

Time line - Preliminary Plan approval process Village at South Mountain

SMV – plans submitted September 27 2006 and first acted on at Planning Commission meeting held on November 9 2006 for over a year plans were TABLED or granted EXTENSION’S due to lack of activity. Meaning developer either did not respond or address problems needed to meet Carroll Township Ordinances.

When Plans approached their 1 year time limit that Carroll Township Ordinances allow for Plan approval, Carroll Township held a Special Meeting to discuss status of plans.

On October 8 2007 developer threatens township with  
Mr. Suhr informed the Board if they denied the plan an appeal will be filed with the Courts, which he claims the Township would lose

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**Village at South Mountain plan’s dated September 27 2006**

**PC - November 9 2006**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Fuss, seconded by Commissioner Bates, and unanimously carried to table the review of the Preliminary Subdivision Plans for the Village at South Mountain until the December 14, 2006 Planning Commission Meeting.

**PC- December 14 2006**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Andrews, seconded by Commissioner Hilbish, and unanimously carried to recommend to the Board of Supervisors to deny the Preliminary Subdivision Plans for the Village at South Mountain unless an extension is granted by the developer and accepted by the Board before January 25, 2007.

**PC- January 11 2007**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Bates, seconded by Commissioner Graham, and unanimously carried to table the review of the Preliminary Subdivision Plans for Village at South Mountain until the February 8, 2007 Planning Commission Meeting.

**PC- February 8 2006**

**PRELIMINARY PLAN FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Hilbish, seconded by Commissioner Graham and unanimously carried to table the Preliminary Subdivision Plans for the Village at South Mountain until the March 8, 2007 Planning Commission meeting.

**PC - March 8 2006**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Graham, seconded by Commissioner Hilbish, and unanimously carried to recommend to the Board of Supervisors to deny the Preliminary

Subdivision Plans for Village at South Mountain unless an extension is granted by the Developer and accepted by the Board of Supervisors before April 30, 2007.

**PC - April 12 2006**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Andrews, seconded by Commissioner Hipp, and unanimously carried to table the review of the Preliminary Subdivision Plans for the Village at South Mountain until the May 10, 2007 Planning Commission meeting.

**PC - May 10 2007**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Hipp, seconded by Commissioner Hilbish, and unanimously carried to table the review of the Preliminary Subdivision Plans for Village at South Mountain until the June 14, 2007 Planning Commission Meeting.

**PC - June 14 2006**

**PRELIMINARY PLANS FOR THE VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Faulkner, seconded by Commissioner Hilbish, and unanimously carried to recommend to the Board of Supervisors to deny the Preliminary Subdivision Plans for Village at South Mountain unless an extension of time is granted by the Developer and accepted by the Board of Supervisor before July 31, 2007. Brad Pealer questioned the amount of proposed units for this development.

**PC - July 12 2007**

**PRELIMINARY PLANS FOR THE VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Andrews, seconded by Commissioner Hilbish, and unanimously carried to table the review of the Preliminary Subdivision Plans for Village at South Mountain until the August 9, 2007 Planning Commission Meeting.

**PC- August 9 2007**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Hipp, seconded by Commissioner Hilbish, and unanimously carried to table the review of the Preliminary Subdivision Plans for Village at South Mountain until the September 13, 2007 Planning Commission Meeting.

**PC - September 13 2007**

**PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Commissioner Faulkner, seconded by Commissioner Hipp, and unanimously carried to recommend to the Board of Supervisors to deny the Preliminary Subdivision Plans for Village at South Mountain unless an extension of time is granted by the Developer and accepted by the Board of Supervisor before October 31, 2007.

**BOS - October 8 2007**

**PRELIMINARY PLANS FOR THE VILLAGE AT SOUTH MOUNTAIN**

It was moved by Supervisor Schopfer, seconded by Supervisor Graham, to table the Preliminary Subdivision Plans for the Village at South Mountain and accept the time

extension granted by the Developer until December 31, 2007 to review the plans. Motion did not carry.

It was moved by Supervisor Turner to deny the Preliminary Subdivision Plans for the Village at South Mountain. Motion died for lack of a second.

It was moved by Supervisor Schopfer, seconded by Supervisor Graham, and carried to table the review of the Preliminary Subdivision Plans for the Village at South Mountain until a Special Meeting date set before the October 31, 2007 deadline date.

Supervisor Turner voted no.

