

**BOROUGH OF CARROLL VALLEY  
PLANNING COMMISSION REGULAR MEETING  
Monday, January 7, 2019 – 7:00 P.M.  
BOROUGH OFFICE**

**MINUTES**

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

**PLANNING COMMISSION MEMBERS**

**Present**

David Lillard, Chair  
John Schubring, Vice Chair  
Ron Harris, Mayor  
Steve Sites  
Michael Wight

**Absent**

Bernard Garland  
Bruce Carr

**BOROUGH OFFICIALS, ETC.**

David Hazlett, Borough Manager  
Gayle R. Marthers, Asst. Borough Manager  
David Baker, Zoning Officer

**CONSIDERATION OF THE MINUTES OF THE DECEMBER 3, 2018 JOINT MEETING  
of PLANNING COMMISSION AND BOROUGH COUNCIL**

Mr. Lillard asked that the minutes reflect that he believes that Mr. Carr's statement saying that he was "unwilling to allow him [Mr. Carr] to speak as a member of the public" is incorrect. Mr. Lillard stated that the meeting had not been convened at the time of his conversation with Mr. Carr and that the purpose for the conversation was to remind Mr. Carr that there was a quorum of Council present and that there may be a violation of the Sunshine Law. Following additional brief discussion:

**\*\*\*D.** Lillard moved, R. Harris seconded, that the Commission accept the minutes of the Planning Commission Meeting of December 3, 2018 with the inclusion of Mr. Lillard's statement. Motion passed unanimously.

**OPEN TO THE PUBLIC**

No one addressed Members at this time.

**OLD BUSINESS**

Comprehensive Ordinance Review: Chapter 27: Zoning.

Mr. Lillard requested that Members provide their comments on each of the Questions with Responses that have been submitted for review. Much discussion included the following:

**Document #1: Questions and Responses for December 3, 2018 Meeting:**

1. Agricultural District:
  - Section 403, sub-section I, Item 1 regarding issue of "mega-silos"
    - Consensus of Members that County Planning will research the subject and make recommendations
  - Height Restriction in Agricultural District
    - Consensus of Member to use 35' for consistency
2. Residential Medium Density (R3) District
  - Section 702, sub-section A. Item 2 regarding open space exclusions.
    - Consensus of Members that County Planning will add exclusion list as a separate subsection.
  - Section 703, sub-section J regarding minimum floor area.

Consensus of Members to retain 850 sqft minimum for single family dwelling per dwelling unit per the Uniform Construction Code guidelines

3. Commercial (C) District.

Section 902, sub-section A; Item 2a regarding establishing parking spaces.

Consensus of Members agreed to have County Planning rework the verbiage as outlined in their response.

4. General Use Requirements.

Section 902, sub-section A, Item 2a regarding the word “Stealth”

County Planning will fix the typographical error

5. Parking and Loading Regulations.

Section 1604, sub-section C regarding compacted stone or millings.

Consensus of Members agreed that this applies primarily to Agricultural District and County Planning will provide a redraft of the section for better clarity.

6. Sign Regulations.

Section 1704, sub-section A

Explanation from County Planning accepted; no further information/correction needed

7. Additional Questions:

Family Child Care Issue:

Consensus of Members to allow “Home Day Care” as defined by the State of PA (12 children) in ALL districts.

Airport Overlay Concerns: County Planning Office:

- Confirmed that the Borough falls in the “Air Control Space” of the Mid Atlantic Soaring Club (Glider Port on Pecher Rd)
- Explained that Airport Overlays are required by a separate Airport Zoning Act established by the Bureau of Aviation.

Consensus of Members was to accept the Language regarding the Overlay as endorsed and provided by PennDOT Bureau of Aviation.

**Document #2: Questions and Responses dated 11/28/2018:**

1. Eluma Property zoning determination.

Tabled until all Planning Members could be present to discuss.

2. Sign Rules: Article XVI to the end:

Consensus of Members agreed that the sections are wordy and repetitious; however, that is standard language for Ordinance Documents such as this to ensure clarity for each section. Therefore, the verbiage would be retained.

3. Repeating “Uses”, “Accessory Uses”, and “Special Exception Uses” in each zoning district with identical tables.

Consensus of Members agreed that the sections are wordy and repetitious; however, that is standard language for Ordinance Documents such as this to ensure clarity for each section. Therefore, the verbiage would be retained.

4. Section 102-A-1: Use of word “morals”

Consensus of Members accepted County Planners recommendation to keep the language citing that it is copied verbatim from the PA Municipalities Planning Code.

5. Section 102-A-10: Delete clause “and including single-family .... Parks”

Consensus of Members accepted County Planners recommendation to keep the language citing that it is copied verbatim from the PA Municipalities Planning Code.

6. Section 102-B: Reference to “Southwest Adams Joint Comprehensive Plan”

The Plan was adopted by Council on 04/04/2015; therefore, this statement is correct.

