LITTLE BRITAIN TOWNSHIP

FEBRUARY 9, 2016

The Little Britain Township Board of Supervisors held its regular monthly meeting on Tuesday, February 9th 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. Mr. Emling requested that everyone present either remain standing for the pledge to the flag out of respect for the men and women who have and are serving our country or to leave the meeting room until the pledge has been completed. A moment of silence was then observed followed by the salute to the Flag.

**PRESENT:** Jerry Emling Bart Bower Henry Fisher

Dan Proffitt Carol Bower Tom Guhl

Richard Brenneman Jim Bullitt Israel S Kinsinger

Clark Coates Sue Bullitt Rueben Miller

Christine Jackson Amanda DeCarolis Craig Williams

Margaret DeCarolis David Fisher

**MINUTES:** Motion made by Mr. Brenneman, seconded by Mr. Proffitt and carried to adopt the minutes of the January 4th meeting as printed. Motion made by Mr. Proffitt, seconded by Mr. Coates and carried to adopt the minutes of the both the John Stoltzfus and Michelle Reeves ECHO hearings as presented.

**SANITATION:** It was reported that Mr. Stoner had collected no fees for sanitation work and issued no well permits during the month of January. The Board was also advised of a violation notice generated by Mr. Stoner for the installation of a second dwelling unit without authorization on the property located at 270 Pine Grove Road.

**ZONING:** Zoning Officer, Christine Jackson reported issuing 7 building, 11 occupancy and 3 demolition permits during the month of January. Ms. Jackson also advised the Board on the following:

* Michelle Reeves has withdrawn her request for an ECHO unit and will instead be constructing an addition to her home.
* The liens totaling $9,235.50 on the Gravette property are set to expire in March. Ms. Jackson is working with the Township Solicitor to have it renewed for another 5 years.
* Annual report of activities performed within the Township by the Lancaster County Conversation District was enclosed for Boards review.

**TAXES:** The Board was advised that no taxes were collected in January. New tax statements for 2016 have been received and will be mailed shortly.

**ROADS:** The report of Roadmaster, Dan Risk pertaining to the activities of the road crew for January was read into the record as follows:

* Spread ½” stone on Camp, Ford, Eagle and Scott Roads.
* Replaced road marker signs on Black and Springhill Roads.
* Regraded various dirt roads.
* Repaired commodes in ladies restroom.
* Hauled anti-skid to shop.
* Graded Oak Road.
* Cleaned side gutters on Kinseyville and Griest Roads.
* Replaced signs on Kinseyville Road.
* Installed cinder spreaders on remaining trucks and loaded all trucks in preparation of snow and ice.
* Cleaned bridge on Kirks Mill Road.
* Performed routine equipment maintenance.
* Pre-treated roads.
* Emptied salt from trucks.
* Cleaned and organized mechanical bay.
* Worked on prepping equipment for predicted snow storm and pre-treated roads.
* Snow removal—plowing, salting, opening roads, etc.
* Widened roads and intersections following blizzard.
* Inspected emergency lighting and repaired and/or replaced units as needed.
* Spot salted roads as needed.
* Replaced the spreader motor on the Peterbilt.

Mr. Emling reminded residents that the Township did not renew its winter maintenance agreement with the State for the snow removal/clearing of State Roads. He indicated he was not aware of the condition of all State Roads following the recent blizzard but that he had received several phone calls pertaining to poor and hazards conditions that existed on Nottingham Road. He further stated that due to the State Roads being major roadways within the Township, as well as emergency routes that he believes the Board should considering renewing its agreement with the State for the winter maintenance of these roads.

**PAYMENT OF BILLS:** Motion made by Mr. Proffitt, seconded by Mr. Coates and carried authorizing the payment of General Fund checks 9898 through 9950 in the amount of $37,038.94.

**PUBLIC PARTICIPATION:** Resident, Jim Bullitt expressed his appreciation for the good job on clearing the roads following the last snow storm.

**PLANNING COMMISSION:** Motion made by Mr. Coates, seconded by Mr. Brenneman and carried to adopt the minutes of the January 26th Township Planning Commission.