The Board of Supervisors will hold an Executive Session on Wednesday, October 10, 2007 at 6:30 p.m. to discuss the Village at South Mountain plans.

Charles Suhr, Esquire is representing the developer Power's Homes. Mr. Suhr thanked the Township Engineer for working with them diligently and in good faith to this point. Mr. Suhr informed the Board if they denied the plan an appeal will be filed with the Courts, which he claims the Township would lose. Mr. Suhr also stated the plan could be completed by the December 10, 2007 Board of Supervisors meeting.

Brad Pealer stated the plan is not ready and should be denied.

#### **PC - October 11 2007**

#### **PROPOSED AMENDMENTS TO THE ZONING ORDINANCE AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE 2007-187**

It was moved by Commissioner Faulkner, seconded by Commissioner Hipp, and unanimously carried to authorize the Office Staff to forward the proposed Ordinance Number 2007- 186 Zoning Ordinance Amendments and Ordinance Number Subdivision and Land Development Ordinance Amendments to York County Planning Commission for review and comments.

#### **BOS – October 23 2007- Specil Meeting**

#### **PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Supervisor Schopfer, seconded by Supervisor Graham, and carried to accept the time extension granted by the Developer for the review of the Preliminary Subdivision Plans for Village at South Mountain until December 31, 2007.

Supervisor Murphy voted no.

The Board of Supervisors discussed the waiver requests.

1. Section 717.A – Required block length shall not exceed 600 feet. The proposed block lengths interior to site do not meet requirement. The Board expressed concerns about this waiver request.

2. Section 703.c(3) – Roadways must follow a straight course for 100 feet prior to an intersection. Approaches to any intersection shall follow a straight course within 100’ of the intersection.

3. Section 708.d – Sidewalk along existing road frontage (U.S. Rt. 15).

4. Section 703.c – Table 2 – The minimum intersection offset for local roads is 250’. The minimum intersection offset from an arterial to a local road is 800’. The Board expressed concerns about this waiver request.

5. Section 715.b(3) – Maximum slope of landscape buffer is 25%. (Two areas do not meet this requirement, one because of existing wall at Outlook Pointe, and the other near Logan Road). The Board expressed concerns about this waiver request.

6. Section 715.f – Street trees along existing streets. The applicant seeks the waiver for Logan Road and U.S. Rt. 15. The applicant proposes planting trees elsewhere on site.

7. Section 1202.e(4) – Maximum slope is 3:1. The applicant is proposing slopes of 2:1 and 1.5:1 along U.S. Rt. 15.

8. SWMO Section 401.2A & Section 401.5.G – No increase in volume of stormwater released from site for a 2-year storm & Infiltration facility dewatering in 48 hours. The applicant has requested a waiver of the 2-year runoff volume requirement, and a waiver to allow the infiltration that is proposed to occur in more than 48 hours. The Board expressed concerns about this waiver request.

Brad Pealer 90 Spring Lane Road stated that out of the eight waivers requested, five are waiver hardships created by the Developer to maximum the property. The HOP has not been submitted to the Township before being submitted to PennDOT.

#### **PC - November 8 2007**

##### **PRELIMINARY PLANS FOR VILLAGE OF SOUTH MOUNTAIN**

It was moved by Commissioner Bates, seconded by Commissioner Taylor, and unanimously carried to recommend to the Board of Supervisors to deny the waiver request for Section 717.A pertaining to required block length shall not exceed 600 feet.

#### **PC - January**

##### **PLANS FOR VILLAGE OF SOUTH MOUNTAIN**

It was moved by Commissioner Faulkner, seconded by Commissioner Hilbish, and unanimously carried to recommend to the Board of Supervisors to grant the waiver request for Section 401.7.A (21) pertaining to the 30’ Setback of stormwater detention basins from proposed Township Right of - Way.

It was moved by Commissioner Faulkner, seconded by Commissioner Graham, and unanimously carried to recommend to the Board of Supervisors to grant the waiver request for SWMO Section 401.5.G pertaining to Infiltration facility dewatering in 48

hours. Waiver Requests Numbers 34 through 40 – No action was taken because prior action stands.

