

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION
AUGUST 27, 2013

MEMBERS PRESENT

Stephanie Stoner
Robert Zimmerman
Jennifer Brock
Art Vaitl

STAFF PRESENT:

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

OTHERS PRESENT:

NONE

SALDO Summary

Mrs. Stoner stated that the Planning Commission worked on Part 5 at the last meeting. There were three issues that needed to be addressed. The first issue is the stop sign and street sign illustrations. Mr. Finnerty sent her links to the Penn Dot publications. She printed out Publication 236 entitled Handbook of Approved Signs. The handbook has illustrations of stop signs and street signs. She suggested that the PennDot publication 236 is referenced in the ordinance instead of listing the regulations.

Mr. Vaitl asked if the Borough has specifications on signs.

Mrs. Stoner stated that the Borough sign specifications are in the SALDO.

Mr. Vaitl stated that specifications in the SALDO only give dimensions. The details on different types of signs and their placement are not addressed.

Mrs. Stoner stated that details on placement depend on usage of the sign.

(For the record, Ms. Brock arrived at 6:37 pm)

Mrs. Stoner stated that there are other PennDOT publications regulating signs. There may need to be a reference to other PennDOT publications. For example, PennDOT publication 111 has different regulations based on slope. There is guidance to determine sign placement based on physical differences.

Mr. Vaitl stated that the PennDOT publications should be followed.

Mrs. Stoner stated that the ordinance should be changed to reference Publication 236 Handbook of Approved Signs and all applicable PennDOT sign regulations. If the PennDOT publications are referenced, the Planning Commission does not have to adopt amendments when they are changed.

Ms. Hardman stated that when regulations are referenced it makes it harder to review and enforce them because the referenced regulations are not part of the ordinance.

Ms. Brock stated that if the regulation is in the ordinance there is no question.

Mr. Vaitl stated that there should be consistency with the regulations.

Mrs. Stoner stated that referencing the PennDOT publications will address any sign.

Mr. Vaitl stated he agrees that the PennDOT publications should be referenced.

Mrs. Stoner asked if there are signs in a development, who inspects it to make sure the signs comply.

Ms. Hardman stated that the Borough Engineer inspects all improvements.

Mrs. Stoner stated that the second issue was whether the SALDO should make connecting to public sewer mandatory for everyone.

Mrs. Stoner stated she corresponded with the Borough Solicitor as to whether or not the SALDO can make it mandatory for a development to connect to public sewer. Mr. Altland told her that the SALDO can make it mandatory to connect to public sewer. There has been no legal precedence set regarding the 1,000 feet but it was noted that several model ordinances and municipal ordinances have in them that you must connect if your property is located within 1,000 feet. Mrs. Stoner stated she also spoke to the Borough Manager regarding the mandatory sewer connection requirement. The Borough Manager felt that all undeveloped land is within 1,000' of a sewer line however, there still may be some areas that on-lot systems should be utilized because of the lay of the land. If there are topographic issues, the applicant could request a waiver.

Mrs. Stoner stated that if a waiver is granted from connecting to public sewer, the on-lot sewer DEP Title 25 regulations must be met.

Mr. Vaitl stated that grinder pumps can be used for some topographic areas.

Mrs. Stoner stated that grinder pumps are monetary. She will draft wording on this issue.

Ms. Brock stated that Section 22-528.1.B. should be deleted.

Mrs. Stoner stated that Section 22-528.1.C should be kept.

Ms. Brock stated that Section 22-528.1.D. change “application” to “plan” in the first sentence and change “application” to “submission” at the end of the second sentence.

Mrs. Stoner stated that Section 22-528.1.F the first sentence should be changed to read, “In the event a waiver is granted from the requirement to connect to public sewer.”

Mrs. Stoner stated that Section 22-529 reference to the well ordinance should be made with the ordinance number inserted when it is adopted.

(For the record, Mr. Finnerty arrived at 6:55 pm)

Mrs. Stoner stated that Part 5 is now done with review and will be completed with the adoption of the well ordinance.

Mrs. Stoner stated that during the last meeting, Part 7 Supplemental Requirements, Tests & Studies was being reviewed. Section 22-701 Traffic Impact Study was reviewed. The review stopped at Section 22-702 Parks and Open Space 6.A.

Mrs. Stoner stated that Section 22-702.6.A change “of the subdivision or land development” to “of the Borough”.

Mrs. Stoner stated that Section 22-702.6. B. change “municipality” to “Borough”.

Mrs. Stoner stated that Section 22-702.6. C. “detention basins” should be removed. A detention basin is a storm water management facility.

Mr. Finnerty stated that the term non recreational use could be used instead of storm water management facilities.

Ms. Brock stated that if 25% of the park can be a storm water facility or a non recreational use it is not being used as a park.

Mr. Finnerty stated that storm water facility can only be determined as a use by definition.

Ms. Brock stated that the storm water should be contained within the development. The Borough does not want to be responsible for storm water management facilities.

Ms. Brock stated that if there is a storm water facility within a park that is dedicated to the Borough, the Borough could bill the homeowner’s association for the maintenance of it. There are storm water facilities in soccer fields.

Mrs. Stoner stated that storm water facilities in soccer fields are being used as a park use.

Ms. Brock stated that if there is a storm water facility in the park it should not be counted as part of the park.

