

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION
MARCH 22, 2016

MEMBERS PRESENT

Stephanie Stoner
Robert Zimmerman
Shawn Vaccaro
Anson Seeno

STAFF PRESENT:

Janet Hardman, Code Enforcement Officer
Jason Finnerty, Tri County Regional Planning Commission

OTHERS PRESENT: NONE

During Subdivision Plan – 8 Mill Avenue

Mrs. Stoner asked what major problems staff had with the plan.

Ms. Hardman stated that the driveway is not surfaced which may be a violation of the zoning ordinance if the permit for the house was issued after April 1, 2004 because the ordinance was amended to require driveways to be surfaced within one year.

Mrs. Stoner stated that the old SALDO was used for references on the plan and the waiver letter. The plan needs to be prepared using the new SALDO that was adopted by Ordinance 614.

Mrs. Hardman stated that parcel numbers need to be indicated for Lot 1 and Lot 2.

Mrs. Stoner stated that there could be a condition of plan approval for the driveway to be paved if it is required to be surfaced based on the zoning permit issuance date.

Mrs. Stoner stated that the engineer requested nine waivers. Most of the waivers make sense because there is no development proposed as part of the subdivision.

Mr. Zimmerman stated that there is a fence that runs the length of the property.

Mrs. Stoner stated that Perry County Planning Commission used the new SALDO when they reviewed the subdivision plan.

Mr. Finnerty stated that there is no minor subdivision category. The plan should be titled Lot Line Relocation.

Mr. Finnerty stated that the property is zoned Industrial. The first comment on the report is that the dwellings are nonconforming uses. A note should be added to the plan to alert future owners regarding the nonconforming status of the dwellings.

Mr. Finnerty stated that the comments are general as follows: *1. The Marysville Borough Planning Commission's review note and the Marysville Borough Council's approval note for signatures are both incorrect. 2. There are two floodplain areas on lot 2 and both should be displayed. As such, it is recommended that certified base flood elevation of both primary residential structures involved in this subdivision be added to the plan for the benefit of current and future title holders. 3. The R2 Residential District zoning data should be removed from the plan, as its content has no influence on the property proposing this subdivision nor the property resulting from the lot addition. 4. The modification list must be restructured to cite sections that are applicable. 5. Prior to recording the landowners must certify ownership of the property being subdivided.*

(For the record, Mr. Vaccaro arrived at 6:45 pm)

Mrs. Stoner stated that the general notes are recommendations but not required.

Mr. Finnerty stated that signature blocks for the Planning Commission and Borough Council is required.

Ms. Hardman stated that the waivers may not be needed under the new ordinance for a lot line relocation plan.

Mr. Finnerty asked if there was a note on the plan stating that there is no construction or earth disturbance proposed as a result of this plan.

Mr. Zimmerman stated that note #4 states that there is no construction or earth disturbance proposed as a result of this plan.

Mrs. Stoner asked about that the waivers for sidewalks, right of way width and cart way width.

Mrs. Stoner asked if the plan will need to be resubmitted using the new SALDO.

Mr. Finnerty stated that the waivers from preliminary plan procedures, contours, storm water, curbing, erosion and sedimentation control, right of way width or cart way width would not be applicable for a lot line relocation plan. The sidewalk waiver would be applicable.

Mr. Finnerty stated that because lot 2A does not front on a street, additional right of way would not be required.

Mr. Finnerty stated that the plat associated comments are as follows: *1. The primary control point is required to be referenced to its PA State Plane Coordinate System. Section 22-409.4.B.5. 2. A plan note is required to certify the presence or absence of wetlands on the subdivided property. Section 409.4.B.5. 3. The plan is required to display the location of all easements*

with bearings and distances and utilities on and or adjacent to the conveying or receiving lot. Section 22-409.4.B.8.

Mr. Finnerty stated that the Design Standards comments 1-3 are as follows: *1. Ordinance 470 should be checked to make certain the plan complies with the storm water management requirements. Section 409.4.B.5. 2. Sidewalks are required to be included with this subdivision plan. Section 22-521.2.B. 3. Survey monuments are required to be set in accordance with Section 22-526.2.*

Mr. Finnerty stated that the applicant can chose to do a final plan and request a waiver from the preliminary plan requirements or to a lot line relocation plan.

