

LITTLE BRITAIN TOWNSHIP
November 13, 2018

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, November 13th 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	Jim Bullitt
Clark Coates	Peg Donahoe
Richard Brenneman	George Osborn
Shawn Reimold	Marcella Peyre-Ferry
Pat Wood	Dan Risk
Christine Jackson	Carl Smucker
Margaret DeCarolis	

MINUTES: Motion made by Mr. Brenneman, seconded by Ms. Wood and carried to adopt the minutes of the October 9th meeting as printed.

SANITATION: It was reported that Mr. Stoner collected \$1,800.00 in sanitation fees and \$50.00 for well permits during the month of October.

ZONING: Zoning Officer, Christine Jackson reported issuing 11 zoning, 10 occupancy, 1 driveway and 1 demolition permits during the month of October along with the acceptance of 2 Zoning Hearing Application. Ms. Jackson also advised of the following:

- Zoning Hearing Application of Carl Smucker. Brian Masterson of Register Associates who is representing the Smucker's for this hearing advised that his clients are requesting a special exception of Section 205.6 of the zoning ordinance for uses in the Flood Plain District to construct a driveway in the flood plain. A variance of Section 321.2.B.3 is also being requested to construct a single family dwelling and accessory building in areas of the property that are in excess of the permitted slope requirements as 78.1% of the building envelope has slopes that exceed 15%. A variance is also being requested to allow the creation of a 3.909 acre lot in the agricultural district. This request is being made to allow road frontage on the lot on Sleepy Hollow Road. Due to the roadway being moved during the construction of a bridge over the Octoraro Creek, this lots road frontage was eliminated. Following a review of a the application, a motion was made by Mr. Coates, seconded by Mr. Reimold and carried to recommend approval of the application requests. Ms. Wood abstained from voting due to being an adjoining property owner and financial conflict as the property Mr. Smucker is proposing to purchase to allow for his road frontage belongs to the Wood family.
- Zoning Hearing Application of Benjamin & Veronica Belmont requesting a special exception of Section 503.1.G and variances from Sections 503.2 and 507 of the zoning ordinance. The applicants wish to replace the current manufactured home on the property with a larger stick built structure utilizing the current basement foundation. Ms. Jackson

advised that when the current home was placed, it was placed incorrectly allowing only 15'6" of a setback from the neighboring property. Upon research, it was discovered that the neighboring property is actually listed on a recorded subdivision plan to be used as a futuristic road for the property to the rear. Based on that information, this lot should be considered a corner lot and would have setbacks of a minimum of 75' from the center of the futuristic road. The Belmont's are aware that a roadway could be installed in the future and are willing to accept any future effects that change would have on their property as they do not wish to relocate the foundation. Mr. Emling stated he had serious concerns over potential lawsuits in the future should a home be allowed to be constructed that close to a roadway. Following a discussion on the application, Mr. Reimold motioned the application be denied. Mr. Brenneman seconded the motion, which carried.

- Building Code Effectiveness Grading Schedule results received from the Insurance Services Office (ISO). The Township received a grading classification of a 3 for 1 and 2 family residential dwellings and a 2 for commercial and industrial properties. These scores are based on a scale of 1 to 10. The scores received following the review are consistent with those achieved in the past. Ms. Jackson advised that these scores can be used by homeowners' insurance companies when determining rates. She also noted that the only way to improve the scores received would be to adopt additional building codes and regulations.

TAXES: It was reported that Tax Collector, Agnes Reeder collected \$500.87 in Real Estate tax and \$48.52 in Interim tax during the month of October. The Board was advised that Ms. Reeder is continuing to have problems with the tax collection system and may have trouble getting the late payment notices mailed.

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

- Checked on and cleaned Park.
- Layout salt shed.
- Stripped stone from salt shed site.
- Hauled fill to Fairmount Road.
- Re-graded dirt roads.
- Mowed at Municipal Building.
- Mowed road banks.
- Replaced road signs.
- Worked on salt shed site.
- Hauled and stock piled anti-skid.
- Cleaned gutters on Schoolhouse Road.
- Worked on dirt section of Fairmount Road.
- Worked on rubber tire loader.
- Cleaned side gutters and bridge on Kinseyville Road.
- Winterized the restrooms at the Park.
- Dug hole for merry-go-round at the Park.
- Removed tree after hours.
- Checked roads for storm damage following rain.

Mr. Emling questioned if a port-a-pot had been ordered for the Park due to the restrooms being closed and was advised one would be ordered this week. Mr. Brenneman commented on power wires that were down on Fulton View Road over the weekend. Mr. Risk advised that he was notified of the situation and went to the site to control traffic until PP&L arrived and later provided cones and signage for the roadway until a pole could be installed and the wires re-hung.

