

LITTLE BRITAIN TOWNSHIP
November 15, 2022

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, November 15th 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
Clark Coates
Richard Brenneman
David Martin
Pat Wood
Christine Jackson
Margaret DeCarolis

Linda Bolt
Ron Bolt
Les Johnson
George Osborn
Dan Risk

MINUTES: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried to adopt the minutes of the October 11th meeting as printed.

SANITATION: The Board was advised that no report had been received from the Sewage Enforcement Officer for the month of October.

ZONING: Zoning Officer, Christine Jackson reported issuing 8 zoning, 6 occupancy and 1 demolition permits during the month of October along with the acceptance of 4 Zoning Hearing Application. Ms. Jackson also advised of the following:

- Zoning Hearing Application of Michael and Devon Brooks who own the previous Eldreth Pottery facility located at 908 Hart Road. They are requesting a variance to tear down 2 buildings and approval to rebuild a larger single facility to allow for the expansion of their home décor manufacturing business. Following a review of the application, Ms. Wood motioned the Board support the application Mr. Brenneman seconded the motion, which carried.
- Zoning Hearing Application of Isaac F. Stoltzfus who owns 35 Nottingham Road is requesting a special exception to construct 27,000 sq ft of greenhouses, a variance of setback to allow the placement of the greenhouses to be in the front yard and a variance to allow up to 2 years for the completion of construction. Following a review of the application, a motion was made by Ms. Wood, seconded by Mr. Coates and carried to support the construction of the greenhouses and the extended time frame to do so. They recommended the denial of the variance request for the units to be in the front yard and instead be constructed and placed as denoted on sheet 2 of 4 of the Existing and Proposed features for the Isaac F. and Malinda B. Stoltzfus plan dated September 22, 2022, drafted by AET Agricultural Consulting submitted with the application.
- Zoning Hearing Application of Aaron E. Stoltzfus who owns the property located at 376 Nottingham Road is requesting special exceptions to close in a porch, to construct a greenhouse which would exceed 5000 square feet and enlarge an existing non-conforming use and to convert a 1 story lean-to attached to the existing barn into a 2-story lean-to. As

the property is zoned R-2 , the proposed use conflicts with the Comprehensive Plan and Zoning Ordinance but has been authorized by Judge Miller's opinion/order. Due to the previous zoning hearings and legal actions taken pertaining to this property, the Solicitor has been invited to attend this hearing to ensure all legal decisions rendered on this property are adhered to. Following a discussion of the application, Ms. Wood motioned the Board defer judgement to the Zoning Hearing Board. Mr. Brenneman seconded the motion, which carried. Mr. Martin abstained from voting due to being a neighbor.

- Zoning Hearing Application of Levi B. King of 67 Roberts Road who is requesting a special exception to replace his non-conforming home with a larger structure. The proposed structure would not decrease current setback on the front or back property lines. The square foot of the proposed structure was not available at time of application so should the structure exceed 50% of the current home's square footage a variance would also be needed. Motion made by Mr. Coates, seconded by Mr. Martin and carried supporting this application.
- Zoning Hearing Application of Isaac K. Stoltzfoos of 751 Spruce Grove Road who is requesting a special exception to house livestock on an R-1 zoned property. The property encompasses 8.8 acres of land and therefore allowed to house 4 horses. Mr. Stoltzfoos is requesting 4 horses, 20 chickens, 1 cow and 6 sheep or goats and a variance to place a fence against a neighboring property line. He is also requesting a special exception to run a wood working business on the property and a variance to exceed maximum building utilization as the proposed business would occupy 100% of a dwelling for the business versus the 25% allowable. Resident, George Osborne expressed his concern over these types of requests occurring within the residential zoning districts. He noted that residential zoning is limited and that by allowing businesses of this nature to encroach on these districts that the residential areas will disappear. He further noted his concern that special exceptions and various are to be granted for true hardships, not hardships that people buy themselves into. Following a thorough review of the application a motion was made by Ms. Wood, seconded by Mr. Coates and carried to oppose the requests for additional animals and fencing setbacks and that all zoning regulations be adhered to. They also noted their strong opposition to the business request as they do not believe such a business would be conducive in a residential zoning district.
- Complaints received pertaining to a potential business being run at 117 Canterbury Court in Brittany Commons. Resident claims she is not conducting a business but refused to provide answers to a list of questions the zoning officer sent trying to obtain more information on what types of services were being provided. Resident claims she is only providing services for 43 family members of which she submitted a listing. The Zoning Officer indicated a home occupation in her district would require approval through the zoning hearing board. It was also noted that a home occupation was against the homeowner by-laws but that the township does not enforce those regulations. Following a discussion on the matter, Mr. Emling motioned the solicitor be contacted to obtain guidance on how to proceed with the matter. Ms. Wood seconded the motion, which carried.
- The Board was advised of a forbearance agreement prepared by the solicitor for the settlement of the violation on the Beiler property located at 1345 Lloyds Road. The agreement confirms the Beiler's agrees to remove the truck body from the property and establishes a payment plan for \$10,000.00 over 2 years to fulfill the judgment placed against them on May 10, 2022. This agreement provides a little over \$2,000.00 of relief on the judgment and fines assessed. Any breach of contract shall void this agreement and the

