

MARYSVILLE BOROUGH PLANNING COMMISSION  
WORK SESSION  
MARCH 26, 2013

MEMBERS PRESENT

Stephanie Stoner  
Jennifer Brock  
Robert Zimmerman  
Lou Simonetti  
Art Vaitl

STAFF PRESENT:

Janet Hardman, Code Enforcement Officer

OTHERS PRESENT: None

Mrs. Stoner stated that the Planning Commission is working on finishing final revisions to the zoning ordinance and also working on amendments to the subdivision and land development ordinance (SALDO). The Planning Commission makes recommendations to Borough Council on amendments. The amendments are also reviewed by the Borough Solicitor and Perry County Planning Commission.

Ms. Hardman stated that the SALDO revisions are almost completed with the exception of the parks and recreation plan.

Mrs. Stoner stated that she feels that the SALDO should move forward without the parks and recreation plan.

Ms. Brock stated that the parks and recreation plan is similar to the comprehensive plan because it sets goals.

Ms. Hardman stated that the parks and recreation plan makes recommendations of what park should be improved with the fee in lieu money that developer's submit instead of dedicating land. A plan would also provide a method to determine how much money is collected from the developer, what park is to be improved with the money and a time limit on when the money is to be spent on the park.

**1. Zoning Ordinance Chapter 27, Part 8 discussion.**

**Section 27-803.B.(2) fence height on corner lots:**

Mrs. Stoner stated that Jason Finnerty comments on Part 8 were not completed.

*Section 27-803.B.(2) In addition to the requirements of Subsection B.(1), on corner lots no wall, fence or other structure in excess of 3 ½ feet in height shall be erected or altered and no hedge*

*or other plant material in excess of 3 ½ feet in height shall be permitted within 25 feet in any direction of the street right of way.*

*Question posed: How does this affect \_\_\_\_\_?*

*Staff recommendation: this seems to be an acceptable requirement for corner lots although the distance requirement could be reduced some low volume side street areas with low speeds and limited truck traffic. This requirement increases the area remaining open for visibility at the ends of blocks and street intersections for both vehicular and pedestrian safety.*

Mr. Vaitl stated that the current and proposed zoning amendment states that the fence height is 4' in the front yard.

Ms. Brock stated there is a difference between corner lot and through lot.

Mrs. Stoner stated that it does not permit any obstructions within 25 feet of a street right of way in any direction.

Mr. Vaitl stated that a previous Borough Engineer was asked how to determine the right-of-way and the response was all over the place.

Ms. Brock stated that the actual street is not always in the middle of the right of way. The front of the house is the place where the street and right of way ends.

Ms. Hardman stated that if there is a survey pin or marker in the front, that is where the property line is and the right of way line is.

Ms. Brock questioned the height of a fence from the right of way line to the front of the house.

Mr. Vaitl stated he thinks a four foot fence in the front yard is too high.

Mr. Vaitl stated that on a corner lot there is two line of sights.

Mr. Simonetti asked if an alley in the rear is considered a street right of way.

Ms. Brock asked if there is a distinction between a through lot that fronts on two streets or a lot with a street in the front and an alley in the rear.

Mrs. Stoner asked if the ordinance is changed from permitting a fence to be 4' in the front is the existing fences grandfathered.

Ms. Hardman stated the existing fences would be grandfathered.

Mr. Simonetti asked if the height restriction include bushes.

Ms. Hardman stated that the obstruction section regulating height at the intersection does include bushes.

Mr. Zimmerman stated that bushes and trees obstruction at intersections are in the current ordinance.

Ms. Hardman stated that the regulations regarding intersections are not in the section regulating fences; it is in the obstruction of view section.

Mr. Vaitl stated that the posts on a fence are higher than three feet and freeze and thaw will allow the fence to raise at least six inches.

Mr. Vaitl stated he does not think four feet for a fence height in the front yard is acceptable.

Ms. Brock stated that she thinks 3 ½' for a fence height is acceptable.

Mrs. Stoner stated that Part 8, Section 27-802.B.(a) should be changed from 4' to 3 ½' for a fence in the front yard.

Ms. Brock stated that the county staff comments references low volume streets.

Ms. Hardman stated that Section 27-803.B(2) stating that obstructions cannot be more than 3 ½ feet at intersections; however all front yards permits a fence height of 4' which is redundant.

Mrs. Stoner stated that the side yard might go longer which would make Section 27-803.B.(2) applicable for obstruction.

Ms. Brock stated that once you get to the house, the side yard regulations apply.

Mrs. Stoner stated that if you have a wide side yard, the obstruction requirement of 25' would be applicable.

Mrs. Stoner stated that there is not a catch all distance for obstructions.

Mrs. Stoner stated that the second issue for discussion was Section 27-0808.C.iv which states Article needs to be changed to Part.

Mr. Simonetti asked if the garage sale sign on a telephone pole discussion was resolved.

Ms. Hardman stated that the garage sale sign on a telephone pole was resolved by adding a phrase that garage sale signs are not permitted on telephone poles. The electric company also does not allow signs on telephone poles.

Ms. Brock stated that the staples and nails make it dangerous to workers that fix poles.

