
MEMORANDUM

DATE: June 10, 2024
TO: Developers/Surveyors/Engineers
FROM: Carroll Township Board of Supervisors
SUBJECT: **Subdivision and Land Development Plan Review Policy and Procedure**

This information is being supplied as general guidance to supplement the requirements of the Zoning Ordinance and Subdivision and Land Development Ordinance. If this document happens to impose requirements that conflict with the requirements of said ordinances, the provisions of the Zoning and Subdivision and Land Development Ordinance shall be deemed and interpreted to control. This Policy shall not impose any restrictions on the Board of Supervisors to comply with Township and State regulations or waive procedures or provisions of this policy.

POLICY

Carroll Township created this policy and procedure to facilitate the review and approval of subdivision and land development applications. To accomplish the goal of having applications progress consistently and satisfactorily through the planning process, adequate preplanning and staff consultations are necessary.

The Township staff is available to assist whenever necessary. A **pre-planning meeting** is encouraged but not required. The applicant should present the proposed project with conceptual sketches or drawings to Township Staff for appropriate advice on proceeding.

If no Preliminary Plan has been previously approved, a Preliminary Plan must be filed when:

- The plan is not a final minor plan under Section 435-15 of the Ordinance.
- The plan is not common ownership merger plan (lot consolidation) (Section 435-11.D of the Ordinance).
- There are any proposed public improvements (included but not limited to streets, sewer and/or water line extensions, curbs, sidewalks, gutters, stormwater, etc.).
- The development is planned in phases or sections.
- The plan is non-residential.

The applicant may request a waiver of Preliminary Plan and submit a Final Plan ONLY if the following criteria is met.

- Residential land is proposed to be subdivided into 4 lots or less and the improvements are limited to private infrastructure not requiring Township maintenance.
- The project is not phased.

Under this scenario, the applicant must meet the requirements of both the Preliminary and Final plan. However, the plan shall not be considered for recommendation of the application by the Planning Commission until all the Final Plan requirements are met.

All applications for subdivision and land development approval must be filed using the Application Form (attached). Submissions must include all fees and all applicable supporting documentation required by the Subdivision and Land Development Ordinance. **The Township shall not receive applications without the required forms, supporting documentation, and fees.**

INCOMPLETE APPLICATIONS

The Township Staff will review the submission within ten (10) days to make sure all necessary components of a plan are present. If any of the applicable supporting documents and reports, required under Section 435-27 of the Ordinance, are not included with the application, the entire submission will be deemed incomplete. Incomplete submissions will be accompanied by a letter from the Township indicating the reason(s). Submissions deemed to be incomplete will not be scheduled for review by the Planning Commission until all documentation has been provided.

COMPLETE APPLICATIONS

Upon acceptance of a complete application, subdivision and land development plans will be subject to technical review by the Zoning Officer, the Township Engineer, the Township Manager and the Township Solicitor, as deemed appropriate. The purpose of the technical review is to evaluate the plan for compliance with the Ordinance.

REQUIRED DOCUMENTATION

• Completed application	• Proof plan has been submitted to DAA	• Post-Construction Stormwater Management Plans
• Application submitted electronically	• Grading Plan	• York County Planning Commission Comments
• Application and Escrow Fees	• Landscaping and lighting Plans	• Waiver; Modification of Requirements §435-16
• 11 copies of the plan for the PC • 9 copies of the plan for the BOS	•	• Zoning Approvals (Any Conditional Use Decisions or Zoning Hearing Board Decisions)
• Erosion & Sedimentation Control Plan	• Traffic Impact Study	• Sewage Planning Module/Sewage Exemption

WAIVER (MODIFICATION OF REQUIREMENT)

The policy of the Board of Supervisors is that all requirements of the Ordinance shall be met by all Applicants. The Board understands that in certain circumstances, it may not be possible or practical for an Applicant to comply with each and every requirement of the Ordinance. Under Section 432-83 of the Ordinance, the Board may grant a modification of the requirements of provisions of the Ordinance.

Where any application fails to meet an applicable requirement of the Ordinance, a waiver must be requested and approved by the Board of Supervisors.

DEVELOPER'S AGREEMENT REQUIREMENT

When a commercial, industrial or residential development (requiring public improvements) plan is submitted to the Township, a developer's agreement approved by the applicant and the Township, covering topics including, but not limited to, infrastructure installation and inspection, and financial security for required public improvements, shall be required..

Requests for waiver of design requirements made at the Final Plan stage are done so at the Applicant's risk. If the Board does not grant the waiver of design requirements, re- engineering of the plan may be necessary. The plan may be tabled until ALL the revisions are made. If the Board tables a plan, the Applicant will be requested to provide a ninety (90) day extension of the review period. The Board of Supervisors may deny applications not granting the requested time extension.