It was moved by Commissioner Graham, seconded by Commissioner Bates, and unanimously carried to recommend to the Board of Supervisors to deny the Preliminary Subdivision Plans for Village at South Mountain based on the following comments in Mark Hilson's Memo dated January 8, 2008:

### **SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

1. All certificates and signature blocks must be signed and sealed.
  
2. Provide a copy of the complete planning module. A planning module has now been submitted but is incomplete. The Planning Module must include the DAA information and signatures, York County Planning Commission component, and the Carroll Township Planning Commission component (which is going to be reviewed at the January Planning Commission meeting). Also the planning module must indicate proposed pump station service limits. (This is normally done on an aerial photo) DAA will require the Township approve the proposed pump station service limits, prior to signing the planning module. The current service limits ignore sewage needs in the immediate vicinity of the pump station. The plan currently shows two pump stations. The Township believes the number of pump stations must be minimized if not eliminated all together, and will need compelling justification for construction of two pump stations with this project. If the pump stations are to be considered "Temporary" as the response letter indicates, then the plan must include what must occur in order to compel their removal, and include any obligations of the development with respect to their removal. The note regarding the developer paying for the removal of the pump station upon sewer extension to the site is a good start, but there is more to elimination of a pump station than simply removing the station. Also, since "temporary" is a subjective term, it could be quite a long time before the pump station is removed. So simply obligating the "developer" is not sufficient to guarantee the abandonment of the pump stations. (Section 502.a.(1))
  
3. Provide approval from YCCD for the E&SC plan. (Section 502.b & SWMO 401.8.C) Provide an approved NPDES permit and approved PCSWM plans. (Section 502.f)
  
4. Provide a Jurisdictional Determination of wetlands by the USACOE. It is our understanding that JD's are now once again being issued. The JD must be completed for the property along US 15. (Section 502.h) Provide permit for wetland disturbance.
  
5. Provide PennDOT HOP. The HOP plans have been provided for the US 15 improvements. These plans should show the additional through lane extended to the Siddonsburg Road right turn lane. Since the Township is not looking to the developer for this connection, the plans could note that this is the responsibility of others. It is important to be clear that this extension is planned for because it should happen at the same time as the rest of the widening.

6. Indicate the action and date of action of all required waivers on the cover sheet.
7. Provide approval of DAA for the abandonment and relocation of the existing DAA easements and approval of the sewer and water feasibility studies. Receipt of the Sewer and Water Feasibility Studies is acknowledged. Receipt of the sewer and water capacity reservation agreements is also acknowledged.
8. Provide approval from Met-Ed for work within the Met- Ed right-of-way.
9. Provide grading easement from Knisely and permission from Outlook Pointe for the driveway improvements. Applicant is trying to secure the required easements, but states that if the easements can't be secured that they intend to apply for a waiver of the sidewalk requirement in the area of the Knisely property.
10. The access drive to the pump station is proposing to use an existing driveway. Since the plan is proposing a pump station, the pump station must obtain access via an access drive constructed to the standards of the Ordinance. The response is acknowledged; however access drives must be curbed, and must be offset a minimum of 100' from any other access drive. (Access drives across the street are approximately 85' and 45' respectively).
11. One concern PennDOT has expressed is the close proximity of the Aiden Avenue intersection with Harrisburg Pike to the US 15/Harrisburg Pike intersection. This intersection is now proposed to be restricted to a right-in/right-out movement through the installation of an island. The response is acknowledged regarding the TIS must recommending speed limits, stop signs and no parking consistent with the plan submittal, however the stop sign at the cul-de-sac is not included in the TIS, and the no parking signs are not included.
12. Details of proposed wall along Holden Drive are now shown. A full design report including geotechnical analysis will be required with the final plan submission.
13. Show locations of proposed electric transformers including bollards as required by Met-Ed. Locations not found, especially important for transformers serving the proposed commercial uses. Response is acknowledged, however the plans must note that transformers shall not conflict with improvements shown on the plan and shall be located with the mutual consent of the Township.
14. The plans now note that the US 15 improvements must be fully constructed prior to occupancy of the mixed use buildings, and prior to issuance of building permits for the last half of the residential buildings. This seems like a reasonable time frame, and is left here to make sure the Planning Commission and BOS have the opportunity to comment on the matter. Also, the response indicates that all of the improvements associated with the surrounding road network will be defined as a part of the Final Plan Submission. These improvements must be identified with the Preliminary Plan, not the Final Plan.

15. The 5 ½” treelawn is now maintained in the area of the proposed right turn lane on Logan Road, but the easement provided for it is not dimensioned to be field locatable.