Beiler's will be responsible for the full judgement amount, plus costs and interest. Following a review of the material presented Ms. Wood motioned the Board ratify the agreement. The motion was seconded by Mr. Coates and carried.

- Ms. Wood questioned if a time schedule had been received from Frontier pertaining to the installation of the fiber optic lines. She was advised that the permits are good for a year and anticipates work to commence in the Fall.

TAXES: The Board was advised that no report had been received from the Tax Collector for the month of October.

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

- Checked on and cleaned Park.
- Mowed road banks.
- Cleaned inlet boxes.
- Placed stone and graded on section on Springhill Road.
- Placed stone and graded Fairmount Road.
- Winterized and closed restrooms at the park.
- Performed routine equipment maintenance.
- Mowed at municipal building.
- Filled in potholes.
- Picked up parts in Lancaster.
- Placed stone on Oak Road.
- Spread stone on Eagle Road.
- Saw-cut pipe crossing on Fulton Britain Road.
- Placed stone and rolled Eagle Road.
- Cleaned gutter on Ashville Road.

Ms. Wood questioned the work taking place on Fulton Britain Road and was advised that an emergency permit has been requested to dredge a settlement bar in the stream.

HANDHELD RADIOS: Mr. Risk advised of the desire to equip the road crew with handheld radios to ensure their ability to communicate with each other as well as other municipalities. Triangle Communications provided an estimate of \$846.00 which includes 3 radio units and charging stations. It was noted that this purchase would be eligible for reimbursement through the ACT 147 – Emergency Management Funding Program. Following a discussion on the matter, Ms. Wood motioned the approval for the purchase of the radios. The motion was seconded by Mr. Martin and carried.

EQUIPMENT ESTIMATES: Mr. Risk advised he obtained an estimate of \$20,087.92 to replace the broom on the mower tractor. He noted he would like to utilize a portion of the funding obtained from Frontier for the road opening permits to fund this purchase. Motion made by Mr. Brenneman, seconded by Ms. Wood and carried authorizing the purchase of the broom. Mr. Risk also presented an estimate for a new JCB Rubber Tire Loader from Stephenson Equipment for \$194,228.16. He indicated he would like the Board to consider the purchase of this equipment through the Liquid Fuels Fund account in 2023.

PAYMENT OF BILLS: Motion was made by Mr. Brenneman, seconded by Mr. Martin and carried authorizing the payment of General Fund checks 12768 through 12803 in the amount of \$54,487.29.

PUBLIC PARTICIPATION: Resident, Les Johnson questioned when the remainder of Brown Road was going to be finished. He indicated that where the paving ended there is a drop off that he believes is a driving hazard. Mr. Risk advised that he projected work to continue on his road in 2023. Following a discussion on the matter, Mr. Risk advised that he could lay stone in the side gutters.

PLANNING COMMISSION: Motion made by Mr. Coates, seconded by Mr. Brenneman and carried adopting the minutes of the October 25th Township Planning Commission as printed.

Justin Kreider: Zoning Officer, Ms. Jackson advised that the Sewage Facilities Module that was approved and signed for this plan was rejected by the Department of Environmental Protection. She noted the questions on wetland protection and indicated the responses provided by the engineering firm were incorrect as a portion of the Commercial lot is in wetlands. It was also noted that the engineering firm correctly responded that prime agricultural land would be disturbed with this project but incorrectly stated that the plan was consistent with the municipal prime agricultural land protection program. Ms. Jackson advised that for the plan to meet municipal standards the lots would need to be clustered together with other residential lots. Following an in-depth discussion on the matter, it was motioned by Mr. Coates, seconded by Mr. Brenneman and carried that the lots need to be relocated and should face Brown Road.

