

**BOROUGH OF CARROLL VALLEY  
PLANNING COMMISSION MEETING  
MONDAY, OCTOBER 2, 2023 – 7:00 P.M.  
BOROUGH OFFICE**

**MINUTES**

Chairman Michael Wight called the meeting to order at 7:00 P.M. The attendance was as follows:

**PLANNING COMMISSION  
MEMBERS**

**Present**

John Schubring, Vice Chairman  
Sara Laird  
Michael Wight, Chair  
Jeff Pannebaker  
Brion Fitzgerald  
David Lillard  
Douglas Browning  
Bret Robinson

**BOROUGH OFFICIALS, ETC.**

David Hazlett Borough Manager  
Gayle Marthers, Borough Secretary

**Absent**

Owen Phelan

**CONSIDERATION OF THE MINUTES OF THE SEPTEMBER 5, 2023, PLANNING  
COMMISSION MEETING**

\*\*\*D. Lillard moved; S. Laird seconded, that the Commission accept the minutes of the Planning Commission Meeting of September 5, 2023, as amended. Motion passed unanimously.

**OPEN TO THE PUBLIC**

No one addressed Members at this time.

**NEW BUSINESS**

**Fifty Properties, LLC Land Development Plan**

No one from Fifty Properties LLC was present to address the Plan. Mr. Hazlett relayed his discussions that he had with the LLC regarding the Plan. The LLC is requesting Mixed-Use zoning to incorporate apartments with retail shops. The Adams County Planning Office and the Borough Engineer responded to the submitted plan with several comments each that need to be addressed prior to the Council or Planning Commission taking action. Mr. Hazlett will keep members apprised of the situation.

**OLD BUSINESS**

**Review of Ordinance #1-2012: Keeping of Domesticated Chickens**

Mr. Hazlett reviewed his memorandum of September 29, 2023, noting changes that were discussed at Council. Recommended change to the Ordinance was to remove all special setback requirements and have the coop considered an accessory structure and have it comply with the setback requirements of the underlying zoning district. Public Comment was taken from:

Kaitlyn Weimer, 8 Fawn Trail, CV requesting an exception to the ordinance and that she be permitted to keep her chickens in the front yard.

Edie Jardine, 49 Fawn Trail, CV supporting Ms. Weimer's request to keep the chickens where they are.

Bob Kurtz, 9 Janet Trail, CV supporting the changes recommended in the memorandum to the Ordinance.

Lengthy discussion ensued noting that Mr. Pannebaker and Mr. Lillard supported a change in the ordinance to allow a chicken coop in front of the house. Following the discussion:

\*\*\*S. Laird moved; B. Robinson seconded that the Planning Commission recommend to Council the changes as outlined in the memorandum of September 29, 2023. Motion passed unanimously.

### **Ordinance Revising Chapter 27: Zoning regarding Short-Term Rentals**

Members reviewed were given a copy of an email from resident and local realtor, Trish Rowe. It was noted that the information provided by Ms. Rowe regarding Gettysburg Borough regulations was incorrect. The Gettysburg Borough Zoning website was reviewed by Members and led to much discussion. The second area of misunderstanding noting in the email was the reference to the “Pillow Tax” proceeds. Mr. Hazlett explained where the Pillow Tax (Hotel Tax) is generated and from what businesses. Members asked Mr. Hazlett for a reminder of the socio-economic downfalls to Short-Term Rentals (STR):

- First Time Homeowners do not have as many choices because the lower priced properties risk being bought to be used as STR’s.
- Neighborhoods risk becoming more transient in nature which may lead to:
  - Decline in care for the property.
  - Safety concerns.
  - Increase in Noise.
  - Loss of Earned Income Tax (EIT)

Additional discussion included:

- Current ordinance limits the zoning districts that can have STR’s; is that concept still valid or does the Commission want to recommend the inclusion of STR’s in all districts?
- Rules and Regulations; what is required by the Commonwealth under the UCC and BOCA regulations? Suggested that Borough Staff reach out to PMCA for clarification.
- What is a reasonable permit fee?
- Can the Borough recoup the potential loss of EIT? Mr. Hazlett explained that fees must be calculated based on the cost of administering the program, not on the loss of a revenue stream.

Following much discussion, Members agreed by consensus to have Mr. Hazlett and Borough Staff collect information from the attorney and PMCA and report to Members at the next meeting.

### **ADJOURNMENT**

\*\*\* The meeting adjourned at 8:55PM via motion made by S. Laird and seconded by J. Pannebaker that carried unanimously.

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Gayle R. Marthers, Borough Secretary