

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 1 of 12**

ROLL CALL                      SUPERVISORS – Dave Bush, Brent Sailhamer, Tim Kelly, and Libby Loudenslager

Supervisor Zooming – Kelly Wall

ATTENDEES                      Faye Romberger, Phillip Brath, P.E., Brandon Slatt, Township Manager, Darrell Dethlefs, Esquire, Jessica Baim, Tom Carl, Mike Gensemer, Frank Setlak, Ken Farnier, Kristen Stagg, Kelley Moyer-Schwille, and Jeremiah Jones

Zoom Attendees – James Hess

Carroll Township’s Municipal Building was opened to the public. The meeting was televised on Carroll Township’s Comcast Cable TV Channel 95 and via the Zoom platform.

CALL TO ORDER                Chairman Sailhamer called the regularly scheduled meeting of the Carroll Township Board of Supervisors Meeting to order at 6:36 p.m. The location of the meeting is the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.

APPROVAL OF THE  
TREASURER’S  
REPORT                              It was moved by Supervisor Kelly, seconded by Supervisor Bush, and unanimously carried to approve Treasurer’s Report dated January 08, 2024, as submitted, which includes the Open Bill List up to and including January 08, 2024, in the amount of \$53,183.80, Cash Flow Reports for December 2023, Compared to Budget Reports for December 2023, and Check Register Report for December 2023 to ratify the December 2023 Bill List.

PUBLIC COMMENT                Chairman Sailhamer asked for public comment.

Kelley Moyer-Schwille – 12 Coover Court – stated that she is in favor of approving the Aldi’s plans as submitted.

Supervisor Bush stated that he has a problem when the Board does the motions. He would like to have the motions read twice, roll call votes, and vote yes or no instead of aye or nay. He also stated that he has a problem with the Aldi plan. It is titled Preliminary/Final which is not the norm. It should have

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 2 of 12**

been titled Preliminary Plan first and then Final Plan after Preliminary approval.

Chairman Sailhamer stated he does not see it necessary to do roll call votes. He will and has repeated the motions every time since he has been Chairman.

Ken Farner – 185 Ore Bank Road – asked the Board Members individual if they attended PSATS Training Boot Camp. He stated that the MPC does not address Preliminary/Final Plans. Only Preliminary Plans and Final Plans.

Supervisor Loudenslager stated that she agrees with the Aldi plans. They must satisfy the residents.

**FIRE REPORT**

Chief Hector Morales Northern York County Fire and Rescue the December 2023 Fire Report. He stated that the Steering Committee will be meeting January 22, 2024 at the Franklinton Fire Station.

**PRELIMINARY/  
FINAL LAND  
DEVELOPMENT  
& MINOR  
SUBDIVISION  
FOR ALDI  
WAIVER REQUESTS  
APPROVALS**

It was moved by Supervisor Kelly, seconded by Supervisor Wall, and carried to grant the waiver request pertaining to waiver request number 1. - Several movements at the signalized intersection of US Route 15 & Spring Lane Road/Ore Bank Road operates at LOS D or E. As per Carroll Township ordinance, levels of service lower than a C are considered to be unacceptable. The eastbound queue lengths at the signalized intersection of US Route 15 & Spring Lane Road/Ore Bank Road are anticipated to carry into the intersection of Gettysburg Pike and Spring Lane. Provide mitigation to have these movements operate at LOS C or better. Applicant requesting waiver from Ordinance Requirement Section 435-27.C(m)[2]. The Planning Commission recommended granting the waiver conditioned on proposed improvements to the Gettysburg Pike and Spring Lane intersections being provided for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

Supervisor Loudenslager voted no.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 3 of 12**

It was moved by Supervisor Kelly, seconded by Supervisor Wall, and carried to grant the waiver request pertaining to waiver request number 2. - Land Development Plans of Commercial Property do not qualify for Final Plan status, must make application as a preliminary plan (§ 435-13.A); Applicant requesting waiver from ordinance requirement. The Planning Commission recommended granting the waiver for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

Supervisor Loudenslager voted no.