PAYMENT OF BILLS: Motion was made by Ms. Wood, seconded by Mr. Reimold and carried authorizing the payment of General Fund checks 11103 through 11152 in the amount of \$211,700.72.

PUBLIC PARTICIPATION: Resident, Peg Donahoe thanked the Board for their assistance in ensuring the completed bridge replacement project on Kirks Mill Road reflected the concerns of the residents. She also expressed her gratitude for the Recyclables Only sign that was created for recycling Saturdays. She then advised the Board of a concern regarding the turning onto Kirks Mill Road from 272 at night due to the darkness in that area. She questioned if a light could be installed in that area to improve safety for those turning onto the road. Mr. Emling advised that 272 is a state road and that the installation of a light on Kirks Mill Road would likely upset the residents who live there. It was suggested that perhaps a reflective tape could be placed on the guiderail near that intersection but that should the Township make any changes to the intersection and accidents occur due to them that the Township could be held liable. It was further noted that PennDOT bases road improvements such as these strictly on accident/fatality reports.

HEARING ON PROPOSED AMENDEMENTS TO THE ZONING ORDINANCE:

Ordinance #2-18 – At 7:30 p.m., Mr. Emling advised that a public hearing would now be conducted to consider the proposed amended and restated zoning ordinance. Zoning Officer, Ms. Jackson advised the proposed amendment had been advertised and copies of the proposed ordinance have been available at the municipal building, the Lancaster Law Library, the LNP Media Group and the Lancaster County Planning Commission for public review. The proposed amendment pertains to Section 440 of the zoning ordinance and relates to the keeping of livestock on parcels of 1.00 to 19.99 acres in size in certain zoning districts. It was noted that no additional animal rights were being allowed on lots less than 5 acres but that more rights were being allowed on lots between 5.00 and 19.99 acres. Ms. Jackson noted a correction that needed to be made on page 3 of the ordinance on the Attachment A. In the first paragraph the phrase “permitted by special exception” needs to be deleted as the keeping of livestock is permissible on lots less than 5 acres in the Agricultural zoning district. The paragraph should read as follows: Within an applicable zoning district as stated in Article II, the keeping of livestock on lots under twenty (20) acres in size is subject to the following: . Comments from the County and Township Planning Commission were reviewed prior to the hearing being opened for public comment. As there was no public comment, Mr. Emling questioned if the Board had any further comment or discussion on the proposal prior to official action being taken: there was none. A motion was then made by Mr. Coates, seconded by Mr. Reimold and carried to adopt Ordinance #2-2018 as presented with the correction to Attachment A.

EXECUTIVE SESSION: At 7:38 p.m., Mr. Emling called an executive session. The meeting was reconvened at 7:58 p.m. at which time it was announced that the Board met with its solicitor to discuss information and strategies involving the Christ and Rachel King legal matter.

PLANNING COMMISSION: Motion made by Ms. Wood, seconded by Mr. Brenneman and carried adopting the minutes of the October 23rd Township Planning Commission as printed.

Kathryn Black Estate: Brian Masterson of Regester Associates presented the plan requesting approval of a planning waiver and non-building declaration for the Department of Environmental Protection. It was noted that due to comments from the Lancaster County Planning Commission not being received, plan approval could not be granted at this time. Following a review of the plan, a motion was made by Mr. Coates, seconded by Mr. Reimold and carried approving the requests presented.

Bennie King: Brian Masterson of Regester Associates presented the plan and requested plan approval and authority to record the plan and easement agreement. Following a review of the plan, Ms. Wood motioned approval of the presented requests. Mr. Reimold seconded the motion, which carried.

STORMWATER PLANS: The following stormwater plans were presented:

Thomas Cepis: The Board was advised that this plan is still in the review process. Due to the plan reaching its 90 day review period and corrections still being needed on the plan, the Township has received a 90 day extension to complete its review.

Sam Fisher: The Board was advised that there are a few items left to be resolved on this plan prior to final approval, which should be completed shortly. Ms. Jackson advised that the Township Engineer, Ed Fisher has recommended the Board authorize conditional approval for the Zoning Officer to sign the plan outside of a meeting once all outstanding issues are resolved. Following a review of the plan, a motion was made by Mr. Reimold, seconded by Mr. Coates and carried granting conditional approval of the plan and authorizing the plan to be signed outside of a meeting.

David & Denise Mahala: Ms. Wood motioned the Board acknowledge receipt of this plan. Mr. Reimold seconded the motion, which carried.

SALT SHED EXTENSION: Mr. Emling advised the Board that due to weather conditions, work on the salt shed has been delayed and recommended the Board authorize an extension for the completion of the project. Following a brief discussion, a motion was made by Mr. Reimold, seconded by Mr. Brenneman and carried authorizing an extension through the end of the year for the completion of the salt shed.

