

**LITTLE BRITAIN TOWNSHIP**  
**APRIL 12, 2022**

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, April 12<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.

<b>PRESENT:</b>	Jerry Emling	George Osborn
	Clark Coates	Marcella Peyre-Ferry
	Richard Brenneman	Donna Smith
	David Martin	Russ Smith
	Pat Wood	Jen Stoltzfus
	Christine Jackson	Tim Trostle
	Margaret DeCarolis	Linda Walter

**MINUTES:** Motion made by Ms. Wood, seconded by Mr. Brenneman and carried to adopt the minutes of the March 8<sup>th</sup> meeting as printed.

**SANITATION:** It was reported that Sewage Enforcement Officer, Mr. Stoner collected \$375.00 in sanitation fees and \$100.00 for well permits during the month of March.

**ZONING:** Ms. Jackson, Zoning Officer reported issuing 10 zoning, 8 occupancy, 5 driveway and 6 demolition permits during March along with the acceptance of 3 Zoning Hearing Application. Ms. Jackson also advised of the following:

- Zoning Hearing Application of Joseph and Margaret Lumarda requesting a variance of design standards (section 200.7). The Lumarda's own 2 adjoining properties that are nonconforming lots, one is 7.163 acres and the other is 6.071 acres. They would like to adjust the lot lines of the property by completing a lot add-on plan, which would bring one lot into compliance with lot size per the zoning ordinance. The remaining tract would increase from 7.163 acres to 11.125 acres. There are futuristic plans to add a second dwelling unit on the property and the additional land will be needed for septic. The Board discussed the comments of the Township Planning Commission and agrees this is good planning if the remaining building right is forfeited. Motion was then made by Ms. Wood, seconded by Mr. Brenneman and carried to recommend approval of this request as long as the remaining building right is surrendered.
- Zoning Hearing Application of Reuben King of Robert Fulton Highway requesting a variance of design standards (section 200.7). This property is currently an odd shaped lot and user unfriendly. Mr. King would like to have land added to his property through a lot add-on plan being completed by his uncle, who is the adjoining property owner. The proposed plan would redistribute land from 3 individual lots, 2 of which are non-conforming lots. Upon completion only one lot would be non-conforming in size. The additional acreage to be added to Mr. King's lot would be utilized to grow produce. Following a review of the plan, Mr. Coates motioned the Board support this request as long as no additional building rights are attached to the non-conforming lot. Ms. Wood seconded the motion, which carried.

- Zoning Hearing Application of Gwendolyn Bowers of Reath Road requesting a variance of side yard setback (section 200.8B). Ms. Bowers would like to construct an addition on her home to allow for one floor living due to her increasing age and medical concerns following an industrial accident. Mr. Martin questioned why the addition could not be added to the other side of the property where it could be constructed within the setback. It was also noted that the addition could be added to the back of the house and remain within setback ranges. Following a review of the plan, a motion was made by Ms. Wood, seconded by Mr. Coates and carried opposing the application as there are options available that would allow the desired addition to be constructed while maintaining the established setbacks.
- Conditional Use Application of Rueben Miller of Balance Meeting Road requesting an ECHO hearing to allow his 72-year-old mother to reside on his property in an ECHO unit. Following a brief review of the application, the Board established a date for this hearing as May 10<sup>th</sup> beginning at 6:30 p.m.
- Residential concern received regarding project taking place at 55 Cedar Road. It was confirmed no permits were issued for the project and contact with the Lancaster County Conservation District (LCCD) was initiated pertaining to Chapter 105 concerns. Ms. Jackson was advised the LCCD no longer oversees these matters and had forwarded the concern to DEP. DEP indicated they did not see this as a Chapter 105 violation and referred it back to LCCD who then referred it to the Fish and Boat Commission. She has since been advised that the property owner will not be made to retroactively obtain his NPDS permit but that the LCCD and DEP may pursue him for the permit fees. Ms. Jackson stated her concern over law abiding residents having projects delayed up to a year while obtaining the required permits and paying exorbitant cost to do so while this resident has circumvented the system and is facing no penalties. She indicated she will contact the Township Engineer to confirm what if any recourse the township may have under its earth disturbance ordinance.

**TAXES:** It was reported that Tax Collector, Agnes Reeder collected \$17,230.08 in Real Estate tax, \$15.27 in Interim tax and \$373.80 in lighting tax during the month of March.

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

- Washed and cleaned equipment.
- Cleaned loose stone up from Heather Circle.
- Swept parking lot at municipal building.
- Filled edges around municipal building parking lot with topsoil.
- Picked up cold patch and patched potholes.
- Measured roads for seal coat.
- Treated and plowed roads.
- Cleaned trucks and equipment following storm.
- Cleaned shop floor.
- Cleaned inlet boxes.
- Removed salt spreaders from trucks.
- Regraded Fairmount Road.
- Hauled stone.
- Reviewed road projects with vendors.
- Blew leaves from side gutters.
- Hauled anti-skid material.

- Removed tree.
- Checked on Park.

**PARK:** Ms. Wood indicated there have been issues at the park with foul language and trash being strown about. Concerns over the activities taking place and possible remedies were discussed. Mr. Emling indicated he would like to obtain the license plate numbers of those creating problems and have them banned from using the park. Ms. Jackson indicated Justice Mylin could advise of what steps would need to be taken to accomplish banning these individuals.

**PAYMENT OF BILLS:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried authorizing the payment of General Fund checks 12553 through 12591 in the amount of \$23,429.06.