It was moved by Supervisor Kelly, seconded by Supervisor Wall, and unanimously carried to grant the waiver request pertaining to waiver request number 3 - The maximum slope within a landscape buffer is 25%. (§435-52.E(3)); Applicant requesting waiver from ordinance requirement. The Planning Commission recommended granting the waiver for the area by the Self-Storage facility for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and unanimously carried to grant the waiver request pertaining to waiver request number 4 - The toe of slope for the exterior berm, or in the case of a berm excavated into the earth, the outside edge of the berm shall not be closer than 30 feet from existing or proposed Township or private right-of-way (§ 428-17.G.1.u). Applicant requesting waiver from ordinance requirement. The Planning Commission recommended granting the waiver for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 4 of 12**

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and unanimously carried to grant the waiver request pertaining to waiver request number 5 - Provide required widening improvements along entire frontage of parent tract on Spring Lane Road (T-874); include Typical Section width, depths, and materials proposed (§ 435-39.D.1). Applicant is providing improvements for Lot 1 (Aldi Lot) and requesting waiver from ordinance requirement for the residual lot. The Planning Commission recommended provision of a fee in lieu or construction of the required improvements for the residual lot (denial of the waiver) for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and unanimously carried to grant the waiver request pertaining to waiver request number 6 - Provide curbing along existing street frontage per § 435-45.C. Must be provided for entire frontage of parent tract on Spring Lane Road (§ 435-39.D.1). Applicant requesting waiver from ordinance requirement. The Planning Commission recommended provision of a fee in lieu or construction of the required improvements for the residual lot (denial of the waiver) for the Preliminary/Final Land Development and Minor Subdivision for Aldi, Inc. (Pennsylvania Proposed Aldi Food Market) as per Phillip Brath's Comment Letter dated December 29, 2023.

PRELIMINARY/  
FINAL LAND  
DEVELOPMENT  
& MINOR  
SUBDIVISION  
FOR ALDI  
CONDITIONAL  
APPROVAL

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and carried to conditional approve the Preliminary/Final Land Development & Minor Subdivision for Aldi Inc. (Pennsylvania Proposed Aldi Food Market) contingent upon addressing all of the following comments in Phillip Brath's Comment Letter dated December 29, 2023:

- II. Zoning (Ordinance No. 2006-18, as amended) - comment numbers 1
  - 1. The dumpster enclosure must be of masonry construction. (§450-408.B(1)) Provide proof that dumpster will be not visible and screen dumpster from view;

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 5 of 12**

- III. Subdivision (Ordinance No. 2018-242) - comment numbers 1 through 17
1. Need Aldi's Owners Certification of Inlet on Cover Sheet for Land Development Plan (§ 435-24.E);
  2. Provide Sanitary Sewer Planning (§ 435-27.B);
  3. Provide agreement to serve for Water and Sewer service. (§435-46.D & 47.E)
  4. Provide for Provision of Park & Open Space, provisions of Section 435-35 Applicant propose a fee in lieu of dedication;
  5. Identify any Archeological Resources on Subdivision (§ 435-27.E) Copy of Review Not Provided;
  6. Provide Erosion and Sediment Control Approval (§ 435-28.H);
  7. Plan must reflect correct Board Approval Statement for Preliminary Plan (§435-28.G);
  8. All outstanding fees must be paid prior to recording Plan. (§ 435-36.M)
  9. Financial Security for the completion of Public Improvements and Stormwater Management Facilities within the Township shall be provided prior to recording the Plan. (§ 435-72B/428-22);
  10. Curb Detail on Sheet 18 must be revised to reflect Standards provided in § 435-45.C(8).Clearly identify which detail to be used for public improvements;
  11. Requests for Waiver must be submitted on form in Appendix #6 before action by the Planning Commission or Board;
  12. Plans scale 1"=60' not allowed (sheet6, 25, 30 & 32 of 36) (§ 435-23.A);
  13. ROW Dedication Plan should reference recording information of subdivision and land development when available. Legal descriptions of ROW dedication must be then provided for Township approval;
  14. Waivers requested on Cover Sheet must be provided with space for action of board & dated of action (§ 435-26.O);
  15. Demolition Plan should reflect all of frontage of parent tract along Spring Lane Road (§ 435- 39.D.1);
  16. Remove Site Signage Details from sheets (i.e. 21) as sign application separate from land development;

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 6 of 12**

17. Provide Section Detail of proposed widening with Curb, Pavement Section Materials and Depths. Clearly indicate which details are public improvements.