16. All improvements called for within the TIS must be shown on the plan. Response is acknowledged, however the Highway Improvement Notes on sheet C2 states that the schedule is to be determined by the T.I.S. In order for the Township to know what it is approving, it must be shown on the Preliminary Plan. Also, Note 4 seems to indicate that all offsite improvements are made a part of this plan. This seems to conflict with other notes and responses indicating some offsite improvements are to be constructed by others with a fair share contribution by the developer.

17. The TIS indicates the developer should negotiate a contribution towards the future Ore Bank Road/Siddonsburg Road traffic signal, and indicates the development contributes about 9% of the traffic to that intersection. In order to determine a contribution of cost to the intersection the range of traffic percentage attributable to the development is needed. We have attached the latest revised cost opinion for the signalization of the intersection (\$779,051). Using the average proportionate impact as stated in the T.I.S. (9%) the fair share contribution is \$70,000.

18. The study indicates that Logan Road and Ore Bank Road requires improvements to mitigate a decrease in the LOS as a result of this development. The applicant’s response and T.I.S. are incongruous. The preliminary plan must clearly identify the proposed improvement, and include the full design in the preliminary plan or indicate who must pay for it.

19. The response that the developer is willing to participate in the Ore Bank Road/Siddonsburg signal project costs as a “fair share” contribution is acknowledged. The Traffic Impact Study does not indicate the range of traffic impact percentages on the intersection. The current cost estimate of this project is 729,211.60. A cost opinion for this project is attached.

20. The proposed 2:1 slope in the vicinity of the pipe extension along Harrisburg Pike exceeds the permitted maximum of 3:1. Section 1202.e(4).

21. Detention pond A was moved closer to Harrisburg Pike. It is not likely the DAA will permit the sewer main to be located that close to the detention pond berm. Also, landscaping shall not occur on the outside of the detention pond berm (Pond A).

## **STORMWATER MANAGEMENT ORDINANCE**

22. Show the location of all proposed roof drain discharges.

23. Where drainage from one proposed lot discharges to another proposed lot, a drainage easement and means of conveyance must be provided. Also, concentrations of stormwater are not allowed to flow from lots over sidewalk and the curb onto the roadway. Once the other issues of this plan are addressed each lot's proposed drainage and will be evaluated. Typically swales discharging to inlets within the lot are designed. (Response is acknowledged, and is acceptable provided the applicant accepts the condition of approval that additional storm pipe, inlets, underdrain and grading may be required with the final plan.)

24. Show inlet I-57 can be constructed without affecting the structural integrity of the proposed retaining wall. The inlet location appears that it may conflict with the installation of the geo-grid.

25. The redrawn drainage area boundary line for Post Development DA1 Bypass does not follow the contours according to the grading plan.

26. The hydrographs of Post DA2 to Basin F use a drainage area that is inconsistent with the "CN" Calculations and the drainage area map.

27. The stormwater management summary sheet is missing for DA2.

28. Full calculations have not been provided for level spreader F.

29. The 577 contour is mislabeled on the utility plan, sheet 56, on the embankment of Basin H.

30. The low flow channel for Basin A should be aligned with the discharge at EW-2.

31. The profiles must be provided for the proposed pipe from the cisterns to inlets. A detail drawing must be provided for the proposed cisterns.

32. The basin embankment (Basin A) shall not be located within 30' of the right-of-way. (Section 401.7.A(21))

33. The proposed grading plan buries the end of the existing pipe under the Haar's driveway.

Deana Weaver – Dogwood Lane - stated that this plan does not promote the public health, safety, morals, and general welfare of the community.

Commissioner Hipp stated that DAA requires a thirty feet (30') easement for sewer and water lines. The landscaping is located in this setback.

### **BOS - PRELIMINARY PLANS FOR VILLAGE AT SOUTH MOUNTAIN**

It was moved by Supervisor Turner, seconded by Supervisor Murphy, and unanimously carried to deny the Preliminary Subdivision Plans for Village at South Mountain based on

the recommendation of the Carroll Township Planning Commission and Mark Hilson's memo dated January 08, 2008.

Carol Knisley, Logan Road, concerned about the current traffic and the speed of this traffic.

Supervisor Murphy questioned about installing speed tables.

Supervisor Turner is concerned about the waiver requests number 34 and 35.

Deana Weaver thanked the Board of Supervisors for their decision on this plan.