

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 1 of 12**

**ROLL CALL** SUPERVISORS – Kelley Moyer-Schwille, Dave Bush, Brent Sailhamer, and Tim Kelly

**ATTENDEES** Faye Romberger, Phillip Brath, P.E., Brandon Slatt, Township Manager, Mike Pykosh, Esquire, Thomas Wargo, Chief of Police, Jessica Baim, Ken Farner, David Hazen, Frank Setlak, Kristen Stagg, Gary Reihart, Brian Linsenbach, Elisha Riggins, Steve Kirkpatrick, and Wayne Kober

ZOOM ATTENDEES: James Hess and Linda Fiscus

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

**CALL TO ORDER** Chairman Kelly called the regularly scheduled meeting of the Carroll Township Board of Supervisors Meeting to order at 6:30 p.m. The location of the meeting is the Carroll Township Municipal Building, 555 Chestnut Grove Road, Dillsburg, Pennsylvania.

**CERTIFICATE OF COMMENDATION AWARDS** Chief Thomas Wargo presented a Certificate of Commendation Award to Officer John Shapley, III for his heroic efforts on saving the life of Michael Knap on October 24, 2023.

Chief Hector Morales presented Certificate of Commendation Awards to Lieutenant Brandon Mitchem, and Assistant Chief Carla Snyder both with Northern York County Fire Rescue for their heroic efforts on saving the life of Michael Knap on October 24, 2023.

**APPROVAL OF THE TREASURER’S REPORT** It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to approve Treasurer’s Report dated November 13, 2023, as submitted, which includes the Open Bill List up to and including November 09, 2023, in the amount of \$166,410.00, Cash Flow Reports for October 2023, Compared to Budget Reports for October 2023, and Check Register Report for October 2023 to ratify the October 2023 Bill List.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 2 of 12**

PUBLIC COMMENT      Chairman Kelly asked for public comment.

Wayne Kober, 65 Brittany Lane, Dillsburg, would like to meet with the Transportation Committee Members to discuss a pedestrian walkway bridge over U.S. Route 15. He will be attending a meeting on December 07, 2023, with the York Area Metropolitan Planning Organization and would like Carroll Township’s feedback on this matter for this meeting.

OCTOBER 02, 2023  
WORK SESSION  
MINUTES      It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to approve October 02, 2023, Board of Supervisors Work Session Minutes as submitted.

OCTOBER 09, 2023  
MEETING  
MINUTES      It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to approve the October 09, 2023, Board of Supervisors Meeting Minutes as submitted.

OCTOBER 24, 2023  
BUDGET WORK  
SESSION MINUTES      It was moved by Supervisor Sailhamer, second by Supervisor Moyer-Schwille, and unanimously carried to approve the October 24, 2023, Board of Supervisors Budget Work Session Minutes as submitted.

OCTOBER 30, 2023  
BUDGET WORK  
SESSION MINUTES      It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Sailhamer, and unanimously carried to approve October 30, 2023, Board of Supervisors Budget Work Session Minutes as submitted.

FINAL LAND  
DEVELOPMENT  
PLAN FOR  
54 OLD YORK ROAD  
CONDITIONAL  
APPROVAL      It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to grant the following waiver request for the Drawings for Final Land Development Plan for 54 Old York Road, Dillsburg PA – Devspire, LLC as per Phillip Brath’s Comment Letter dated August 30, 2023:

V.    Waivers (comments 1 through 6)

1.    Infiltration facilities shall be constructed at a minimum distance of 20 feet from all structures. (428-17.E.11.j). Applicant requesting waiver to ordinance requirement. The Planning Commission recommended granting waiver.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 3 of 12**

