue that he would have no control over what type of or the amount of alcohol being consumed by guests on his property prior to their leaving an event. Upon their exit of the property however, he could be held liable for any accidents/deaths that occur. By obtaining their Responsible Alcohol Management Program certification through the Pennsylvania Liquor Control Board they would be able to control the type and amount of alcohol consumed if they provided the alcohol themselves. Due to this, they have applied for and obtained a limited winery license through the state and are now requesting approval to operate a winery on the property. It was noted that the winery would provide a tasting room which would accommodate up to 20 people and allow for the purchase of their products on site. Mr. Helm provided a brief overview of the wine processing procedures and what types of products are allowed with the limited winery license and what percentage of product must be made on site. He further noted that he and his wife believe this venture would be beneficial to the community in promoting agriculture business and in stimulating the economy through the addition of part-time jobs and use of local vendors for other items. He also noted that he had spoken with all of his neighbors and members of the community in the area and had signatures of 91 residents who support his efforts in this undertaking. He further acknowledged he was not allowed to serve plated meals in association with the winery, only snacks and dips. Mr. Helm was also informed the Township would require copies of licensing and certifications be kept on file as received and renewed. Following a review of information presented, the Board indicated they had no questions or concerns pertaining to the request presented.
- Notification received from the Department of Environmental Protection that remedial action pertaining to the fuel spill at 10 Little Britain Road is complete and that both the soil and groundwater on that property are now considered safe.
- Judgment of \$1,545.25 obtained for repeated violations on the property owned by Robert Icenhour located at Kinseyville Road. Mr. Icenhour contacted the office to advise he had no defense against the violation and requested a payment plan for the amount due. He will make 5 monthly installments by the 20th of each month until the amount is paid in full. Ms. Jackson noted that the property has been cleaned up and Mr. Icenhour will decide by April 2019 if he will be removing or replacing the unit or selling the property.
- Lancaster Home Builders submitted a stormwater plan for property they are purchasing on Little Britain Road. The Township currently holds a lien on the property for approximately \$13,000.00, which was filed against the property in 2011

due to zoning violations on the property when the Gravatt's resided there. Ms. Jackson made the realtor and buyers aware of the lien and advised that no paperwork would be reviewed until the lien was satisfied. Settlement on the property is scheduled for December 20th but the realtor now insists that the proposed buyer does not wish to move forward with the purchase until they are sure the stormwater plans are approved. She noted that when she refused to process the plan until payment is received, that attorney Mel Hess contacted the Township Solicitor, George Cook directly to plead their case. She is still working to confirm who authorized attorney Hess to contact the Township solicitor so that the fees for the call can be billed to that individual. She further stated her concern over the solicitor taking a call directly from an outside party without first obtaining consent from the Township. It was noted that this is not the first time Mr. Cook has spoken with a party pertaining to a matter that was not pre-authorized. The Board discussed the matter and unanimously agreed that Mr. Cook should not be speaking with anyone other than a Township employee without obtaining Township approval. They further stated that he should be informed that going forward the Township would refuse payment on any charges not authorized by them. As for reviewing the plan, Mr. Emling indicated his belief the plan should be held until payment received as this is the manner in which things have been handled in the past. Following a discussion on the matter, Ms. Wood motioned that the plan be forwarded for review, if the submission fees have been received, but that no permits be issued until the lien has been satisfied. Mr. Coates seconded the motion, which carried.

TAXES: Tax Collector, Agnes Reeder reported collecting \$404.08 in real estate tax and \$3.08 in interim tax during the month of November. She further noted that she believes the computer system problems she was experiencing have been resolved.

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

- Re-graded dirt roads.
- Checked roads following storms.
- Repaired side gutters on various roads.
- Checked driveway sites for permits.
- Placed cones and signs out after hours for downed electrical pole.
- Removed tree on Sleepy Hollow Rd.
- Installed salt spreaders on trucks and prepared equipment for storm.
- Treated roads and plowed snow.
- Performed routine equipment maintenance.
- Cleaned equipment following snow.
- Worked on loader, grader and roller.
- Re-graded Fairmount Road.
- Dug out pad for salt shed and placed stone.
- Hauled stone.
- Checked on Park.

Ms. Wood questioned if any paving projects were completed in 2018 and was advised that a section of Pine Grove Road was paved along with a short section of Springhill Road. Mr. Risk

advised that a majority of state funding was spent on patchwork projects. Ms. Wood indicated she would like to see Sleepy Hollow Road paved in the near future if possible. Mr. Brenneman advised of pothole problems on Springhill Road and indicated concern over the patchwork completed by the State on Little Britain Road North. Brief discussions were held on both matters and he was advised the State had been contacted about the concerns pertaining to Little Britain Road. Mr. Emling advised he would like to see the driver's seat on the Ford F550 repaired and noted that new tires are needed on the Ford F250. Mr. Emling also requested that the grass on Green Lane be kept mowed short along the roadways where Amish children are walking for safety reasons.

