

MARYSVILLE BOROUGH PLANNING COMMISSION  
WORK SESSION  
AUGUST 23, 2016

MEMBERS PRESENT

Stephanie Stoner  
Robert Zimmerman  
Anson Seeno

STAFF PRESENT:

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

OTHERS PRESENT: None

**Zoning Part 8 and Part 9**

Mrs. Stoner stated that review stopped at General Regulations, Section 27-815 Nontraditional Storage Units and Section 27-816 Dumpsters, Temporary.

Mrs. Stoner stated that Section 27-815 Nontraditional Storage Units was added as follows: The use of nontraditional storage units, such as but not limited to storage units commercially known as PODS®, dumpsters, dumpster bags or enclosed container of a box trailer with or without wheels shall be permitted on a temporary basis subject to the following:

- a. Units that meet the accessory building setback requirements shall be permitted for a maximum period of 60 days in any one calendar year. This period may be extended upon written request to the Zoning Officer for a period not exceeding 180 total days. Units that do not meet the accessory building setback shall be permitted for a maximum period of 30 days in any one calendar year.
- b. The enclosed container of a box trailer with wheels may be used for temporary construction storage for the period for which a valid zoning permit has been issued. Such units shall be licensed and located in accordance with the required accessory use setback of the zoning district in which the property is located.
- c. The container of a box trailer, with or without wheels, shall not be used for permanent storage in any zoning district.

Mr. Finnerty stated that the nontraditional storage units should not be in the front yard.

Mrs. Stoner stated that the nontraditional storage unit can be in the front yard for 30 days.

Mrs. Stoner stated that permanent dumpsters for multi family or commercial use should be screened on a least three of the four sides by landscaping, solid fencing or an architectural masonry wall.

Mr. Finnerty suggested that regulations should be added that the top covers on the dumpster is not permitted to be left open because of the smell.

Mrs. Stoner stated that she will add "B" All permanent dumpsters shall have lids that close.

Mr. Zimmerman stated that the dumpster must be located where the truck get to them. If the dumpster is totally enclosed, the truck driver must get out of the truck and open the door.

Mr. Seeno asked why the wall must be architectural masonry. Could the wall be wood or steel. Does architectural masonry wall mean that the enclosure is part of the building.

Ms. Hardman stated that architectural masonry wall does not mean it is part of the building.

Mr. Finnerty stated that the wall is stand alone.

Mr. Finnerty asked if the accessory use setback should be applicable for permanent dumpsters.

Mrs. Stoner checked the accessory setback in the general regulations to see if it was only applicable to residential.

Mrs. Stoner stated that she did not think a dumpster should be against the adjoining property owner's building.

Mr. Zimmerman stated that dumpsters are typically in the back corner of the lot.

Mr. Finnerty stated that shopping plazas and malls have recessed areas in the back where the dumpsters are situated.

Mrs. Stoner suggested a setback from any building on the adjacent lot.

Mrs. Stoner stated that a height of 6' for the enclosure was added as discussed.

Mr. Finnerty asked if an earthen wall is permitted.

Mrs. Stoner stated that she added that all permanent dumpsters must have the top or side cover closed at all times.

Mrs. Stoner will add that all permanent dumpsters must be ten feet from any building on the adjacent property.

Mrs. Stoner asked if permanent dumpster or temporary storage unit needed to be defined.

Mr. Finnerty stated that the regulation should state that a dumpster is not permitted in the front yard.

Mrs. Stoner stated that Part 8 – General Regulations is now completed. Part 9 is Administration.

Mrs. Stoner stated that Part 9, Section 27-901 Zoning Permit Requirements, 1.E. references should be Section 27-805 for erosion and sedimentation control and Section 27-813 for storm water management.

Ms. Hardman stated that F. should be changed to reference Part instead of Chapter.

Mrs. Stoner stated that Section 27-901.2. Application for permits states that two sets of plans are required.

Ms. Hardman stated that one set of plans is needed.