**Owen Groff:** Craig Williams of Strausser Surveying presented the 1 lot sub-division

plan requesting approval for the signing of the mylars and confirmation of a deferral

on the stormwater features. Ms. Jackson advised that the deferral of the stormwater features only delays this item until a building permit application is submitted and that escrow funding for the stormwater features would be collected at that time. Following a review of the plan, a motion was made by Mr. Proffitt, seconded by Mr. Brenneman and carried authorizing the signing of the mylars and the deferral of stormwater planning.

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE:** Zoning Officer, Ms. Jackson presented a listing of concerns/questions she had encountered during her review of the proposed Subdivision and Land Development Ordinance (SALDO), which included comments obtained from the Township Planning Commission. Several of the items she noted were grammatical or formatting issues, which are being rectified. Ms. Jackson advised that the Township Engineer, Ed Fisher was available to discuss the proposed ordinance and any questions the board may have. She further advised that the Roadmaster had inquired about the possibility of cul-de-sacs being removed. Mr. Fisher advised they could not legally be removed from the ordinance; however the township would be under no obligation to accept the road for dedication should it be built against the Board’s recommendations. Mr. Risk had also requested that the standard for road material be listed as a base of 8” stone, 4” binder and a 1.5” – 2” top. Mr. Fisher reviewed the specifications listed and noted they already at the standards requested.

The following items were also discussed:

* **Section 602.15** Mr. Emling indicated concern over the road crowning requirements listed and his belief that due to buggy and truck traffic that roads should be crowned to 3.5% to 4% versus the 2% listed. Mr. Fisher indicated the specifications noted are standard and while they could be changed that it would be highly unusual.
* **Section 611** A discussion was held pertaining to the Historic and Cultural Resources. While there was an agreement amongst the Board that it would be nice to preserve historical things within the municipality they did not believe this section should remain as part of the proposed ordinance. Resident, Mr. Bullitt indicated his belief that some efforts should be put forth to retain a record of this structures if only through photographs. Mr. Fisher advised that in order for this section of the proposed ordinance to apply that the structure would have to deemed historic by the Historical Society or Historical Commission. Requiring photographs or other documents of historical structures would need to be incorporated into the issuance of a demolition permit. Following a discussion on this matter, Mr. Coates motioned that this section be removed from the ordinance. Mr. Proffitt seconded the motion, which carried.
* **Section 607.01** It was noted that the Township Planning Commission was concerned over this section pertaining to wetlands and its impact on farmers being able to utilize this land. Mr. Fisher indicated that this section only applies to someone building within wetlands and/or changing the current use of the land.
* **Section 602.04** Ms. Jackson questioned if the Board wanted to keep “buggy lanes” as depicted in this section. Mr. Fisher advised that the Board does not have to mandate the installation of these lanes but that this section allows them the option to have them installed should they ever desire to.
* **Section 602.23A** Mr. Emling indicated concern over the planting of trees within the right-of-way of roads and believes this should read trees are to be planted outside of right-of-ways. Mr. Fisher advised this section had already been corrected.
* **Section 602.09E** Mr. Coates expressed concern over the angle of street intersections. He does not believe that a 75% angle provides enough site distance. Mr. Fisher advised that something closer to 90% was preferred but that this section also pertains to roads within developments where a 90% angle may not feasible.
* **Section 602.02E** The Board agreed the verbiage in this area should read that roads “may” be dedicated for public use versus “shall” be dedicated.
* **Section 608.03D** Mr. Fisher advised that the street trees referred to here should not ever encroach on the roadway due to their growth and reminded the Board that the road would be 50’ wide.
* **Section 301.01** Ms. Jackson questioned why plans discussions are to be considered confidential and indicated her concern that this practice may conflict with the states Right-to-Know law. Mr. Fisher advised that sketch plans or pre-submission discussions do not fall under the Right-to-Know law.

