

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION
OCTOBER 23, 2012

MEMBERS PRESENT

Jennifer Brock
Stephanie Stoner
Lou Simonetti

STAFF PRESENT:

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

1. Minor Subdivision Plan for Sadler Oil Company (Lot Addition)

Ms. Brock stated that the plan is adding a lot to a residential lot owned by Victor and Julie Stoffer.

Mrs. Simonetti stated that Sadler Oil Company sold the land they own on Rt. 11/15.

Mr. Finnerty stated that the waiver requests are in order.

Ms. Brock stated that the waivers requested are the standards waivers for a minor plan.

Mr. Finnerty stated that there are question marks by phone number for Lot 2.

Mr. Finnerty stated that there is a small area in the floodplain.

Ms. Brock stated that the floodplain is shown on the plan. There is also a sanitary sewer easement shown on the plan.

Mrs. Stoner questioned that activity taking place on the adjacent property identified as Robert C. Deckard on the plan. There is a dirt or gravel road being constructed.

Mr. Finnerty stated that item 4 on his report is the big item for him which states, "As a protective covenant it is recommended a note is added to the plan to state Lot 1A is not approved to be conveyed or retained as a separate stand-alone lot-Section 22-045.1.P. A note should be added to the plan that Lot 1A cannot be sold as a stand alone lot. Lot 1A by itself is land locked and undersized.

Mrs. Stoner questioned the Durgin property beside of Lot 1A and Lot 2. There are two lots and two houses on the Durgin property.

(For the record, Mr. Vaccaro arrived at 6:50 pm).

Ms. Brock stated that there is a lot owned by Durgin that fronts on Mill Street.

Mr. Vaccaro stated that there was a subdivision plan approved for the Durgin property.

Mrs. Stoner stated that the Durgin lots should be shown on the plan.

Ms. Brock asked when the Durgin lots were subdivided.

Mrs. Stoner stated approximately ten years ago.

Mrs. Stoner stated that the Durgin property is only shown as one lot.

Mr. Finnerty stated that two lots can be shown on one deed for tax purposes. Section 22-405.M states that the reference to recorded subdivision plans must be shown on the plan. Subdivision plans must be recorded within 90 days of approval.

Mr. Finnerty stated that Lot 2 is a nonconforming lot.

Ms. Brock stated that the consolidation of Lot 1A with Lot 2 does not make the nonconformity worse.

Mrs. Stoner stated that a substandard lot should not be created.

Ms. Hardman stated that a new lot is not being created. The consolidation will add to an existing lot.

Mrs. Simonetti stated that there was only one check submitted but the application indicates two amounts.

Ms. Hardman stated that there was one check submitted for both the Borough fee and the engineer review fee.

Mrs. Simonetti stated that the Stoffer's phone number is on the application.

Ms. Brock stated that easements are required to be displayed. There is a sewer easement shown on the plan for Lot 2 which is where the new sewer line feeder comes through.

Mrs. Stoner stated that the water line is not shown.

Ms. Brock stated that the water line for the property is probably in the street.

Ms. Brock stated that the plan states there is public water and public sewer.

Mr. Finnerty stated that a waiver was requested from showing the location of the water and sewer lines.

Mrs. Stoner stated that the second Durgin lot does not abut the property.

Mr. Vaccaro stated that the tax records are only showing one tax parcel number for the Durgin property.

Mr. Finnerty stated that the ordinance requires subdivision references to be shown.

Ms. Brock stated that a waiver is being requested from providing plans and profiles for water and sewer. The plan still should show the location of the water and sewer lines.

Mrs. Brock stated there are two owners shown on the plan. Does Act One Consultants represent both owners?

Ms. Hardman stated that Act One Consultants represents both owners.

(For the record, Charlie Cook, Act One Consultants arrived at 7:18 pm)

Other Business:

Mrs. Stoner asked what Route 850 is being closed for.

Mrs. Simonetti stated that any repairs that are required for a utility must be done when the street is open for the sewer project. United Water is going to close Route 850 for six hours to do some repairs.

(For the record, Mr. Albright arrived at 7:26 p.m.)

Other Business:

Mrs. Simonetti stated that she was directed by Borough Council to apply for a growing greener grant. She needs a letter from the Planning Commission that the grant application complies with the Comprehensive Plan. She also needs a letter from the Perry County Planning Commission.