FINAL LAND  
DEVELOPMENT  
PLAN FOR  
54 OLD YORK ROAD  
CONDITIONAL  
APPROVAL  
CONTINUES

2. A Preliminary Land Development Plan shall be submitted for Land Development Plans (§435-13.A) Plan Titles and Certificates shall be consistent with status of Plan. Applicant requesting waiver to ordinance requirement. The Planning Commission recommended granting waiver.
3. Provide Site Context Map (435-27.J). Applicant requesting waiver to ordinance requirement. Planning Commission recommended granting waiver.
4. Provide Existing Resources and Site Analysis Plan (435-27.K) Applicant requesting waiver to ordinance requirement. The Planning Commission recommended granting waiver.
5. Provide Preliminary Resource Impact and Conservation Plan (435-27.L) Applicant requesting waiver to ordinance requirement. The Planning Commission recommended granting waiver.
6. Access drives (existing) shall be delineated with concrete vertical curbing. (435-41.J) Show on the plan and provide detail drawing. Applicant is requesting waiver to ordinance requirement. (waiver submitted after PC meeting documents set)

It was move by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to conditional approve the Drawings for Final Land Development Plan for 54 Old York Road, Dillsburg, PA – Devspire, LLC contingent upon addressing all of the following comments in Phillip Brath’s Comment Letter dated August 30, 2023:

- I. Zoning (Chapter 450) – comments 1 and 2
  1. Show 50’ BSL from frontage on Grouse Road. Revise Zoning Table Sheet 3.
  2. Parking lots shall be surrounded by a 15’ landscape buffer. (450-412.C) Provide extent locations & dimensions on the plan.
- III. Subdivision and Land Development (Chapter 435) – comment 1 through 7

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 4 of 12**

FINAL LAND  
DEVELOPMENT  
PLAN FOR  
54 OLD YORK ROAD  
CONDITIONAL  
APPROVAL  
CONTINUES

1. Show 50' X 130' joint access drive easement extending 130' back from property corner at right-of-way onto lots along common property line (435-21.D.4(a));
2. Screening plantings shall be distributed throughout the entire landscape screen to achieve complete coverage. (435-52.F(1)) Provide a detail of typical section of screen;
3. All outstanding fees, including recreation fees, must be paid prior to plans recording (435- 36.M);
4. All certificates must be executed and dated after the last revision of the plan. (435-28.B)
5. The owners must sign the plan and date after the latest revision on the plan. (435-28.C)
6. Park and Open Space provision of section 435-43.C will be required. The developed area is approximately 1 acre. The applicant proposes to pay a fee-in-lieu of dedication;
7. Access drive must have a minimum horizontal curb radius of 75' (435-41.A(2)).

IV. Stormwater (Chapter 428) – comments 1 and 2

1. Pervious pavement detailed on Sheet 5 will not be impervious with Compacted 2A Stone. Revise all details to reflect Permeable Pavement Section;
2. Provide post construction Operation and Maintenance plan for the infiltration bed and all Stormwater management facilities. (428-11.F.(7) / 428-27 ) The O&M plan shall be bound with instructions for long term maintenance and cleaning and include drawings of the structure. Provide one copy to the Township and one copy to the owner.

VI. General – comments 1 and 2

1. After approval of the final plan, the applicant shall present to the Township, six paper copies of the final plan set and two digital copies in a digital physical storage of the plan set to be recorded (in PDF and AutoCAD format or approved alternative). (435-14.K)
2. Plans (Sheet 1) must reflect List of all waivers being requested and action by board.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 5 of 12**

PRELIMINARY/  
FINAL MIXED USED  
DEVELOPMENT  
15 ORE BANK ROAD  
INCH'S PROPERTY  
CONDITIONAL  
APPROVAL

It was moved by Supervisor Sailhamer, seconded by Chairman Kelly, and unanimously carried to grant the following waiver requests for the Preliminary/Final Mixed Use Development 15 Ore Bank Road – Inch's property as per Phillip Brath's Comment Letter dated November 13, 2023:

