

**CARROLL TOWNSHIP
PLANNING COMMISSION
MEETING MINUTES
MARCH 10, 2005
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ROLL CALL

COMMISSIONERS – Ed Andrews, Alexis Hilbish, Perry Bates, Scott Perry, Roy Fuss, and Robert Faulkner

Commissioner Fuss stepped out of the meeting room until after South Mountain Commons was voted on.

ATTENDEES – Dianne Price, Faye Romberger, Mark Hilson, Lorin Weigard, Randy Shearer, Jim Strupe, Don Malpezzi, Peggie Williams, Deana Weaver, Catherine Pealer, William C. Bashore, Mr. and Mrs. Terry Dietrick, Brad Pealer, Angelo M. Gallo, Mr. and Mrs. Douglas Speck, Bill Turner, Alan Love, Alicia Miller, Linda Irwin, David Getz, Bony Dawood, and Terry Burger

CALL TO ORDER

Chairman Scott Perry called the regularly scheduled meeting of the Carroll Township Planning Commission to order at 7:02 p.m. The location of the meeting is at the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.

PUBLIC COMMENT

Chairman Perry called for public comment.

Deana Weaver, 47 Dogwood Lane, is concerned about the Commercial Highway Zone at the junction of two main traffic arteries into Carroll Township. This location is the geological funnel for a 9.32 sq. mile drainage basin feeding into an existing and expanding floodplain. Mrs. Weaver is asking the Board of Supervisors to manage commercial growth through Special Exception. Before the Carroll Township Board of Supervisors proceed any further, they should demand protection for its residents. Identify who will be held responsible in the likely worst-case scenario of property damage due to this development. The Township has a right and a duty to review the licensure of the parties involved in South Mountain Commons. Mrs. Weaver's complete statement is filed in the South Mountain Commons folder.

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**PUBLIC COMMENT
CONTINUES**

Catherine Pealer, 90 Spring Lane Road, is concerned about the drainage and runoff down from the Wal-Mart property. Her home is down stream from this property and could cause a runoff problem for them. If South Mountain Commons Project was constructed according to YCPC report, the expectable flood plain would increase by a foot. Our home would be in jeopardy as well as the wildlife and lake stocked with fish and nesting pair of swans. Her question to the Commissioners is "Who will be responsible for damages to my property, from floods and fish dying due to the pollution of Dogwood Run?" Mrs. Pealer's complete statement is filed in the South Mountain Commons folder.

Brad Pealer, 90 Spring Lane Road, has the same concerns as his Mother. He feels the flooding will result in an increase in the 100 year flood plain. York County Planning Commission has recommended a maximum limit of increased flood plains down stream not to exceed 1 foot. This is unacceptable. The quality of storm water is especially important to him, because of the 6 acre lake located on his property that the Dogwood runs directly into. This lake is stocked over the years with all kinds of fish. It also supports a breeding pair of swans. Water quality must be kept in mind even while construction is going on. After project is finished we look for storm water run off from parking lot as containing oil, antifreeze and road salts in winter. Mr. Pealer's complete statement is filed in the South Mountain Commons folder.

Bill Turner, 28 Spend-A-Buck Drive, presented a Position Statement for South Mountain Commons from the Carroll Citizens for Sensible Growth for the Planning Commission Members to review at their leisure. Mr. Turner stated that York County Planning Commission's review of the preliminary subdivision and land development plans comment #62 states the traffic impact study submitted for this project on January 26, 2004 and revised on June 9, 2004 is not applicable for the plan submitted. The Position Statement is filed in the South Mountain Commons folder.

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APPROVAL OF THE
FEBRUARY 10, 2005
MINUTES

It was moved by Commissioner Andrews, seconded by Commissioner Bates, and unanimously carried to approve the February 10, 2005 Planning Commission Meeting Minutes as submitted.

PRELIMINARY
PLANS FOR
SOUTH
MOUNTAIN
COMMONS

It was moved by Commissioner Faulkner, seconded by Commissioner Bates, and unanimously carried to table the review of the Preliminary Subdivision and Land Development Plans for South Mountain Commons (Walmart/Lowes) until the April 14, 2005 meeting.

PRELIMINARY
PLANS FOR
ROSETTA VALLEY

It was moved by Commissioner Faulkner, seconded by Commissioner Fuss, and unanimously carried to table the review of the Preliminary Subdivision Plans for Rosetta Valley until the April 14, 2005 meeting.