SOLANCO HISTORICAL SOCIETY REQUEST: The Board was advised that the Solanco Historical Society has again requested authorization to trim the evergreen trees on the property and be allowed to use the trimmings for their holiday greenery items. Last year the Board rejected this request. Ms. Wood advised that she was not opposed to the trimming of the trees if Carlton Groff, who is a member of the society was on site to perform or oversaw the trimming. It was noted that the trees must be maintained per stipulations set by the Zoning Hearing Board when the township purchased this property. Following a discussion, Ms. Wood motioned the society be allowed to trim the trees with the stipulation that Mr. Groff himself perform the work or that he oversee the work himself. Mr. Brenneman seconded the motion, which carried.

AUDITING FIRMS: The Board reviewed estimates from accounting firms Sager, Swisher & Company and Brown Schultz Sheridan & Fritz for auditing services. Both estimates were compiled based on previous year audit reports and projected time and resources to complete the audit. Sager, Swisher & Company projected the fee for services between \$9,100.00 and \$9,600.00. Brown Schultz Sheridan & Fritz projected the fee for services at \$18,500.00. Both firms were recommended by the previous accounting firm and the township Solicitor. Following a review of their proposals Ms. Wood motioned the firm of Sager, Swisher & Company be appointed as the township's accounting firm. Mr. Martin seconded the motion, which carried.

WAKEFIELD AMBULANCE – LANCASTER EMS: Zoning Officer, Ms. Jackson advised the Board that upon receiving the membership/donation letter from Wakefield Ambulance Association (WAA) that she noticed the phrase "Lancaster EMS is no longer a joint subscriber with our organization". A few days later she received a membership/donation letter from Lancaster

Emergency Medical Services Association (LEMSA) which did not list Little Britain Township as part of their coverage area. She then reached out to LEMSA who initially stated they did not provide service within Little Britain. Several phone calls later she was advised that LEMSA does not provide basic life support services in Little Britain, they only provide advanced life support services in the township. She was further advised that membership material is only to contain the names of areas in which a provider is approved by the municipality to provide basic life support. The Secretary/Treasurer also reached out to the WAA for additional information on when the decision was made to end the joint membership relationship between WAA and LEMSA and to inquire as to why the municipality was not advised of the change. WAA representative, Marissa Witmer responded that due to several issues with double billing of members that WAA Board of Directors voted to terminate their membership agreement with LEMSA effective January 1, 2023. A discussion pursued pertaining to the fees charged for these services and the hardship this could cause for residents who will now be forced to obtain a membership through both services. It was further noted that over 200 ambulance associations have closed within the last 12 years and that counties in the northwest part of the state are creating an authority that will charge each household \$75 a year for ambulance service. Based on the number of concerns and unanswered questions on this matter, the Board requested that both the WAA and LEMSA be invited to the December meeting to discuss this matter further.

TENTATIVE ADOPTION OF 2022 BUDGET AND TAX MILAGE: Motion made by Mr. Coates to tentatively adopt the 2023 tax milage of .3019 and the 2023 budget as prepared. Mr. Martin seconded the motion, which carried.

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

Rueben Miller: Mr. Coates motioned the escrow funding being held on the Balance Meeting Road project be released. The motion was seconded by Mr. Brenneman and carried.

Michael & Camille Gracie: Motion was made by Mr. Martin, seconded by Mr. Coates and carried authorizing the release of the feature escrow being held on the Wesley Road project.

Levi Beiler: As the project on Springhill Road has been completed as designed, a motion was made by Mr. Brenneman, seconded by Mr. Martin and carried authorizing the release of escrow funding.

MaryJo Steele: The Board was advised that the improvement guarantee posted for the Howard Road takeback are due to be released per the Memorandum of Understanding signed when the funds were posted. It was noted that Roadmaster, Mr. Risk has verified the condition of the road and is agreeable to the release of funding. The Board would like Township Engineer, Mr. Fisher to confirm all terms of the agreement have been met and recommend the release of this funding. Motion was made by Mr. Emling, seconded by Mr. Brenneman and carried authorizing the release of escrow upon approval from Ed Fisher.

CELL PHONES: Mr. Emling questioned when the cell phone plan would be updated and indicated his desire for the Township to shop other providers such as Pure Talk or T-Mobile to determine if a more cost-effective plan could be obtained. There was concern expressed by others on the plan

about lack of coverage areas provided by other providers. The Secretary/Treasurer noted she would obtain information on what was available to present at the December meeting.

TRAINING/SEMINARS: Upcoming training and seminars were reviewed.

ADJOURNMENT: At 9:25 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