- V. Waivers – comments 1 through 9
1. Preliminary Plan Submission is required for subdivisions of 5 or greater lots or include construction of streets or other public facilities. (§435-13.A) Applicant requested waiver. The Planning Commission recommended granting waiver from ordinance requirement.
  2. Park and Recreation Report must be prepared by a "Certified Park and Recreational Professional" (CPRP) (§435-37.D). Applicant requested waiver. The Planning Commission recommended granting waiver from ordinance requirement.
  3. Plans must show the location of existing healthy trees with a caliper of six inches or more as measured at a height of 4.5 feet above existing grade (§435-25.F). Applicant requested waiver. The Planning Commission recommended granting waiver from ordinance requirement for the unimproved area adjacent to Route 15 and around the stream.
  4. Infiltration facilities shall be constructed a minimum distance of 20 feet from all structures and streets, or street right-of-way. §428-17.E(11)(j) Applicant requested waiver. The Planning Commission recommended granting waiver from ordinance requirement.
  5. The infiltration volume shall be stored to a depth of no more than 18 inches. (§428- 17.E.12.a) Applicant requested waiver. The Planning Commission recommended granting waiver from ordinance requirement.
  6. The minimum slope within a basin shall be one-percent positive grade from the low flow channel. (§428-17.G.1(k)) Applicant requested waiver. Planning Commission recommended granting waiver from ordinance requirement.
  7. Plan shall not call for disturbance in the riparian buffer zone areas for streams and wetlands. (§428-19. A (1-5))

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 6 of 12**

PRELIMINARY/  
FINAL MIXED USED  
DEVELOPMENT  
15 ORE BANK ROAD  
INCH'S PROPERTY  
CONDITIONAL  
APPROVAL  
CONTINUES

- Applicant requesting modification from Riparian Buffer Area 2 ordinance requirement. The Planning Commission recommended granting waiver from Area 2 ordinance requirement.
8. Minimum side slopes in basin shall not be less than 3:1 non-residential or 4:1 residential (§428-17.G.1.d). The applicant requested waiver to permit retaining walls. The Planning Commission recommended granting waiver from ordinance requirement.
  9. Lot 6, 7 & 8 minimum Floor elevations near a basin shall be greater than 2' above the 100-year water surface elevation. (§428-17.F.3) Applicant requested waiver. The Planning Commission recommended granting modification from ordinance requirement for Lot 7 to elevation 531.5. Lot 8 to eliminate basement. Lot 6 will meet requirements

It was moved by Supervisor Sailhamer, seconded by Chairman Kelly, and unanimously carried to conditionally approve the Preliminary/Final Mixed Used Development 15 Ore Bank Road – Inch's Property contingent upon addressing all of the comments in a Phillip Brath's Comment Letter dated November 13, 2023 and within ninety days the final Developer Agreement and surety are in place:

- II. Subdivision and Land Development (Chapter §435) – comments 1 through 9
  1. Waiver Statement must be revised, upon action on the Request to Acknowledge the Outcome of Requested Waiver §435-26.O.
  2. Where the land included in application has utility lines within property, the applicant must submit copy of right of way agreement per §435-28.A.
  3. Provide approved sewer planning §4354-36.A.
  4. Provide evidence that Dillsburg Area Authority (DAA) approval of sewer system capability to serve and approval of design §435-46.D.
  5. Provide evidence that Dillsburg Area Authority (DAA) approval of water service capability to serve and approval of design §435-47.E.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 7 of 12**

PRELIMINARY/  
FINAL MIXED USED  
DEVELOPMENT  
15 ORE BANK ROAD  
INCH'S PROPERTY  
CONDITIONAL  
APPROVAL  
CONTINUES

6. Provide Community Association Document in accordance with §435-27.M for Township solicitor shall review.
7. Board of Supervisors Preliminary Plan Approval statement must reflect Appendix #4 of Ordinance (§435-28.G). The statement provided does not reflect either preliminary or final plan statement from Appendix.
8. Street signs installed within the public right-of-way shall consist of square channel break-away style posts. (§435-39.L) Revise the signpost detail on sheet 53.
9. Lighting must be directed downward and inward without glare to adjacent properties or roadways. (§435-45.D & §450-403.C) The light standard on sheet 46 appears to provide uplighting and may not be acceptable. Verify all lighting is full cut-off and that it does not conflict with maximum color requirements in Chapter 405-403.C. Note option for restriction "Cut Off" Lighting on Detail.