NON-COMPLIANT APPLICATIONS

Applications that fail to meet an applicable requirement, and that do not request a waiver of that requirement, shall be deemed in non-compliance with that requirement. Ten (10) or more substantive omissions shall render an application substantially non-compliant with the requirements of the Ordinance. If the plan submission is found to be substantially in non-compliance, the Applicant will be asked to submit a form withdrawing the application. If an application is withdrawn, fees minus any outstanding charges will be returned. If an application substantially in non-compliance is not withdrawn, the application will be scheduled for action by the Board of Supervisors with the staff's recommendation for denial due to incompleteness. For all applications rejected by the Board of Supervisors, FEES WILL NOT BE RETURNED, with the exception of the unused escrow. Complete filing fees will then be required for all applications resubmitted after the applicant has withdrawn the plan or receives a formal rejection by the Board of Supervisors

TOWNSHIP STAFF COMMENTS

After technical review, Township staff will notify the Planning Commission of its comments and concerns with the application, if any. A copy of the comments and concerns will also be sent to the Applicant. If resulting comments require design changes to the plan, Township staff will recommend that the Planning Commission table the application to allow sufficient time to make the changes.

As stated, the goal of this policy and procedure is to facilitate the review and approval of subdivision and land development applications. Therefore, it is the policy of the Board of Supervisors that conditional approvals will not be recommended by the Planning Commission to the Board of Supervisors if:

Preliminary Plans

- there are a total of more than ten (10) unresolved comments from the review, or
- revisions of the plan design are required, or
- the plan has not been submitted to other governmental agencies for review.

Final Plans

- the plan has any unresolved substantive comments, or
- there are more than five (5) unresolved administrative comments from the review, or
- revisions of the plan design are required, or
- if there are required reviews or approvals pending from the following governmental agencies:
 - PA Department of Environmental Protection
 - Proof the project has submitted an application with PennDOT
 - York County Planning Commission
 - York County Conservation District
 - Dillsburg Area Authority (DAA)
 - The PUC if required

The Board of Supervisors recognizes that there are several requirements that apply to nearly all subdivision and land development proposals that are addressed most efficiently after conditional approval of the final plan. These requirements include:

- providing recordable plans,
- providing adequate financial security,
- paying recreation fees,
- completing and signing all required agreements,
- providing water / sewer extension agreements and bonding with DAA,
- notarizing plans, and
- obtaining final PA Department of Transportation permits/approvals.

Addressing these requirements shall not be considered when determining the number of administrative comments as referenced above.

ACTION DATES

The ninety (90) day time period for action begins with the first Planning Commission review (at the regular public meeting). If a plan is tabled and subsequently revised, the Planning Commission must review it again. For subdivision and land development plans that may take longer than ninety (90) days, a time extension letter can be provided to the Township granting the Board of Supervisors a new action date. If no time extension is granted and the subdivision and land development plan

does not meet the requirements, the plan will be taken to the Board of Supervisors for denial at the last public meeting prior to the date by which the Board of Supervisors must take action.

SUBMISSIONS

Sketch Plans

Voluntary sketch plan submissions are encouraged, but not required. Submission and review of a sketch plan shall not constitute an official submission of a plan to the Township. A detailed sketch plan along with a transmittal letter should be submitted to the Township seven (7) days before a regularly scheduled Planning Commission meeting. The applicant will present the sketch plan to the Planning Commission and Board of Supervisors for their comments. The applicant may request to present the plan to the Planning Commission and Board of Supervisors at a following meeting to address their comments.

The applicant may request Township staff to conduct a review of the sketch plan against Township Ordinances and prepare a preliminary list of comments and concerns. The sketch plan MUST be submitted fourteen (14) days prior to the Planning Commission meeting, in order to receive a plan review letter.

After comments are received from the Township staff and officials, the applicant can proceed to submit the appropriate land use application.

Preliminary Plan, Final Plan, or Preliminary/Final Plan

All plans should be submitted on or before thirty (30) calendar days prior to the scheduled Planning Commission meeting. The Township staff will conduct a completeness review within ten (10) days after submission. Please refer to the incomplete application section for details on proceeding with the plan when documentation is missing.

Complete applications will be reviewed by Township staff for compliance with all applicable Township Ordinances. Please refer to the non-compliant application section for details on proceeding with the plan if the application does not meet Ordinance requirements. Applications that meet all Ordinance and Subdivision and Land Development policy requirements will be forwarded to the Planning Commission for their comments. If a plan is tabled at the request of the Planning Commission or applicant, a revised plan must be submitted fourteen (14) working days prior to the next Planning Commission meeting.

Once the Planning Commission renders a recommendation, the plan will be scheduled for Board of Supervisors workshop review at, not the next meeting, but the one following. Any revisions to the plan shall be made and submitted to the Township no later than fourteen (14) working days prior to the Board of Supervisors meeting. **NO PLANS WILL BE ACCEPTED AT THE MEETINGS.** A review of the plan will not be conducted after fourteen (14) working days.

After the Board of Supervisors renders a decision, any approved plans are subject to compliance with post approval items.

For preliminary plan approvals, a final plan shall be submitted to the Township.

ATTEST:

Jaye L Romberger
Secretary

BOARD OF SUPERVISORS
CARROLL TOWNSHIP

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Chairman

June 10, 2024

Date