Mr. Finnerty asked what the 2003 subdivision plan did.

Mrs. Stoner stated that the 2nd lot was created with the 2003 subdivision.

Mr. Vaccaro stated that the original subdivision created a lot for a house for the mother in law to live in. Mr. and Mrs. Durgin now lives in the home at 8 Mill Avenue.

Mrs. Stoner asked if the plan could be approved since the wrong ordinance was used to develop the plan.

Mrs. Stoner asked if the staff report and Perry County Planning Commission reports were sent to the developer's engineer.

Ms. Hardman stated that she did not send the staff report to the developer's engineer.

Mr. Finnerty stated that his report was sent to the surveyor.

Mr. Seeno asked what the sewer easement does.

Mr. Vaccaro stated that the sewer easement grants access to work on the sewer line.

Mr. Seeno asked how close you can build to the sewer easement.

Mr. Vaccaro stated that you can build up to the sewer easement.

Mr. Seeno stated that the Borough clears the easement every year with dozers and plows. What is the reason for the clearing?

Mrs. Stoner stated that the Borough may need to inspect the easement annually.

Mr. Finnerty stated that clearing goes against the riparian concept.

Mrs. Stoner stated that the easement was part of the interceptor project.

Ms. Hardman stated that the interceptor project was in 2002 or 2003.

Mr. Seeno asked what the low water mark is.

Ms. Hardman stated that the floodway is 50' from stream bank.

Mrs. Stoner stated that there is an official definition for low water mark.

Mr. Seeno asked why the easement could not be used as a public walkway.

Mr. Finnerty stated that private property lines are likely to go into the river.

Mr. Seeno stated that Dauphin County comes to this side of the river

Mrs. Stoner stated that the boundary line includes the river so islands are in a certain municipality.

Mrs. Stoner stated that the Borough tried to make a public walkway through the easement but the residents abutting the easement were against it.

Mrs. Stoner asked if a checklist was developed for the new ordinance.

Ms. Hardman stated that a checklist was not done for the new ordinance.

**MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
MARCH 22, 2016**

1. CALL TO ORDER. The meeting was called to order at 7:35 p.m.

MEMBERS PRESENT

Stephanie Stoner
Robert Zimmerman
Shawn Vaccaro
Anson Seeno

STAFF PRESENT:

Janet Hardman, Code Enforcement Officer
Jason Finnerty, Tri County Regional Planning Commission

OTHERS PRESENT:

Linda S. Durgin, 8 Mill Avenue, Marysville

2. MINUTES:

a. January 27, 2016 Minutes

MOTION: Mr. Vaccaro moved, seconded by Mr. Seeno to approve the minutes as amended at the February 23, 2016 meeting. The motion passed unanimously.

b. February 23, 2016 Minutes

Page 1, Zoning Ordinance, paragraph 5, change “stated” to “asked if”.

MOTION: Mr. Zimmerman moved, seconded by Mr. Seeno to approve the February 23, 2016 minutes as amended. The motion passed unanimously.

3. PUBLIC COMMENT: NONE

4. OLD BUSINESS.

A. Zoning Ordinance/Chapter 27

Mrs. Stoner stated further review will be done at the April 20, 2016 special meeting.

B. Planning Commission Bylaws.

Mrs. Stoner stated that changes were made to the bylaws at the January 27, 2016 meeting to reflect the change in the number of Planning Commission members from seven to five. The bylaws require that the Planning Commission members review the changes for a month. The bylaws changes can now be acted upon.

MOTION: Mr. Vaccaro moved, seconded by Mr. Seeno to make the recommended changes to the bylaws. The motion passed unanimously.

5. NEW BUSINESS:

A. Minor Subdivision Robert and Linda Durgin.

Mrs. Stoner stated that Mrs. Durgin was present to represent the plan.

Mrs. Stoner stated that the plan was prepared using the old ordinance. A new ordinance was adopted late last year. The references on the plan are incorrect.

Mrs. Durgin stated that the engineer used the ordinance that is on the Borough website. She said the reference numbers could be changed.

Ms. Hardman stated that there a lot of changes that need to be made to comply with the new ordinance.