Mr. Dawood and Mr. Shearer addressed the Commissioners about several issues that might need waivers. One issue was the loop street that has more lots than the ordinance allows. Also discussed an emergency access road off of Mumper Lane to accommodate the extra lots on the loop street.

PRELIMINARY
PLANS FOR
H.C. WILLIS

It was moved by Commissioner Bates, seconded by Commissioner Faulkner, and unanimously carried to table the review of the Preliminary Subdivision Plans for H.C. Willis until the April 14, 2005 meeting.

PRELIMINARY
PLANS FOR
SILVERTON
MANOR

It was moved by Commissioner Bates, seconded by Commissioner Andrews, and unanimously carried to table the review of the Preliminary Subdivision Plans for Silverton Manor until the April 14, 2005 meeting.

Mr. James Strupe stated that the plans have been revised since the first submittal. They have deleted the cul-de-sac and the lots on the left as you turn into the development. The Commissioners are concerned about the steep slopes in the backyards of some of the lots.

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SKETCH PLANS
ENCK PROPERTY

Alan Love presented a sketch plan for the Enck Property off of Hartman Lane. They are proposing 66 townhouses. To save the original farm house they are proposing to subdivide it off to create its own lot. The proposed sketch plan does not meet our current ordinances. Mr. Love is expecting to submit an official Land Development Plan for the May 2005 Planning Commission meeting. Several of the adjoining property owners were present to express their concerns about the water run off problems that currently exists. They asked how the development was going to be serviced for the public sewer and water. They would like to be connected to the public sewer.

U.S. HOMES – D.B.A.
LENNAR
BALTIMORE
SPECIAL
EXCEPTION

U.S. Homes – d.b.a. Lennar Baltimore is requesting a Special Exception to put a sales trailer on Lot 34 in the Holly Hills Development. The sales trailer will be used for sales and removed after the spec home is available.

It was moved by Commissioner Andrews, seconded by Commissioner Fuss, and unanimously carried to recommend to the Zoning Hearing Board to deny the U.S. Home – d.b.a. Lennar Baltimore Special Exception Application based on the following Sections of the Carroll Township Zoning Ordinance:

Section 8.3.2.2 -- That the proposed commercial use is of such location, size and character that, in general, it will not be in harmony with the appropriate and orderly development of the residential district in which it is proposed to be situated and will be detrimental to the orderly development of adjacent properties in accordance with the RS zone.

Section 8.3.2.3 – That, in addition to the above, since the proposed sales trailer is in a Residential District:

(1) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, its site layout and its relation to access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will be hazardous or inconvenient to, or incongruous with, said

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Residential District and conflict with the normal traffic of the neighborhood; and
The location and height of a commercial building, and the lack of any walls or fence, and the nature and extent of landscaping on the site will hinder or discourage the appropriate development and use of adjacent land and buildings.

According to the Subdivision and Land Development Ordinance a land development plan approval is required for the proposed building since it is a non-residential building.

**DOGWOOD RUN
RECLASSIFICATION**

Deana Weaver is submitting an application to DEP to reclassify the Dogwood Run stream from a Cold Water Fishery to High Quality or Exceptional Value. Mrs. Weaver is asking the Planning Commission to support her application. Mrs. Weaver's complete statement is filed in the South Mountain Commons folder.

The Commissioner asked Mrs. Weaver to get more information and come back to do a presentation at the April meeting.

**ZONING
ORDINANCE
AMENDMENTS**


Bill Turner presented some copies of sample ordinances to be considered for shopping centers. Mr. Turner feels that there should be size limitations on the buildings, should be a Special Exception, Use by Right or Conditional Use, and emergency funding to first responder. Mr. Turner feels strongly that Carroll Township Planning Commission and the Board of Supervisors has a unique opportunity to reflect the wishes of citizens in this area and enhance the proposed Ordinance 2005-168 that will be brought up for public hearing Tuesday, March 15, 2005. Mr. Turner's statement and sample ordinances are filed in the South Mountain Commons folder.

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ADJOURNMENT

It was moved by Commissioner Bates, seconded by Commissioner Hilbish, and unanimously carried to adjourn the meeting at 9:18 p.m.

Respectfully submitted,



Faye L. Romberger, Secretary