

**BOROUGH OF CARROLL VALLEY
PLANNING COMMISSION MEETING
MONDAY, FEBRUARY 1, 2010 – 7:00 P.M.
BOROUGH OFFICE**

MINUTES

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

PLANNING COMMISSION MEMBERS

Present

Ed Kaplan, Chairman
Ron Harris, Mayor
Dan Patton
Deborah Meredith
Mary Davidson
Neal Abrams, Vice Chairman
Ronald Bell

Absent

BOROUGH OFFICIALS, ETC.

David Hazlett, Borough Manager
Amanda Bell, Recording Secretary
David Baker, Code Enforcement Officer

CONSIDERATION OF THE MINUTES OF THE JANUARY 5, 2010 PLANNING COMMISSION MEETING

***R. Bell moved, D. Meredith seconded, that the Commission accept the minutes of the Planning Commission Meeting of January 5, 2010. Motion carried unanimously with N. Abrams abstaining.

OPEN TO THE PUBLIC

Resident, Archie Graff, 14 Blizzard Trail, asked to address the Commission about the Animal Noise Ordinance. E. Kaplan asked Mr. Graff if he would be willing to wait until they addressed the Animal Noise Ordinance.

Resident, Bill Reinke, 16 Persimmon Trail, asked to address the Commission about the control portion of the Animal Ordinance. Mr. Reinke stated that the Borough has a Dog Ordinance but cats are not addressed, and just about every neighborhood has some kind of cat running loose or feral cat issue and he is wondering why dogs are addressed and not cats. Mr. Reinke took the existing ordinance that the Borough has and did online research in regards to other legislation that pertains to this topic and merged the two and came up with a rough draft document and presented it to the Commission.

E. Kaplan stated that the Planning Commission is looking for members if anyone knows of anyone who would like to join.

NEW BUSINESS

Land Development Plan – Snow Time, Inc.

Eric Flynn from Liberty Mountain Resort addressed the Commission and stated that they were not sure if they needed to go in front of the Commission to require a land development plan, and stated he wasn't sure how the Commission wanted to proceed. Mr. Flynn stated he is referring to the residential structure on the corner of Sanders Road and Route 116 where a portion of the resort is

operated out of. Mr. Flynn stated that he is proposing a small addition which would be doubling the size of the current structure and re-designing the parking lot. Mr. Flynn also stated that presently the building houses the telephone answering operation and two offices are used for the wedding sales. Mr. Flynn also stated that he is proposing to bring the building up to code, giving the exterior “a face lift” and a couple small additions that would provide basement storage space for their computer server. After lengthy discussion:

***N. Abrams moved, R. Harris seconded, that the Commission approve the plans that are presented and recommend to council to adopt, and all comments that were made by the Boroughs Engineer will be addressed. Motion carried unanimously.

OLD BUSINESS

Animal Noise Ordinance

D. Patton stated that the Borough has a noise ordinance that just addresses dogs and he would like to have an ordinance that just doesn't pertain to domestic animals but an ordinance that addresses all types of noise. N. Abrams asked D. Patton if the noise ordinance that he had presented from the City of Frederick had been upheld in court. D. Patton stated that the ordinance is in effect. Mr. Graff asked D. Patton if the ordinance from the City of Frederick addresses dog barking. D. Patton stated that the ordinance addresses just noise and it is measured by decibels. Mr. Graff asked if it is also measured by frequency or length of time. R. Bell stated that it is also measured by length of time. D. Patton stated that he wants to use the City of Frederick's noise ordinance as a template to help develop an ordinance for the Borough. Mr. Graff stated that he believes there is a specific need for an ordinance that addresses only dog barking. Mr. Graff also stated that he probably lives in the worse area of Carroll Valley where there is dog barking. Mr. Graff stated he lives on a cul-de-sac in the K Section, he stated he has counted 21 dogs that he can hear and at any given time there are probably 1-2 dogs that bark excessively. Mr. Graff stated he has filed numerous complaints and most dog owners do not change the behavior or the habit once they receive the fine. After lengthy discussion the Commission agreed to send their thoughts on the sample noise ordinance to D. Patton no later than February 22nd who will then write a rough draft noise ordinance to be presented at the next meeting.

ADJOURNMENT

***R. Bell moved, D. Patton seconded that the meeting be adjourned at 8:29 p.m.

Amanda Bell, Recording Secretary