IV. Traffic Impact Study - comment numbers 1 through 4

1. Based on the traffic analyses and volumes, several movements at the signalized intersection of US Route 15 & Spring Lane Road/Ore Bank Road operate at LOS D or E. As per Carroll Township ordinance, levels of service lower than a C are considered to be unacceptable. a. The requirements to improve US Route 15 & Spring Lane Road/Ore Bank Road intersection are requested to be waived in exchange for intersection improvements at the Gettysburg Pike/Spring Lane Road intersection along with improvements at the two site driveways including additional widening and left turn lane lanes on Gettysburg Pike into Aldi and Rutters driveways per below comments. b. The Applicant has also agreed/proposed to provide signing that directs southbound Route 15 traffic to travel Gettysburg Pike and access Route 15 south at the US Route 15 / Gettysburg Pike intersection. This along with improvements shown on the Conceptual Improvement Plan are proposed to improve the eastbound queue lengths at the signalized intersection of US Route 15 & Spring Lane Road.
2. Show lane configuration for intersection of Gettysburg Pike (T-883) and Spring Lane Road (T-874) per discussion to provide left turn and straight through movement on southbound Gettysburg Pike; As per meeting with the Carroll Township Transportation Committee and submitted conceptual plans, the requested changes to the Gettysburg Pike/Spring Lane Road intersection have been agreed to by the applicant and should be shown as part of the next submission.
3. Provide turning lane on Spring Lane Road (T-874) into proposed Lot #1; As per meeting with Carroll Township Transportation Committee and submitted conceptual plans, the applicant has agreed to provide left turn lane along Gettysburg Pike for the proposed Aldi driveway and the existing Rutters driveway. Proper lane transitions and

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 7 of 12**

tapers need to be provided. These improvements should be provided on the next submission.

4. The Transportation Committee requested that the developer (and landowner) consider moving the stormwater basin from the proposed location adjacent to the intersection to west side of the property, including moving the proposed property line if necessary, to allow for siting of future improvements to the Spring Lane and Gettysburg Pike intersection. The applicant should consider this request and provide a comment and answer regarding this request.
  
- V. Stormwater Management (Ordinance No. 2011-216) - comment numbers 1 through 10
  1. General Comment- SWM Report. The Report should be reviewed. Some report pages are printed with two sheets per page which in some cases makes pages difficult to read. Also, some pages are oriented upside down such as the PADEP Spreadsheets and the Soil Profile logs in the Geotechnical report.
  2. The township is concerned about the installation of water quality inlets along and within the Right-of-Way of Gettysburg Pike with respect to the impacts of long term maintenance that will be the Township's responsibility.
  3. Sheet 28 –Revise Detention Berm w/Clay Core Detail to show, at scale, the outlet control structure, outlet pipe, etc. (§ 428-11.D.4, § 428-17.G.1.z and § 428-17.G.1.i) .
  4. Due to pending subdivision of property and location of proposed outlets, all outlets discharging onto adjacent property owner's properties must have adjacent property owner's written permission (§ 428-17.G.5)
  5. Provide information that the developer has considered the effects on downstream areas if the basin embankment fails in the design of all basins. Where possible, the basin shall be designed to minimize the potential damage caused by such failure of the embankment including potential roadway overtopping, erosion, and wetland impacts. (§ 428-17.G.2). For example, if the basin embankment fails when the pond is full during the 100-year event, the water could cross Spring Lane and impact the residential

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 8 of 12**

property located approximately 700 feet to the west of the basin.