Mr. Simonetti asked about the DEP guidelines for draining pools.

Mr. Vaitl stated that the guidelines allow pool water to be dumped into sewer cleanouts but a lot of people do not have sewer cleanouts.

Ms. Brock stated that the water ends up in the sewer.

Mr. Vaitl asked how water will end up in the sewer if there is no clean out.

Ms. Brock stated that you can attach a hose to a sink.

Mr. Vaitl asked how the Marysville public pool gets drained.

Mr. Zimmerman stated that the Fire Department shoots the water out onto the grass in front of the Lions Club parking area.

Mrs. Stoner stated that Section 27-805.D. requiring an erosion and sedimentation control plan to accompany a zoning permit and a letter of approval from the Borough engineer prior to the issuance of a zoning permit was discussed at the last meeting and changes were made.

Ms. Hardman states that the minutes state that the 2,000 square foot of disturbance was changed to 5,000 square foot of disturbance to be in accordance with DEP guidelines.

Mr. Vaitl stated that the Borough regulations can exceed State and County regulations.

Mrs. Stoner stated that the Borough does not have a different erosion and sedimentation control ordinance.

Mr. Vaitl stated that if a county or state permit is required, a copy of the permit would be submitted with the zoning permit.

Ms. Brock stated that an erosion and sedimentation control plan would be needed for a zoning permit if the project is small and a county or state permit is not needed.

Ms. Hardman stated that the current ordinance has several triggers such as disturbance of 2,000 square feet, filling over 3', digging a trench 4' deep or disturbing 500 cubic yards.

Mr. Vaitl stated that technically if you dig a trench you would need an erosion and sedimentation control zoning permit.

MARYSVILLE BOROUGH PLANNING COMMISSION  
REGULAR MEETING MINUTES  
MARCH 26, 2013

- 1. CALL TO ORDER.** The meeting began at 7:42 pm

**MEMBERS PRESENT**

Stephanie Stoner  
Jennifer Brock  
Lou Simonetti  
Art Vaitl  
Robert Zimmerman

**STAFF PRESENT:**

Janet Hardman, Code Enforcement Officer

**OTHERS PRESENT: NONE**

**2. MINUTES:**

**a. February 26, 2013 Minutes**

Page 4, paragraph 8, change “everyone has” to “everyone does not have”.

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

**3. PUBLIC COMMENT: NONE**

**4. OLD BUSINESS.**

**a. Article 4 Subdivision Amendment - Plan Specifications and Procedures**

Article 4 review has been completed.

**b. Article 5 Design and Improvement Standards.**

Mrs. Stoner stated that Article 5 is moving forward in the final review. Mrs. Stoner stated that if the amendments are completed, the review should start with the Borough Solicitor and the County Planning Commission.

Ms. Hardman stated that the entire Article 5 should be presented to the Planning Commission in final form and then forwarded for review by the Solicitor and County.

Mrs. Stoner stated that the next work session should be held to get Article 5 in final form for the next Planning Commission agenda.

**c. Well Ordinance.**

Mrs. Stoner stated the well ordinance is moving forward in the final review.

**d. Appendices.**

Mrs. Stoner stated that the Appendices are moving forward in the final review.

**e. Part 8 staff recommendations from Jason Finnerty**

Mrs. Stoner stated that the remaining comments were discussed at the work session.

**f. Suggest any alterations to fee schedule.**

Mrs. Stoner stated that the fee schedules are not applicable for Planning Commission review.

MOTION: Mr. Vaitl moved, seconded by Ms. Brock to send the fee schedule to the Finance Committee for review. The motion passed unanimously

**g. Part 15**

Mrs. Stoner stated that she will have information to discuss on Part 15 for the next meeting.

**5. NEW BUSINESS.**

Mr. Simonetti asked if the agenda could be received by the Planning Commission members sooner.

Ms. Brock stated that there is a cutoff for plan submission that is two weeks prior to the meeting so that the Borough Engineer and Staff can review the plan and prepare reports.

Mrs. Stoner stated that the agenda could be provided a few days sooner.

Mr. Simonetti stated that a day earlier would be helpful.

Mrs. Stoner stated that the meeting minutes can be provided for review sooner too.

**6. GENERAL ANNOUNCEMENTS.**

Mr. Zimmerman stated that Easter flower sales start on Thursday, March 28, 2013 and the Chicken Barbeque will be held Saturday, March 30, 2013.

Mr. Zimmerman stated that the VFW raffle will be held April 6, 2013.

**7. REPORT ON BOROUGH COUNCIL MEETING - NONE  
(Next Council Meeting 4/8/13).**

**8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 4/10/2013 @ 6:30pm/NEXT  
REGULAR MEETING @ 7:30 pm, NEXT WORK SESSION 4/26/13 @ 6:30 pm.**

Mrs. Stoner stated that the next work session for April 10, 2013 will be held to finalize Article 5.

Adjournment: Ms. Brock moved, seconded by Mr. Vaitl to adjourn the meeting at 8:15 p.m.

Respectfully Submitted,

Janet Hardman,  
Code Enforcement Officer/Recording Secretary