III. Transportation Impact Study (Subdivision and Land Development - Chapter §435) – comments 1 through 3

1. Traffic Study Comments from our 06/13/2023 letter as outlined below will be addressed separately and shall be satisfied prior to plan approval.
  - a. We agree with PennDOT's review comments dated 4/12/2023.
  - b. As stated in PennDOT's review, significant LOS/delay degradation occurs at multiple approaches at the intersection of SR 0015/Ore Bank Road during various peak hours. Mitigation must be provided to address these drops in LOS or delay.
  - c. Queue analyses must be provided for existing conditions, opening year conditions, and for the build without improvements scenario for opening and design years.
  - d. Mitigation for increased queues must be provided (PennDOT comment 7).
  - e. As stated in the PennDOT review, the adaptive signal timings at the intersection of SR 0015/Ore Bank Road should be addressed.
  - f. The developer shall work with the project across Ore Bank to increase the radius and create a softer curve and create a single improvement plan or phased plan for improvement of Ore Bank Road.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 8 of 12**

PRELIMINARY/  
FINAL MIXED USED  
DEVELOPMENT  
15 ORE BANK ROAD  
INCH'S PROPERTY  
CONDITIONAL  
APPROVAL  
CONTINUES

- g. Additional details on Ore Bank Road are necessary, including cross-section. Ore Bank Road is designated as a Minor Collector. Please update drawings and design following PennDOT Design Manual 2 for a minor collector with three, four and five lanes through the appropriate portions of the frontage.
2. The Township shall address the round-about design and financial security associated with the improvement prior to approval of the Final Plan.
3. Additional comments may follow upon subsequent review of the revised Transportation Impact Study (TIS).

IV. Stormwater (Chapter 428) – comments 1 through 4

1. Provide NPDES Permit (428-11.E.4)
2. Stormwater reports shall be signed and sealed after final plan revision. Two complete final copies shall be provided to the Township prior to recording the plan. §428-17.A(2)
3. Provide Stormwater Management (PCSM) and E&S Plan to ascertain compliance with the Ordinance, prior to Final Plan approval.
4. Prior to approval of Final Plans, a separate and bound post construction Operation and Maintenance (PCSM O&M) program shall be provided with instructions for long term maintenance and cleaning of each type of BMP and include drawings of the structure(s). Provide one copy to the Township and one copy to the owner. (§428- 11.F.(7)/ §428-27)

VI. General – comments 1 through 6

1. All Conditions of Conditional Use Approval must be satisfied.
2. Provide relocation agreement for Electric Easement for DB 1285 PG 2510.
3. Plan Title of Submission must be revised to reflect either “Preliminary” or “Final” based on action of board on request for waiver of “Preliminary Plan” requirements.
4. Typical driveway apron detail must be revised to require only 2 - #5 rebars



**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 9 of 12**

PRELIMINARY/  
FINAL MIXED USED  
DEVELOPMENT  
15 ORE BANK ROAD  
INCH'S PROPERTY  
CONDITIONAL  
APPROVAL  
CONTINUES

- in depressed curb section at 3” below depressed curb section to accommodate tension stresses in section and extend back to fill section curb.
5. Landscaping plan for path shall include mowing a strip adjacent to path.
  6. Final Plan requirements per section 435-14 and Article VI are applicable with comments pending approval of Preliminary Plan.

Chairman Kelly asked the Developers for a higher contribution for the first responders’: police, fire, and EMS.

PRELIMINARY/  
FINAL LAND  
DEVELOPMENT  
PLAN MIDDLE &  
ELEMENTARY  
SCHOOL  
CAMPUS  
IMPROVEMENTS

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to table the review of the Preliminary/Final Land Development Plan Middle and Elementary School Campus Improvements for Northern York County School District until the December 11, 2023, Board of Supervisors Meeting.  
Supervisor Bush would like a real traffic study completed.

PROPOSED  
ORDINANCE  
NUMBER  
2023-255  
SET PUBLIC  
HEARING AND  
ADVERTISE

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to authorize the Township Staff to advertise Ordinance Number 2023-255 – An Ordinance to amend the Carroll Township Subdivision and Land Development Ordinance to add that the Developer must notify the surrounding property owners by certified mail when a plan is submitted to the Planning Commission and post the property. Set the public hearing for December 11, 2023, at 6:30 p.m.