Mrs. Stoner stated that the second sentence should also be changed to, “A copy of the plans and application shall be returned to the owner when such plans have been reviewed and acted upon by the Zoning Officer.”

Mr. Finnerty stated that the zoning officer’s duties should be listed in the administration section. The Tri county model zoning ordinance has a list of ten zoning officer duties as follows:

1. Administer the Zoning Ordinance in accordance with its literal terms;
2. To receive, examine and process all applications and permits as provided by the terms of this Ordinance. The Zoning Officer shall also issue zoning permits for special exception and conditional uses, or for variances after the same have been approved;
3. To record and file all applications for zoning permits or certificates of occupancy, and accompanying plans and documents, and keep them for public record;
4. To inspect properties to determine compliance with all provisions of this Ordinance as well as conditions attached to the approval of variances, special exceptions, conditional uses and curative amendments;
5. Determine the date before which steps for compliance must be commenced and the date before which the steps must be completed. The Zoning Officer shall determine an appropriate duration of time for compliance of the specified activity, not to exceed 30 days. Extensions up to a total of 90 days from the date of receipt of the enforcement notice may be granted at the discretion of the Zoning Officer if applied for in writing;
6. Upon the request of the (governing body) or the Zoning Hearing Board, present to such bodies facts, records, and any similar information on specific requests, to assist such bodies in reaching their decisions;
7. To be responsible for keeping this Ordinance and the Official Zoning Map up to date, including any amendments thereto;
8. To revoke a permit or approval issued under the provisions of this Ordinance in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based or for any other cause set forth in the Zoning Ordinance, or otherwise permitted by law;
9. To review proposed subdivisions and land developments for compliance with this Ordinance; and
10. To take enforcement actions as provided by the State Municipalities Planning Code, as amended.

Mrs. Stoner stated that #2 should be reworded to state, “To receive, examine, and review all applications and process permits....”

Mrs. Stoner asked if there are special exceptions in the zoning ordinance that is referenced in #2.

Mr. Finnerty stated that special exceptions should remain because the ordinance may be changed to address special exceptions.

Mrs. Stoner questioned the requirement of the zoning officer to record and file all applications. This should be done by Borough staff.

Mr. Finnerty stated that recording and filing permits should remain as a duty of the Zoning Officer.

Mr. Finnerty stated that #7 should be coordinated with the Planning Commission.

**MARYSVILLE BOROUGH PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 23, 2016**

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

**MEMBERS PRESENT**

Stephanie Stoner  
Robert Zimmerman  
Anson Seeno

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

None

**2. MINUTES:**

**a. July 26, 2016 Minutes**

Page 4, last sentence, add “the Borough Manager report,” after stated that.

Page 5, last sentence, add, “Mr. Finnerty stated that he will look into whether or not there are any Best Management Practices that could be applied to vegetation in the sewer easement.”

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

**3. PUBLIC COMMENT: NONE**

**4. OLD BUSINESS.**

**A. Zoning Ordinance/Chapter 27 (2007)**

Mrs. Stoner stated further review will be done at the September 21, 2016 work shop meeting.

**5. NEW BUSINESS: NONE**

**6. GENERAL ANNOUNCEMENTS: NONE**

**7. REPORT ON BOROUGH COUNCIL MEETING AND BOROUGH MANAGER UPDATE. (Next Council Meeting – September 12, 2016**

**A. Junkyard.**

Mrs. Stoner asked for an update on the violation notice.

Ms. Hardman stated that the notice of violation was mailed.

**8. PUBLIC COMMENT. NONE**

**9. ADJOURNMENT/NEXT SPECIAL MEETING 9/21/2016/NEXT REGULAR MEETING 9/27/2016.**

MOTION: Mr. Zimmerman moved, seconded by Ms. Brock to adjourn the meeting at 7:55 pm.

Respectfully Submitted,

Janet Hardman,  
Code Enforcement Officer/Recording Secretary