PAYMENT OF BILLS: Motion made by Mr. Coates, seconded by Mr. Brenneman and carried authorizing the payment of General Fund checks 11153 through 11183 in the amount of \$42,861.05. Motion was made by Mr. Brenneman, seconded by Mr. Coates and carried authorizing the payment of General fund check 11184 in the amount of \$140.00. Ms Wood abstained from voting. Motion made by Ms. Wood, seconded by Mr. Coates and carried authorizing the payment of State Fund check 2006 in the amount of \$1,355.29.

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

PLANNING COMMISSION: Motion made by Mr. Coates, seconded by Mr. Reimold and carried adopting the minutes of the November 20th Township Planning Commission meeting as printed.

William Zimmerman: Tim Trostle of Strausser Surveying presented the land development plan indicating that Mr. Zimmerman is installing a new septic system for the second dwelling on the property. Ms. Jackson noted that the land development plan is being processed to legalize the second dwelling unit that was constructed without permits or authorization. She noted the plan would also remove a subdivision right on the property. During research on the plan, it was discovered that both this lot and a lot owned by the Craig's are land locked so easement agreements are currently being drawn up and recorded to rectify this matter. Following a review of the plan, Ms. Wood motioned the approval of the Sewage Facilities Module. Mr. Brenneman seconded the motion, which carried.

Paul & Aimee Satterfield: Brian Masterson of Regester Associates presented the plan and requested approval of the Sewage Facilities Module. He advised they were waiting on comments from the Lancaster County Planning Commission prior to requesting final plan approval. Following a review of the plan, a motion was made by Mr. Coates, seconded by Mr. Brenneman and carried approving the Sewage Facilities Module.

Kathryn Black Estate: Brian Masterson of Regester Associates presented the subdivision plan requesting final plan approval and authorization to record. Following a review of the plan, Mr. Reimold motioned the plan be approved as presented. The motion was seconded by Ms. Wood and carried.

STORMWATER PLANS: The following stormwater plans were presented:

Thomas Cepis: Brian Masterson of Register Associates presented the plan requesting plan approval. Following a review of the plan, a motion was made by Mr. Brenneman, seconded by Mr. Reimold and carried.

David & Nancy Martin: Ms. Jackson, Zoning Officer presented the plan and advised that the Martin's had obtained state approval for Title 25, Chapter 102 of the PA Code of an Erosion and Sediment Control plan. A driveway permit through PennDOT still needs to be obtained. The Board was advised that the plan is being presented for plan approval and a waiver of sections 310.C.1.d.3 and 310.c.5.c.1.c of the Stormwater Ordinance providing a minimum swale slope of 1%. Following a review of the plan, Mr. Coates motioned the plan be approved as presented and the waivers requested be granted. Ms. Wood seconded the motion, which carried.

David Mahala: Zoning Officer, Ms. Jackson advised that due to problems with the plan that it would be held until the January meeting.

Lancaster Home Builders: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried acknowledging receipt of the plan.

RESOLUTION #9-18: 2019 Tax Rate- Motion made by Mr. Reimold, seconded by Mr. Coates and carried to adopt Resolution #9-18 confirming the Real Estate Tax rate of .301 mills for the year 2019.

RESOLUTION #10-18: 2019 Budget- Motion made by Mr. Coates, seconded by Mr. Brenneman and carried adopting Resolution #10-18 as The Little Britain Township budget for 2019.

AGRICULTURAL SECURITY AREA: The Board reviewed the application and minutes of the Agricultural Security Board pertaining to the application of Galen and Alice Nolt of 222 Little Britain Church Road to place 167.58 acres, approximately 5.3 acres of which is located within Little Britain Township, into the Agricultural Security Area. Following this review, a motion was made Ms. Wood, seconded by Reimold and carried to approve the inclusion of this property in their Agricultural Security Area.

END OF YEAR PAYMENTS: Motion made by Ms. Wood, seconded by Mr. Reimold and carried, authorizing the Secretary/Treasurer to pay all end of year bills.

2019 APPOINTMENTS: The Board was advised of those positions up for re-appointment at the January re-organizational meeting.

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

Aaron Stoltzfus: Motion was made Ms. Wood, seconded by Mr. Brenneman and carried authorizing the release of escrow on the Eagle Road project.

Stanley Zdrojewski: Mr. Coates motioned the release of escrow funding being held on the Green Lane project. Mr. Reimold seconded the motion, which carried.

Christ Fisher: Ms. Wood motioned that the escrow funding being held on the Lloyds Road project be released. The motion was seconded by Mr. Reimold and carried.

Weaverland Mennonite School: A motion to reduce the line of credit being held on the Weaverland Mennonite School project by \$49,827.00 while retaining a balance of \$90,585.70 was made by Mr. Brenneman. Mr. Reimold seconded the motion, which carried.

TRAINING/SEMINARS: Upcoming training and seminars were reviewed.

ADJOURNMENT: At 8:50 p.m. being no further business, motion was made by Mr. Coates, seconded by Mr. Reimold and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolus
Secretary/Treasurer