ADVERTISE FOR  
RFPs FOR A  
PLANNER FOR THE  
COMPREHENSIVE  
PLAN REVISIONS

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to authorize the Township Staff to advertise for RFPs for a Planner for the Comprehensive Plan Revisions.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 10 of 12**

ADOPT  
RESOLUTION  
NUMBER  
2023-18  
NORTHSIDE COURT  
STREET  
DEDICATION

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to adopt Resolution Number 2023-18 – A Resolution of the Board of Supervisors of Carroll Township, York County, Pennsylvania to accept dedication of Northside Court within the Chadwick Meadows Phase II Subdivision Plans.

CHADWICK  
MEADOWS  
PHASE II SURETY  
RELEASE AND SET  
18-MONTH  
MAINTENANCE  
BOND AMOUNT

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to release \$133,658.25 from the financial surety being held for improvements completed in the Chadwick Meadows Phase II Development. This will reduce the cash surety for this project from \$157,245.00 to \$23,856.75 and set the 18-month maintenance Bond at \$23,856.75. The remaining surety of \$23,856.75 is being held for the 18-month maintenance bond.

LOGAN MEADOWS  
PHASE IV TIME  
EXTENSION

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to grant a time extension to review the Final Subdivision Plans for Logan Meadows Phase IV until August 15, 2024.

FINAL PLANS FOR  
HAROLD C. WILLIS  
TIME EXTENSION

It was moved by Supervisor Moyer-Schwille, seconded by Supervisor Bush, and unanimously carried to grant a time extension to record the Final Subdivision Plans for Harold C. Willis until December 31, 2023.

APPOINT  
GROVE-MILLER  
INDEPENDENT  
TRAFFIC  
ENGINEER

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and unanimously carried to appoint Grove-Miller as Independent Traffic Engineer to review traffic studies in an “as needed basis” and accept their fees as per their 2023 Fee Schedule.

Frank Setlak – 5 Northside Court – concerned about the Inch Property Development and the traffic on U.S. Route 15. The Township needs to do something to decrease the developments.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 11 of 12**

Gary Reihart – 150 Ore Bank Road – questioned what are PennDOT’s plans for this area. We must get our traffic study done.

Brandon Slatt stated that the grant has been submitted for the roundabout at Ore Bank Road and W. Siddonsburg Road.

Supervisor Bush stated that the traffic light at Ore Bank Road, U.S. Rt. 15, and Spring Lane Road needs to have a longer green light for cross traffic.

PAYTIME, INC.  
OUTSOURCE  
PAYROLL

It was moved by Supervisor Moyer-Schwille, seconded by Bush, and unanimously carried to outsource the payroll to Paytime, Inc. and set the fee at \$4,500.00 to start with first pay in 2024.

ADVERTISE THE  
PROPOSED  
2024 BUDGET

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to authorize the Township Secretary/Treasurer to advertise the Proposed 2024 Budget for public view and for action at the December 11, 2023 Board of Supervisors Meeting.

TIPPING FEE  
INCREASE FOR  
2024 WILL  
INCREASE  
QUARTERLY BILL  
BY \$1.70 PER  
QUARTER

It was moved by Supervisor Sailhamer, seconded by Supervisor Bush, and carried to authorize Penn Waste to increase the quarterly rate to Carroll Township residents from \$87.07/per quarter to \$88.76 per quarter effective January 01, 2024 because York County Resource Recovery Facility increased the tipping fee by \$7.00 per ton effective January 01, 2024. This will increase Carroll Township residents billing by \$1.70 per quarter. The low volume bag service customers will not have an increase.

Supervisor Moyer-Schwille voted no.

POLICE REPORT

Chief Thomas Wargo presented the Police Report for the Month of October 2023.

Chief Wargo stated the Department took down to York Solid Waste in June 280 pounds of drugs and in October 160 pounds of drugs to be disposed of.

**CARROLL TOWNSHIP  
BOARD OF SUPERVISORS  
MEETING MINUTES  
NOVEMBER 13, 2023  
Page 12 of 12**

Chief Wargo wanted to thank Frank Setlak for donating a case of 9MM ammunition.

**FIRE REPORT**

Hector Morales, Chief, presented the Fire Report for the month of October 2023.

**ADJOURNMENT**

It was moved by Supervisor Sailhamer, seconded by Supervisor Moyer-Schwille, and unanimously carried to adjourn the meeting at 8:05 p.m.

Respectfully submitted,

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Faye L. Romberger, Secretary