Mrs. Stoner stated that the plan cannot be approved based on the old ordinance because it does not exist anymore. Additional information is needed on the plan.

Mrs. Durgin stated that she would have Act One Engineering change the plan to be in accordance with the new ordinance. The house on lot 2 facing Main Street is up for sale so the plan needs to be approved tonight because they can't wait another month.

Ms. Hardman stated that the plan needs changes. The Planning Commission would not know what they are acting on.

Mrs. Durgin asked what waivers are being requested.

Ms. Hardman stated that nine waivers were requested i.e., Preliminary Plan Specifications, location and types of erosion and sedimentation control, contours, curbing, storm water management, grading, erosion and sedimentation control, sidewalks, minimum right of way width, minimum cart way width.

Mrs. Durgin stated that there are no sidewalks now.

Mr. Finnerty stated that a survey monument is required on the plan. He only seen pins on the plan.

Mrs. Durgin stated that a concrete survey monument exists on lot 2A.

Mrs. Stoner stated that the Planning Commission could make a recommendation on the plan with conditions if there are no waivers. The references also need to be changed.

Mrs. Durgin asked where she could get the new ordinance,

Mrs. Stoner stated that a copy of the new ordinance can be obtained at the Borough Office. The website contains the codified ordinance of all regulations within the Borough. Revisions to the Borough ordinances have not been codified. However, a note should be added to the website that revisions to the codified ordinances can be obtained at the Borough Office.

Mrs. Stoner stated that maybe a review will be provided by the Borough Engineer.

Mrs. Stoner stated that the applicant may chose lot line relocation – Section 22-404 or Final Plan Specifications - Section 22-408.

Mrs. Stoner stated that the next Borough Council meeting is April 11, 2016. If the applicant choses the lot line relocation procedure and requirements and there are no waivers needed, the Planning Commission can act on the plan with a recommendation.

Ms. Hardman stated that the staff review comments are still applicable. The driveway needs to be surfaced if the zoning permit was issued after April 1, 2004 when the ordinance was adopted

requiring that driveways are surfaced within one year of the issuance of the zoning permit. The tax parcel numbers need to be indicated for lot 1 and lot 2.

Mr. Finnerty stated that the R-2 zoning information needs to be removed from the Site Data because the subdivision does not have R-2 zoning.

Mrs. Stoner stated that the plan will be recommended for approval with the condition that all staff and county comments are addressed.

MOTION: Mr. Zimmerman moved, seconded by Mr. Vaccaro to approve the plan with the condition that it is prepared as a lot line relocation with no waivers with the following conditions:

1. The existing survey monument is noted on the plan or a survey monument is noted on the plan and set on the property.
2. Parcel numbers are indicated on the plan.
3. The zoning permit for the house on lot 1 and 2A was issued prior to April 1, 2004.
4. All staff and Perry County Comments are addressed and reviewed by staff before being placed on the Borough Council's agenda.

The motion passed unanimously.

6. GENERAL ANNOUNCEMENTS

a. Rockville Estates Update.

Mrs. Stoner stated that the Borough Manager updated her on the status of Rockville Estates Phase 1. There are 33 lots in phase 1. Four houses are built and occupied, one house is under construction and there is one house that was constructed as a model home.

b. Truck parking at end of Borough

Mrs. Stoner stated that the use of a parking lot is permitted by the ordinance. The lot should be paved in April.

Mr. Finnerty asked about the upgrade of the Highway Occupancy Permit.

c. Community Outreach

Mr. Finnerty stated that the Community Outreach meetings will begin in April. The first meeting is at Penn Township. There will be discussion on local events.

Mrs. Stoner stated that discussion is held on what other communities are doing and the problems the communities are encountering.

7. REPORT ON BOROUGH COUNCIL MEETING - NONE (Next Council Meeting April 12, 2016).

8. PUBLIC COMMENT. NONE

9. ADJOURNMENT/NEXT SPECIAL MEETING 4/20/2016 /NEXT REGULAR MEETING 4/26/2016.

MOTION: Mr. Seeno moved, seconded by Mr. Vaccaro to adjourn the meeting at 8:48 pm.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer/Recording Secretary