Upon the conclusion of these discussions, the Board was advised that the Township Engineer would incorporate the changes requested and ensure that the Lancaster County Planning Commission received a copy for review and comment. It was noted that a public hearing would need to be held prior to the adoption of the Ordinance. Ms. Jackson advised that the Solicitor recommended the hearing be held on March 29th to allow for the 5 day wait period prior to the ordinance becoming effective to avoid a gap between the beginning of our SALDO and the expiration of the County’s SALDO. Motion was made by Mr. Proffitt, seconded by Mr. Brenneman and carried to hold a public hearing Tuesday, March 29th at 7:30 on both the SALDO and Flood Plain Ordinance.

**FLOOD MAPS:** Ms. Jackson advised the Board that the Solicitor had prepared a 47 page draft of the proposed ordinance he believed was necessary to comply with Federal regulations. That proposal has been submitted to Township Engineer, Ed Fisher who will complete the revisions and ensure their compliance with regulations. Ms. Jackson will forward a copy of the proposed ordinance for review once all revisions have been completed.

**EAGLE SCOUT PROJECT:** Billy Guhl of Boy Scout Troop 91 advised the Board he was interested in performing his Eagle Scout Project at the Township Park. He indicated he had suggestions for possible projects but was interested in hearing what requests the Board may have. Mr. Emling requested he present his ideas. Mr. Guhl expressed an interest in either restoring the fitness trail, create a memorial garden near the restrooms or install handicap access to the pavilion and restrooms. He indicated it was his responsibility to fundraise for the material needed and to locate whatever help is needed for the project. Following a discussion the Board agreed to have Mr. Guhl work on restoring the fitness trail and agreed to purchase whatever mulch and paint/stain is required.

**GUIDELINES FOR SNOW VENDOR REIMBURSEMENT:** The Board was advised of concerns from the Roadmaster about residents/farmers who may be attempting to submit bills for what they are claiming as snow removal services following their clearing of a neighbors driveway or a section of roadway to allow for the entrance/exit of milk trucks. Following a brief discussion of the matter, Mr. Proffitt motioned that only invoices received for services that were initiated by the request of the Roadmaster for specific work he authorized be accepted for payment. Mr. Coates seconded the motion, which carried.

**REQUEST FROM COMMUNITY AID TO PLACE DONATION CONTAINER:** The Board was advised of a request from Community Aid, a faith based non-profit group to place a clothing/shoe collection bin at the municipal building. The company would ensure the collection of items donated, the maintenance of the collection unit and its surrounding area. It was noted that the Township would receive a payment of 4¢ per pound for collected items as well as be eligible to receive gift vouchers for residents in need to utilize at their retail locations and could apply for grant funding of up to $5,000.00 annually. The Board was advised that Ms. Wood had informed the Secretary/Treasurer that while she may personally be supportive of such an enterprise that as a Supervisor she was concerned over the conflict of separation of Church and State that working with this company could entail. Mr. Emling indicated he was not concerned over that aspect of the request but felt that with 3 such collection units being located within a mile of our facility (Little Britain Store, Pasquale’s and the previous Little Britain Elementary School) that another such collection site was unnecessary. Mr. Proffitt indicated his concern over the area becoming unsightly. Following a discussion, the Board agreed that due to the number of other areas available to resident who wished to donate such items that another collection site was unnecessary.

**ZONING REVISION REQUEST:** The Board was advised that a written response had been received from the Amish community pertaining to their desires for revisions of the Zoning Ordinance ,which the Board requested they provide during their October 2015 meeting. Mr. Emling thanked them for providing the information but indicated that the Board would need time to review their requests and obtain information pertaining to the manure management practices that could be required to accommodate what is being requested. Resident, David Fisher of Schoolhouse Road advised he had done some research on nutrient management and discovered that the weight per Animal Unit Equivalent (AUE) being utilized was 2000 pounds per animal versus the 1000 pounds currently allowed within our zoning regulations. Mr. Coates advised that he believes the 1000 pound weight per acre is used for agricultural purposes and that the 2000 pound weight per acre is used for intense agricultural uses. Mr. Emling also advised of concerns regarding the desires of non-Amish residents who would be forced to live with the consequences of allowing additional animals on smaller lots. Resident, Rueben Miller advised that he believed the requests submitted were only anticipated to apply to lots within the agricultural zoning district. Following a brief discussion of some areas the Board felt would require research prior to fully discussing these requests, Mr. Coates motioned that the matter be referred to the Township Planning Commission for research and comment. Mr. Proffitt seconded the motion, which carried. Mr. Fisher then questioned again the municipality’s stance on the doubling of houses and stated his displeasure that having to utilize a sub-division right to be allowed to do so presents a hardship to their community who preferred this manner of taking in older family members when necessary. Ms. Jackson advised that alternatives were available such as ECHO units or placing an addition onto a home that did not include a second kitchen. Mr. Fisher stated that their families preferred to prepare and have their meals separately as meals constituted family and devotion time. Ms. Jackson went on to advise of the increase in nitrite levels due to the increase in waste disposal and of the health consequences associated with higher nitrate levels.