Mrs. Simonetti stated that the agenda was revised to add an item under new business; item B - Perry County Hazard Mitigation Plan presentation by Jason Finnerty, Tri County Regional Planning Commission.

Mrs. Stoner stated that there is a power pole in the triangle at Kings Highway.

Mr. Vaccaro stated that it is a booster antenna for emergency responders.

Mrs. Simonetti stated that the curb cut on the south end could be listed as a BMP on Kings Highway where it goes around the bend.

Mr. Finnerty stated that curbing is needed. You want to catch water coming in from the left. You could create a small swale in the concrete.

Mr. Vaccaro stated that there is an inlet lower than the road now.

Mrs. Stoner asked if the area is Borough property.

Mrs. Simonetti stated that the area is Borough property.

**MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
OCTOBER 23, 2012**

1. CALL TO ORDER. The meeting began at 7:30 pm

MEMBERS PRESENT

Jennifer Brock, Chairman
Stephanie Stoner
Lou Simonetti
Shawn Vaccaro
Chris Albright

STAFF PRESENT:

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

OTHERS PRESENT:

Ann Simonetti, Borough Council
Charles Cook, Act One Consultants
Victor H. Stoffer
Julie A. Stoffer

2. MINUTES:

a. February 28, 2012 Minutes

MOTION: Mr. Vaccaro moved, seconded by Mrs. Stoner to approve the minutes as submitted. The motion passed unanimously.

b. July 24, 2012 Minutes

Page 2, 4.a. paragraph 2. change "tracts" to tracks".
Page 3, paragraph 3, change "Essex" to "Essis".
Page 5, paragraph 4, change "Arlington" to "Darlington".
Page 6, paragraph 13, change "sawmill" to "railroad".
Page 6, paragraph 13, change delete "because there were several property owner disputes."

MOTION: Mrs. Stoner moved, seconded by Mr. Albright to approve the minutes as amended. The motion passed unanimously.

3. PUBLIC COMMENT

Mrs. Simonetti stated that the parade was a huge success. The parade route was shortened this year but there was a big turnout.

Mrs. Stoner stated that she did not know about the parade until she saw the “no parking” signs. She suggested more advertising.

Mrs. Simonetti stated that the parade date and time was in the newsletter.

4. OLD BUSINESS.

Ms. Brock stated that the revisions to the SALDO are being kept on the agenda because the Planning Commission is still working on it. A park and recreation plan also needs to be prepared. The next workshop meeting on November 14, 2012 should be held to discuss where the Planning Commission is in the process.

a. Article 4 Subdivision Amendment - Plan Specifications and Procedures

Article 4 review has been completed.

b. Article 5 Design and Improvement Standards.

Ms. Brock stated that Article 5 is moving forward in the final review.

c. Well Ordinance.

Ms. Brock stated the well ordinance is moving forward in the final review.

d. Appendices.

Ms. Brock stated that the Appendices were completed up to Appendix E.

4. NEW BUSINESS.

a. Minor Subdivision Plan for Sadler Oil Company lot addition

Ms. Brock stated that there is a minor subdivision plan for Sadler Oil on the agenda. The application and staff reports were in the packets.

Mr. Cook stated he has revised plans addressing the county comments. Mr. Cook stated that the plan is a lot addition plan to subdivide the property at 328 S. Main Street owned by Sadler Oil Company and add it to Victor Stoffer’s property. Mr. Stoffer was present. Mr. Cook stated that Mr. Stoffer has beautiful grass in the back yard. The plan will simply add more back yard to Mr. Stoffer’s property.

Mr. Cook stated that he did not receive the staff comments but most of the comments are the same as the county comments. The primary control point has been added. A note was added that lot 1A cannot be conveyed as a separate standalone lot. The rest of the comments were waiver requests due to the simplicity of the proposal.

Mr. Cook reviewed the staff report comments. He will add the tax parcel number for the railroad. He will add the Mill Street right of way. At one time Mill Street did go through to the railroad property. The right of way for Mill Street is 30'. All survey markers at the corners shown on the plan were already set. The lot was surveyed in the late 1970's and the survey markers are still there. Once the plan gets to Borough Council, the plans will be signed and notarized.

Ms. Brock stated that the Durgin property was split into two parcels but the plan only shows one lot and one tax parcel number.

Mr. Cook stated that the Durgin plan was never recorded at the court house. The new owner of the second lot had to get the plan reaffirmed by Borough Council to get it recorded. If a plan is not recorded in 90 days it is the same as if it never happened.