6. From a meeting held on December 18, it appears that there will be additional impervious areas and disturbed areas along Gettysburg Pike. Revise/update the stormwater management plans and reports to account for this additional area and provide evidence that these areas are not creating impacts. (§ 428-17.A.16).
7. SWM Report Appendix G – Tc is listed as Direct entry values. Provide justification for entered values (§ 428-17.A.16). Recommend Tc be determine by standardized hydrologic modeling program methods.
8. SWM Report Appendix G – Routing for Infiltration Basin. Routed 100-year elevation = 554.61. Sheet 28 lists routed 100-year elevation as 554.62. Please check this apparent discrepancy (§ 428- 11.J).
9. SWM Report Appendix G – HydroCAD Summary for Pond 6P: AG INF. BASIN EMERGENCY CONDITION and Outlet Device Table lists could not be found in the Appendix to compare model to plans (§ 428-17.G.1.c.)
10. Pending review of the response to comments, the revision of the SWM report and Plans to account for the additional impervious areas/area of disturbance along Gettysburg Pike, and the outcome of the waiver request under (§ 428-17.G.1.u), additional review and comments may be required.

VII. General Comments - comment numbers 1 through 5

1. All statements & Certifications must be dated after the last revision of Plans and Reports;
2. Provide waiver documents for widening and curbing waiver requests.
3. Provide legal description of proposed lands to be dedicated to public Right-of-Way. Area of proposed dedication must be provided with metes and bounds;
4. Add zoning designations to overall site plan Sheet 6;
5. Label existing and proposed Rights-of-Way, Cartways on Sheet 6;

Supervisor Bush voted no. Mr. Bush stated that the plans are wrong and should not be labeled Preliminary/Final.



**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 9 of 12**

Supervisor Kelly stated that the exhaust fans should be going up and not out the side of the building.

LOGAN  
MEADOWS PHASE I  
FINANCIAL  
SURETY  
FINAL RELEASE

It was moved by Supervisor Kelly, seconded by Supervisor Bush, and carried to release \$50,000.00 (Reduction No. 6) from the financial surety being held for improvements to the Stormwater Basin on Lot 55 in the Logan Meadows Phase I Development. This will reduce the Arch Insurance Company Performance Bond No. SU 501544 surety for this project from \$50,000.00 to zero and to transfer the ownership and responsibility to Logan Meadows Phase III and Phase IV Homeowners Association (HOA).

Supervisor Loudenslager abstained from the vote because she lives in Logan Meadows Phase I.

PRELIMINARY/  
FINAL LAND  
DEVELOPMENT  
PLAN FOR  
CARROLL TWP.  
TOWNHOMES  
TIME EXTENSION

It was moved by Chairman Kelly, seconded by Supervisor Wall, and unanimously carried to table and accept the time extension for the review of the Preliminary/Final Subdivision and Land Development Plans for Carroll Township Townhomes (Dillsburg Land LLC) until July 06, 2024.

Supervisor Bush stated the labeling of the plan should be changed to Preliminary Plan not Preliminary/Final Plan.

RESOLUTION  
2024-05  
APPOINT CERTIFIED  
PUBLIC  
ACCOUNTANT  
TO AUDIT THE  
BOOKS FOR  
2023

It was moved by Supervisor Loudenslager, seconded by Supervisor Wall, and unanimously carried to adopt Resolution 2024-05 - A Resolution of the Board of Supervisors of Carroll Township, York County, Pennsylvania, appointing a Certified Public Accountant to make an examination of all the accounts of the Township for the Fiscal Year 2023.

APPOINTMENT OF  
PUBLIC  
ACCOUNTANT  
HAMILTON &  
MUSSER, P.C.