**PUBLIC PARTICIPATION:** Resident, Russell Smith who resides at 267 Green Lane which is part of the Steele Ridge development advised the board of his concerns pertaining to the streetlight tax imposed. He indicated he was not advised of the tax prior to purchasing the property, that the tax statement letter was unclear as to why the tax was being assessed and that his attempts to contact the tax collector for information were unsuccessful. He indicated he had come in and met with the Zoning Officer and Secretary/Treasurer who provided copies of the ordinance pertaining to the streetlight tax assessment and other information as requested. He then stated his concern over deed restrictions not being enforced by the Township and was advised that legally the township cannot enforce deed restrictions. The Zoning Officer advised of the difference of deed restrictions versus zoning violations and advised a breach of deed restrictions were a civil issue. Jen Stoltzfus of the Lancaster Patriot questioned if the Board had received further information from its solicitor pertaining to changing the paper for its legal notifications or if there were any further questions/concerns she could address. The Board indicated that no further information had been received.

**TOWNSHIP PLANNING COMMISSION:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried to adopting the minutes of the March 22<sup>nd</sup> Township Planning Commission meeting as printed.

**Isaac Beiler:** Tim Trostle of Strausser Surveying presented an overview of the plan in which Mr. Beiler would like to construct an addition on the house but advised corrections were needed on the plan prior to it being presented for approval. He did request approval of the Sewage Facilities Module, Resolution #9-22. Motion made by Mr. Coates, seconded by Mr. Brenneman and carried approving the signing of the Sewage Facilities Module.

**Ernst Frey:** Tim Trostle of Strausser Surveying presented the lot add-on plan and advised the actual lot size will not change, it will just be reconfigured to improve the farmability of the land. He then requested a waiver of existing features and a waiver of plan scale. Following a review of the plan, Ms. Wood motion the approval of the plan and the waivers requested. Mr. Coates seconded the motion, which carried.

**John Stoltzfoos:** The lot add-on was tabled as a zoning hearing is needed prior to proceeding with this plan.

**CORRECTION OF DECEMBER 2021 MINUTES:** The Board was advised that their motion to change the name of Sunset Drive to Armstrong Lane in December was not included in the minutes of that meeting and needed to be corrected on the record. Mr. Coates motioned the correction of the minutes to accurately reflect the authorization of the name change on this road. The motion was seconded by Ms. Wood and carried.

**RESOLUTION: 8-22:** Motion made by Ms. Wood, seconded by Mr. Martin and carried adopting Resolution #8-22 confirming the name change of Sunset Drive to Armstrong Lane.

**QUARRYVILLE LIBRARY:** Linda Walter, a member of the Quarryville Library Board requested the Board consider allocating a portion of their American Rescue Plan (ARP) funding to them for use on repairs and/or upgrades to their facility. She noted their current Board is down to 4 members (should be 9) and that their revenue from both their patron and business fundraising drives have decreased since COVID arose.

**2021 MATERIAL BIDS:** Roadmaster, Dan Risk advised the Board of the bids received. Following a review of the information presented the following motions were made:

**Stone:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried to award the 2A Limestone bid to New Enterprises, the Rice, ¾” and stone dust be awarded to Allan Myers and all other stone be awarded to Penn/MD.

**Bituminous Material:** Ms. Wood motioned that Allan Myers be awarded the bituminous material contract. Mr. Coates seconded the motion, which carried.

**Seal Coat:** Motion made by Ms. Wood, seconded by Mr. Martin and carried awarding the Seal Coat bid to Asphalt Industries.

**Road Equipment:** Mr. Brenneman motioned the award for road equipment be made to Long’s Asphalt. The motion was seconded by Ms. Wood and carried.

**BLACK AND LITTLE BRITAIN ROADS INTERSECTION:** Mr. Emling questioned the status of the Black and Little Britain Roads intersection project. He was advised the grant application was submitted and is listed as pending review on the DCED website. He then questioned if approval from PennDOT had been received and stated his desire to begin on this project immediately upon receipt of approval. The Secretary/Treasurer will check with the engineer to confirm the status of approval with PennDOT.

**RESOLUTION #7-22:** The Board was advised that PSATS is seeking support of the Pennsylvania Commission for the United States Semiquincentennial in 2026. Motion made by Ms. Wood, seconded by Mr. Martin and carried adopting Resolution #7-22 supporting this commission and its efforts.

**SEWAGE MAINTENANCE PROGRAM:** The Board was advised that 187 of the 1437 property owners who were due to have their septic systems cleaned in 2020 have not done so. Of the 1444 properties that were due to be cleaned in 2021 there are 238 that have not complied. The Board was advised that due to the year latitude property owners were to receive on this first rotation of service, violation notices have not yet been sent to those in violation of the ordinance. Following a

discussion on the matter, the Board instructed the Secretary/Treasurer to get out violation notices to all non-compliant residents from 2020 and 2021 advising them they have 30 days to comply prior to the matter being forwarded to the district justices office for the assessment of fines.

**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 by Ms. Wood, seconded by Mr. Brenneman and carried authorizing the release of escrow funding being held on the projected located at 95 Little Britain Road South.

**Jackie & Dana Davis:** Mr. Brenneman motioned the escrow funding being held on the Sleepy Hollow Road project be released. The motion was seconded by Ms. Wood and carried.

**Tim Hoover & Andrea Webb:** Mr. Martin motioned the escrow funding being held on the Sleepy Hollow Road project be released. Mr. Coates seconded the motion, which carried.

**Daniel King/Isaac Lapp:** As the Little Britain Road stormwater project has been completed as designed, a motion was made by Ms. Wood, seconded by Mr. Coates and carried to authorizing the release of the escrow funding on this project.

**EXECUTIVE SESSION:** Mr. Emling called for an executive session at 8:57 p.m. to discuss a legal matter. The meeting reconvened at 9:29 p.m.

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

**ADJOURNMENT:** At 9:30 p.m., being no further business, motion was made by Ms. Wood, seconded by Mr. Brenneman and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis  
Secretary/Treasurer