DELINQUENT ENGINEERING FEES: The Board was advised of outstanding engineering fees totaling \$135.75 owed by Katherine Schatz and numerous efforts made to collect the amount due. Following a review of the matter, Mr. Coates motioned the Secretary/Treasurer be

authorized to pursue this delinquency through the office of the District Justice. The motion was seconded by Mr. Brenneman and carried.

RESOLUTION #8-18: Support of Current Earned Income Tax Collections, As Defined by ACT 32 and Opposition to Legislative Initiatives to Mandate Centralized Services. The Board was advised of a request received from the Lancaster County Tax Collection Bureau to adopt a resolution supporting the current methods of collecting earned income taxes and opposing legislative initiatives to change and/or mandate centralized collection of the tax. Following a review and discussion on the matter, a motion was made by Mr. Reimold, seconded by Ms. Wood and carried adopting Resolution #8-18.

VIDEO CAMERA/SECURITY SYSTEM: Roadmaster, Mr. Risk advised the Board that due to continuous problems occurring at the park that he obtained estimates for the installation of security cameras at the Park from the Llomar Alarm Company. The estimate received was \$1,450.00 and would include a 4TB hard-drive, 3 cameras and a viewing monitor. He also obtained an estimate for the installation of an 8TB hard-drive, 2 Turret cameras, 2 Bullet cameras, 1 Motorized camera and a viewing monitor at the municipal building. The estimate for the equipment at the municipal building is \$3,475.00. He indicated that with the proposed system he would also be able to view activity occurring at either location on his cell phone as well as on the monitoring systems to be installed and that the system could be programmed to alert him immediately if someone enters the properties after hours. He further indicated that each system could be expanded should the need arise in the future. A conversation occurred in which the Board confirmed the need for purchasing such a system and that funding for such a purchase could be accommodated in the budget. Following a review of the information presented, the Board indicated they would like to see estimates obtained from other companies prior to making a decision.

TRUCK TRAFFIC ON GREEN LANE: Resident, Denise Zorn of Howard Lane advised the Board that noise from trucks using “Jake” brakes or running with modified exhaust systems is still a major problem in her area. She indicated she believes a majority of the vehicles are coming from the asphalt plant and questioned if the Board would consider restricting the use of those brakes in the area or prohibiting trucks from utilizing Green Lane during the late evening and early morning hours. Roadmaster, Mr. Risk advised that per the Township Engineer that in order to post signs prohibiting the use of the brakes or restricting truck traffic on a road that an ordinance would need to be adopted. It was further noted that State Police do not enforce local ordinances and that the Township would be unable to enforce an ordinance of this nature either. Ms. Zorn also questioned who should be called in the event of an emergency and was advised to call 911.

ZONING HEARING BOARD MINUTES: The Board was questioned if they wished to include minutes from Zoning Hearing Board hearings on the website. Following a brief discussion, the Board indicated they would like to have those minutes included on the website.

FILE CABINET FOR ZONING HEARING BOARD: The Board was advised of a request from the Zoning Hearing Board Secretary, Dorothy Simpson to purchase an additional file

cabinet for her records. Ms. Wood motioned the approval for the purchase of a file cabinet for the records of the Zoning Hearing Board. Mr. Reimold seconded the motion, which carried.

TENTATIVE ADOPTION OF 2019 BUDGET: Motion made by Mr. Reimold to tentatively adopt the 2019 Budget as prepared. Mr. Brenneman 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:

Custom Home Group: Motion was made Ms. Wood, seconded by Mr. Reimold and carried authorizing the release of escrow on the Howard Lane project.

William & Carol Guhl: Mr. Brenneman motioned the release of escrow funding being held on the Lloyds Road project. Mr. Reimold seconded the motion, which carried.

Daniel S. King: Mr. Coates motioned that the escrow funding being held on the Green Lane project be released. The motion was seconded by Ms. Wood and carried.

Robert Sensenig: A motion to reduce the line of credit being held on the Scott Road project by \$116,747.65 while retaining a balance of \$20,474.77 was made by Mr. Coates. Mr. Brenneman seconded the motion, which carried.

EXECUTIVE SESSION: Mr. Emling called for an executive session at 9:05 p.m. The meeting was reconvened at 9:26 p.m., at which time Mr. Emling advised the meeting was held to discuss a legal matter. Ms. Wood then motioned that the law firm of Brubaker, Connaughton, Goss & Lucarelli be appointed as special counsel to advise on a legal matter with Blakinger Thomas.

TRAINING/SEMINARS: Upcoming training and seminars were reviewed.

ADJOURNMENT: At 9:28 p.m. being no further business, motion was made by Ms. Wood, seconded by Mr. Reimold and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis
Secretary/Treasurer