It was moved by Supervisor Loudenslager, seconded by Supervisor Bush, and unanimously carried to appoint Hamilton & Musser, P.C. as the Certified Public Accountant firm to audit the entire Township's Accounts for the Fiscal Year 2023 and set the rate of pay at \$6,950.00 as per the quoted amount and approve the change order in the amount of \$500.00 to audit the new Fire Tax Fund for a total of \$7,450.00 for the 2023 audit.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 10 of 12**

RESOLUTION  
NUMBER 2024-07  
DISPOSITION OF  
PUBLIC RECORDS

It was moved by Supervisor Loudenslager, seconded by Supervisor Wall, and unanimously carried to adopt Resolution Number 2024-07 – A Resolution of the Board of Supervisors of Carroll Township, York County, Pennsylvania, in accordance with the Municipal Records Manual approved on December 16, 2008, as amended March 28, 2019, hereby authorizing the disposition of the public records as listed:

**Municipal Office Records**

**2013**

904 Recycling Grant

**2016**

Expenditures – All funds

Receipts – All funds

Payroll Time Sheets

Time Entry Reports

W2's, 1099's, Payroll Taxes

Year End Reports

Check Register Accounting Report

Accounts Payable Reports

Voucher List Adjustments

Payroll Register Report

Deduction List

Direct Deposit Register

Bank Statements

Police Fine Money

Police Reports

Per capita Log

Per capita tax pages

Realty Transfer Tax

Real Property Assessment

Real Estate tax pages

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 11 of 12**

Real Estate Taxes collected by the Tax Collector  
York Adams Tax Bureau Distribution  
Liability Insurance Policies  
Medical Insurance Booklets & Changes  
Right To Knows  
Election Results  
Budget Prep Materials  
Open Invoices by Bank  
Receipt Book

**Police Department Records**

2018 ACCIDENT REPORTS  
2021 UCR REPORTS  
2020 PATROL LOGS  
2020 PAID TRAFFIC CITATIONS  
2021 VALIDATION REPORTS  
2021 ABANDONED VEHICLE REPORTS  
2021 CRIMINAL HISTORY  
2021 PARKING TICKETS

APPOINTMENT TO  
YORK ADAMS  
TAX BUREAU AND  
TAX COLLECTION  
COMMITTEE

It was moved by Supervisor Loudenslager, seconded by Supervisor Wall, and unanimously carried to appoint Timothy Kelly as Carroll Township's Representative to the York Adams Tax Bureau and Tax Collection Committee.

It was moved by Supervisor Loudenslager, seconded by Supervisor Wall, and unanimously carried to appoint Libby Loudenslager as Carroll Township's Alternate Representative to the York Adams Tax Bureau and Tax Collection Committee.

APPOINTMENT TO  
CAPITAL REGION  
COG BOARD OF  
DELEGATES

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and unanimously carried to appoint David Bush as the Delegate and Timothy Kelly as the Alternate to the Capital Region COG Board as Carroll Township's Delegates.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
JANUARY 08, 2024  
Page 12 of 12**

APPOINTMENT TO  
YORK COUNTY  
PLANNING  
COMMISSION  
LOCAL  
GOVERNMENT  
ADVISORY  
COMMITTEE

It was moved by Supervisor Kelly, seconded by Supervisor Loudenslager, and unanimously carried to appoint Brent Sailhamer to the 2024 Local Government Advisory Committee of York County as Carroll Township's Representative and Kelly Wall as the Alternate.

RFP FOR  
TOWNSHIP  
ENGINEER

It was moved by Supervisor Loudenslager, seconded by Supervisor Bush, and unanimously carried to authorize the Township Staff to advertise for RFP for the Township Engineer Position.

LETTER OF  
INTEREST FOR  
ZONING HEARING  
BOARD AND  
AUDITORS

It was moved by Supervisor Loudenslager, seconded by Supervisor Kelly, and unanimously carried to authorize the Township Staff to advertise for Letter of Interests for the Zoning Hearing Board Alternate Position and for two Elected Auditors.

PUBLIC  
COMMENTS

Jeremiah Jones – 182 Martel Circle – stated that Fager's had to pay a fee in lieu of for Spring Lane Road. He feels that Aldi's should have been approved with a fee in lieu of also.

Supervisor Bush stated that Preliminary/Final Subdivision should be submitted as a Preliminary then Final. Commercial Subdivisions should be submitted as Preliminary and then Final Subdivision.

ADJOURNMENT

It was moved by Supervisor Loudenslager, seconded by Supervisor Wall, and unanimously carried to adjourn the meeting at 8:11 p.m.

Respectfully submitted,

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Faye L. Romberger, Secretary