Ms. Brock stated that the second lot is showing up on the tax map.

Mr. Cook stated that he will show the Durgin subdivision.

Ms. Hardman asked that the recording information for the Durgin subdivision also be shown.

Ms. Brock stated that the other issue was the water and sewer line locations for Lot 2.

Mr. Cook stated the lots are all tied into the main sewer line. He recommends that the Borough change the SALDO to add a section for a lot add on plan. South Hanover Township has a good ordinance for a lot add on plan.

Mrs. Stoner asked if there is a water easement on lot 2.

Mr. Stoffer stated that the water line is in the street on the Durgin side in front of their house. The water company came through a few years ago and marked water meters. The service value is in the front yard.

Mrs. Stoner stated that there should be verification of no water easements involved on any of the properties.

Mr. Cook stated he will check for any water easements with the water company.

Ms. Stoner stated that she is curious as to why the lot add on plan came about.

Mr. Cook stated that Mr. Stoffer has been talking to Sadlers for years about adding additional land to their rear yard.

MOTION #1

Mrs. Stoner moved, seconded by Mr. Albright to recommend approval of a wavier from the Preliminary Plan Specifications of Section 403 based on the fact that the plan is a lot addition plan and no construction and/or earth disturbance within the confines of lot 1 and lot 2 shall take place as a result of the plan. The motion passed unanimously.

MOTION #2

Mr. Vaccaro moved, seconded by Mrs. Stoner to recommend approval of a waiver from providing the location and types of erosion and sedimentation control required by Section 405.1.E.5. based on the fact that the plan is a lot addition plan and no construction and/or earth disturbance within the confines of lot 1 and lot 2 shall take place as a result of the plan. The motion passed unanimously.

MOTION #3

Mr. Albright moved, seconded by Mrs. Stoner to recommend approval of a waiver form providing contours at vertical intervals as required by the Commission required by Section 405.1.Q. based on the fact that the plan is a lot addition plan and no construction and/or earth disturbance within the confines of lot 1 and lot 2 shall take place as a result of the plan. The motion passed unanimously.

MOTION #4

Mrs. Stoner moved, seconded by Mr. Albright to recommend approval of a waiver from showing all existing buildings, sewers, water mains, culverts, petroleum or petroleum products lines, fire hydrants and other significant manmade features based on the fact that the plan is a lot addition plan and no construction and/or earth disturbance within the confines of lot 1 and lot 2 shall take place as a result of the plan. The motion passed unanimously.

MOTION #5

Mrs. Stoner moved, seconded by Mr. Vaccaro to recommend approval of Sadler Oil Company-owner and applicant of Lot 1; Victor H. and Julie A. Stoffer-owner of Lot 2; Act One Consultants Inc.-Engineers minor subdivision plan #2012.1, 328 S. Main Street, Tax Parcel 150,152.06-110 and 150.152.06-107.

Contingent upon:

1. Verification of survey monuments and markers by the Borough Engineer or submission of a cost estimate or submission of financial security for each monument and marker.
2. Certification of ownership and dedicatory statement are signed by the owners prior to plan recording.
3. Corrections recommended by the Borough Staff and Perry County Planning Commission are incorporated into the plan and reviewed by staff before being placed on the Borough Council's agenda.
4. The plan is revised to show the Durgin property subdivision and reference to the recorded subdivision plan

5. The plan is revised to show the water and sewer lines for Lot 2.

b. Perry County Hazard Mitigation Plan – 5 year update – Jason Finnerty-Tri County Regional Planning Commission.

Mr. Finnerty made a presentation on the Perry County Hazard Mitigation plan five year update. Perry County is revisiting the five year update to the County Hazard Mitigation Plan. In 2008 the first plan was approved with 100% participation; 28 of the 30 municipalities adopted the plan as a municipal plan. The plan has been approved by PEMA and FEMA. The County must adhere to the PEMA and FEMA approval process.

The Borough should identify any hazard issues that they are facing. The County will rank the projects based on cost benefit analysis. The floodplain buy outs are projects that the County will rank the highest. The County would like to see the funds go toward getting properties out of the floodplain.

The hazard identified does not have to be regarding flooding. The municipality should identify all the hazards. A cost should be associated with the hazard to show severity of loss.

Marysville Borough has lots of areas in steep slopes, soil conditions, landslides, and rock falls around the highway system.

Ms. Brock asked if the present plan is available for review.