7. Question regarding definition of “Structure” and “Building”  
Defined in Article II: “Building” is a subset of a “Structure”; no further information/correction needed.
8. Question regarding requirements of an apartment building:  
Explanation from County Planning accepted; no further information/correction needed
9. Question regarding definition of “Candela” and “Nits”  
Explanation from County Planning accepted; no further information/correction needed
10. Question regarding “Lot” definition.  
Consensus of Members was that the definition is confusing and does NOT properly establish the intent of the Borough to distinguish between re-combined lots and those lots combined onto a deed for tax purposes. County will re-work this section.
11. Overlays missing.  
Has been provided; will be made apart of future drafts. See 7a from Document #1 above for additional information.
12. Section 420 concern.  
Tabled until all Planning Members could be present to discuss.
13. Question regarding development of farmland.  
Tabled until all Planning Members could be present to discuss.
14. Section 700.B  
Tabled until all Planning Members could be present to discuss.
15. Section 702, 703  
Tabled until all Planning Members could be present to discuss.
16. Eluma Property concern  
Tabled until all Planning Members could be present to discuss.
17. Airport Overlay  
See 7a from Document #1
18. Section 1501-F-1 regarding Southwest Adams Joint Comprehensive Plan designating a roadway classification.  
Consensus of Members agreed to have County Planning rework the verbiage to use “establish” instead of “designate”
19. Section 1501-S regarding information on Mobile Home Parks  
County Planner confirmed that this was corrected in a later version of the document
20. Section 1501-T regarding No-impact home-based Businesses.  
Consensus of Members accepted County Planners recommendation to keep the language citing that it is copied verbatim from the PA Municipalities Planning Code.
21. Section 1502-Z-2 regarding the term “not operating” and how it may impact current establishments.  
Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand.
22. Section 1501-DD-1  
Consensus of Members agreed to use the number 4 as the maximum number of units in a townhouse building. County Planners will rework the section with this change.
23. Section 1501-FF regarding lengthy, verbatim wording  
Consensus of Members agreed that the sections are wordy and repetitious; however, that is standard language for Ordinance Documents such as this to ensure clarity for each section. Therefore, the verbiage would be retained.

**Document #3: Manager Dave Hazlett's Comments & County Responses:**

Section 201 – Definitions of Bed & Breakfast

Consensus of Members was that County Planning will research case law and report back to Members

Section 201 – Definition of Car Wash

Consensus of Members was that County Planning will update the definition to reference commercial use

Section 201 – Regarding “Produce Stands” on “non-farm property”

Consensus of Members agreed to have ALL reference to Produce Stands on non-agriculture zoned property removed. It is not the desire to preclude a home-owner to selling the “extra” produce from a home garden from a table in their front yard.

Section 201 – Definition of “Public Notice”

Consensus of Members accepted County Planners recommendation to keep the language citing that it is copied verbatim from the PA Municipalities Planning Code.

Section 201 – Definition of “Sign”

Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand in reference to holiday decorations.

Section 201 – Definition of “Sign” in reference to height

Explanation from County Planning accepted; no further information/correction needed

Section 401.B.4 – Regarding the producing of an Agricultural Product on a non-farm property

Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand in reference to issues like tanning of hides and taxidermy.

Section 401.B.7 – Regarding processing of Agricultural Products.

Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand in reference to issues like canning of small quantities of “extra” produce from a home garden versus the need for a special exception for slaughter facilities.

Section 403.I.2 – Regarding height for non-farm/agricultural uses.

Consensus of Member to use 35' for consistency

Section 403.J.1 – Regarding minimum livable space requirements.

Explanation from County Planning accepted; no further information/correction needed

Section 501.A.1 – Regarding forestry

Explanation from County Planning accepted; no further information/correction needed

Section 501.B.1 – Regarding accessory structures.

Explanation from County Planning accepted; additional language will be added to the next draft as suggested

Sections 501.B.2 and 601.B.4 regarding production of agricultural products on non-farm property.

Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand and address “intensive farming”.

Sections 502.F.2. and 502.G.2 regarding overlay incentives.

Explanation from County Planning accepted; no further information/correction needed

Sections 601.B.1 and 701.B.1 regarding Child Care Facility.

Explanation from County Planning accepted; no further information/correction needed

Sections 602.I and 703.J.1 regarding minimum swelling unit floor area.

Consensus of Members to retain 850 sqft minimum for single family dwelling per dwelling unit per the Uniform Construction Code guidelines

Section 701.B.4 regarding producing agricultural products on a non-farm property in the R3 district.

Consensus of Members agreed to have County Planning rework the verbiage to make it easier to understand and address “intensive farming” or other “farming” practices.

Sections 703.B.2 through 703.B.4 regarding residential minimum lot areas in R3 district.

Tabled until all Planning Members could be present to discuss.

Section 802.E.2 regarding minimum parking space width.

Explanation from County Planning accepted; no further information/correction needed

Sections 901.A.13, 901.A.18 and 901.A.10 regarding exclusion of gasoline sales.

Consensus of Members agreed to have County Planning rework the verbiage as outlined in their response.

Section 902.C regarding outdoor storage limitation.

Consensus of Members agreed to strike this section.

Section 1201.B.1.d(3)(b) regarding invasive plant classifications

Explanation from County Planning accepted; no further information/correction needed

Section 1305.C regarding nonconforming trees with Airport Overlay

Explanation from County Planning accepted; no further information/correction needed

Section 1404 regarding clear sight triangle language.

Consensus of Members agreed to have County Planning rework the verbiage as outlined in their response.

Section 1407.A regarding exclusion for zoning permitting for seasonally removed swimming pools

Consensus of Members agreed to have County Planning rework the verbiage to make it consistent with Uniform Construction Code guidelines.

Section 1409.A.1 regarding setback distances for wind turbines.

Consensus of Members agreed to have County Planning rework the verbiage to require that in the event of a catastrophic fall; the structure falls onto the owner's property.

Section 1410.A regarding locations where outdoor wood-fired boilers are permitted.

Tabled until all Planning Members could be present to discuss.

Section 1412 regarding height regulation exemptions.

Tabled until all Planning Members could be present to discuss.

At this time Members agreed by consensus that due to the late hour; the remaining five (5) pages of questions and responses would be tabled until the next meeting.

## **NEW BUSINESS**

There was none.

## **ADJOURNMENT**

\*\*\* R. Harris moved; M. Wight seconded that the meeting adjourn at 9:25 PM. Motion passed unanimously.

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Gayle R. Marthers, Borough Secretary