**JOHN STOLTZFOOS:** Zoning Officer, Ms. Jackson advised that Mr. Stoltzfoos of 152 Fern Crest Road met with her in October of 2014 to inquire about doubling his residence. At that time he was advised that he was not permitted to do so as there were no building rights left on the property. In September 2015, he met with Ms. Jackson again to obtain permits to install an addition onto his residence and was again advised that a double residence was not allowed and reiterated that an additional kitchen could not be installed. This matter was addressed again by Mr. Stoner; the Sewage Enforcement Officer during a site inspection performed due to the addition permit that was issued. During the construction, Mr. Stoltzfoos contacted Ms. Jackson requesting authorization for a second kitchen for a baking business his wife wanted to start. Mr. Stoltzfoos was again advised that a second kitchen constituted a second dwelling unit and denied his request. In January, during the final inspection of the property a second kitchen was discovered in the basement of the home. Mr. Stoltzfoos was advised that the kitchen must be removed as it was never authorized. Mr. Stoltzfoos stated the kitchen was needed for his wife’s business and intended to seek the Boards approval for it to remain. Mr. Stoltzfoos then advised the Board that the second kitchen would only be used for canning and advised he was unaware that a second kitchen would constitute the structure being considered a double dwelling. He then requested the Board allow the kitchen to remain. The Board questioned Mr. Stoltzfoos on the proposed need for a second kitchen and of his understanding that doubling his residence with a second dwelling unit was a violation of zoning as he had no sub-division rights remaining. Mr. Stoltzfoos acknowledged he was aware he could not create a double house but stated he was unaware the installation of another kitchen would be a problem. Following this discussion, Mr. Emling motioned that the second kitchen request be denied Mr. Proffitt seconded the motion, which carried. Ms. Jackson advised that the second kitchen would have to be removed but that the business his wife wanted to start could be run from the property.

**MILEAGE REIMBURSEMENT:** The Board was advised that the IRS had decreased the rate of reimbursement per mile from 57.5¢ to 54¢ effective January 1st; however that notification was not received until following the re-organizational meeting. Motion was made by Mr. Proffitt, seconded by Mr. Brenneman and carried to adjust the rate of mileage reimbursement to 54¢ to remain in line with federal guidelines.

**PRESENTATION FROM WALSH CONSTRUCTION:** Mr. Emling advised that after volunteering to serve on a committee to provide feedback on the proposed bridge he received no feedback and reached out to the Joanne Kiem, who was the contact person listed on the committee volunteer letter and advised he would receive information via e-mail with updates as they became available but was unable to provide any additional information. A power point presentation received from Walsh Construction, the company contracted to replace the bridge on Kirks Mill Road was shown. It provided basic information on the company as well as the number and type of bridges they have been contracted with the State to replace. A short questionnaire from Walsh Construction requesting municipal contact information and a brief listing of concerns was reviewed and authorized to be returned. The Board was also advised that Walsh Construction had contacted the Township office requesting authorization to hold a meeting for residents pertaining to this project in the near future. A motion made by Mr. Coates, seconded by Mr. Proffitt and carried authorizing the use of the building for the meeting.

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

**ADJOURNMENT:** At 9:55 p.m., being no further business, motion was made by Mr. Coates, seconded by Mr. Brenneman and carried to adjourn the meeting.

Respectfully Submitted,

Margaret D. DeCarolis

Secretary/Treasurer