Mr. Finnerty stated that the present plan is available on the Tri County Regional Planning Commission website. Appendix C of the Multi-Jurisdictional Hazard Mitigation Plan has a Jurisdictional Hazard Vulnerability Summary Chart that identifies the following hazards: Civil disorder, dam failure, drought, earthquake, flooding, forest insects and diseases, hazardous materials, hurricane/tropical storm, landslides, nuclear power plant, power failure, public health emergency, radon, severe weather, sever winter weather, subsidence, terrorism, tornado, transportation, urban fire and wildfire. There are tables in the plan that shows frequency of occurrence, ranking of hazards, capabilities of dealing with issues and vulnerability. They are reviewing the state plan to get information from it to save time and expense. Mr. Finnerty stated that he is available to speak to communities.

Ms. Brock asked what the time frame was for the plan.

Mr. Finnerty stated that the plan will be completed within the year.

Ms. Brock asked about the meetings for the plan.

Mr. Finnerty stated that if he does not get participation from a community, he will attend their meeting.

Mrs. Simonetti stated that the second Thursday in November is the Perry County Council of Governments meeting where there will be numerous municipalities in attendance.

Mr. Finnerty stated that he will attend the Perry County Council of Government's meeting.

Mr. Finnerty stated that cost benefit will also be addressed.

Ms. Brock stated that in terms of benefit, eliminating a group of contiguous properties would prevent flooding elsewhere.

Mr. Finnerty stated that the cost and tax income collected by the municipality counter acts it so they must look at everything.

Mr. Simonetti asked if they will be acquiring risk from the insurance company.

Mr. Finnerty stated that if they purchase a property it will be razed.

Mrs. Stoner asked how the hazard mitigation plan fits in with the emergency response plan.

Mr. Finnerty stated that some projects came about with the emergency generator for shelter in case of catastrophic event.

Ms. Brock asked what they should do to identify hazards.

Mr. Finnerty stated that the checklist should be evaluated. There will be a survey on the website to rank hazards.

Ms. Brock asked if it makes a difference if the hazard is on the mitigation plan when applying for grants.

Mr. Finnerty stated that anything that you can use when applying for a grant makes a difference.

Mrs. Simonetti stated that the boat launch area bank is eroding where the steps are located.

Mrs. Stoner stated that the Lions Club cut trees down into the creek that could wedge in the bend and could see a clog. Stream bank protection could be a hazard.

Mr. Finnerty stated that emergency permits can be obtained to remove downed trees.

Mrs. Simonetti stated that a lot of the emergency permits are expensive.

Mrs. Stoner stated that there were a lot of tree issues not associated with creek work. There were a lot of trees downed by the wind storm.

Mrs. Brock stated that the creek comes down and goes under the highway which could back up water.

Mrs. Simonetti stated that the bridge on S. Main Street has undercutting.

Ms. Brock thinks it reduces flash floods on Fishing Creek.

Mrs. Simonetti stated that the mobile home park has issues with big rocks and trees coming down the mountain.

Mrs. Stoner stated that anyone that is involved in emergency management planning knows where the hazards have happened.

Mr. Finnerty stated that the hazards are ranked based on score of event; low frequency but high impact. This is what needs to be ranked.

Mr. Finnerty stated that when collectively pull input, anything a municipality feels is a community priority of hazards that are present.

5. GENERAL ANNOUNCEMENTS.

Mrs. Simonetti stated that the Borough is selling pies. You can contact the Borough office if you are interested. The delivery will be November 20, 2012. Funds go to the Park and Recreation fund.

Mrs. Simonetti stated that she will be baking peanuts and cashews tomorrow morning that will be for sale in the Borough office.

6. REPORT ON BOROUGH COUNCIL MEETING (Next Council Meeting 11/12/12).

Mrs. Simonetti that the Borough Council directed her to apply for grants again.

Mr. Vaccaro asked when the sewer project will be closed down.

Mrs. Simonetti stated that the asphalt plant closed on October 15th. They will be using cold patch over the winter not stone for the trenches.

7. ADJOURNMENT/NEXT SPECIAL MEETING DATE 11/14/2012 @ 6:30pm/NEXT REGULAR MEETING 12/11/12 @ 7:30 pm, WORK SESSION @ 6:30 pm.

Adjournment: Mr. Albright moved, seconded by Mr. Simonetti to adjourn the meeting at 8:45 p.m.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer/Recording Secretary