Mr. Finnerty stated that in order not to count storm water facilities as part of the parcel; it would need to be defined as a use.

Ms. Brock stated that storm water facilities are a part of the infrastructure.

Mr. Finnerty stated that storm water facilities would be defined as a utility or facility.

Mrs. Stoner stated that storm water facilities should be reviewed on a property to property basis.

Mr. Finnerty stated that there is no regional organization to deal with storm water.

Ms. Brock stated that the proposed storm water regulations are addressing storm water authorities.

Mrs. Stoner stated that the proposed regulations are making the municipalities responsible for storm water so it is heading toward making storm water a public infrastructure.

Mr. Finnerty stated that the regulations will be maintaining how storm water is now. Once it reaches certain levels it will be regulated. Focus will be on drains and main discharge points.

Mrs. Stoner stated water quality at discharge points will be addressed. The whole point is that storm water is part of the infrastructure.

Ms. Brock stated that since the Borough is in the process of a separation project, a hold was permitted for storm water planning but it will not be renewed.

Mrs. Stoner stated that the Borough is under a consent order and agreement to get storm water and sewer separated. Once the consent order is lifted, there will be a time line given which will allow a hold from storm water planning.

Mr. Finnerty stated that Fishing Creek will factor into the storm water planning. Another factor is the valley. What is proposed to be built on the mountain is not a factor.

Ms. Brock stated that the MS4 hold delay may not be renewed.

Mr. Finnerty questioned if the peak 10 year storm event will be used in storm water planning.

Ms. Brock stated that she feels that storm water, floodplain or wetlands within a park must be suitable for public recreation uses without compromising the function of these areas to be considered part of the park.

Mr. Finnerty stated that the 25% limit on storm water, floodplain or wetlands within a park must be dual use.

Ms. Brock stated that Section 22-702.8. Trails and Linear Parks are too general.

Mr. Finnerty suggested adding “Perry County Greenway plan” as a reference. Any park plan that is at Perry County or Borough level should be referenced.

Mr. Finnerty asked if there is any place in the Borough that is beyond ½ mile from a park that is addressed in Section 22-702.9. Municipal Fund Reimbursement.

Ms. Brock stated that there are areas within the Borough that is beyond ½ mile of a park within the fringe areas.

Mr. Finnerty stated that the Borough has the Lions Park.

Mr. Vaitl stated that the Lions Park is a private park. The pool is the only part of the park that is public.

Mrs. Stoner stated that the playground in the Lions Park is a community park.

Mr. Vaitl stated that the playground was dedicated to the Borough because the Borough maintains it.

Mr. Finnerty stated that Section 22-702.9. does not differentiate between public or private parks.

Mrs. Stoner stated that as long as the park can be used for public use it can be public or private.

Ms. Brock stated that if the Borough purchases land for a park or open space it is public. Section 22-702.9. means the Borough can chip in and get more land. The Borough can combine Borough funds and fee in lieu of funds.

Mrs. Stoner stated that the Borough buys the land connected to the development to get reimbursed by the developer.

Ms. Brock stated that the Borough already has fee in lieu of dedication.

Mr. Finnerty stated he is trying to identify the difference between fee in lieu of and municipal fund reimbursement.

Mr. Finnerty stated that the municipal fund reimbursement is a separate process outside of the SALDO review.

Mrs. Stoner stated that fee in lieu money is used for Borough to purchase parks in the future. The municipal fund reimbursement is a credit for something that is already done.

Mr. Finnerty stated that the municipal fund reimbursement could be future since it says “if the Borough does purchase park and open space”.

Mrs. Stoner asked if fee in lieu of can be based on each phase.

Ms. Hardman stated that fee in lieu of is based on the entire development.

Mr. Vaitl stated that municipal fund reimbursement has a calculation.

Mrs. Stoner stated that Section 27-702 Aquifer Study can be removed because the proposed well ordinance will address these issues.

**MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
AUGUST 27, 2013**

1. CALL TO ORDER. The meeting began at 7:38 p.m.

MEMBERS PRESENT

Stephanie Stoner
Robert Zimmerman
Jennifer Brock
Art Vaitl

STAFF PRESENT:

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

OTHERS PRESENT: None

2. MINUTES:

a. July 23, 2013 Minutes

Page 3, paragraph add “facility” after storm water.

Page 4, paragraph 3 change the sentence to read, “Ms. Brook stated that a plume is the area a pollutant spreads out into.”

MOTION: Ms. Brock moved, seconded by Mr. Zimmerman to approve the minutes as amended. The motion passed with Mr. Vaitl abstaining.

3. PUBLIC COMMENT: None

4. OLD BUSINESS.

A. SALDO

Part 5 Design and Improvement Standards.

Mrs. Stoner stated that discussion on Part 5 was completed during work session.

Part 7 Supplemental Requirements, Tests and Studies.

Mrs. Stoner stated that Part 7 was discussed at work session. The issue regarding Section 22-702.9. Municipal Fund Reimbursement was further discussed.

Mrs. Stoner asked how municipal fund reimbursement and fee in lieu of dedication tie in together.

Ms. Brock stated that the Borough cannot make a profit on fee in lieu of funds.

Ms. Hardman stated that fee in lieu of funds can be used to upgrade existing parks depending on what is recommended by the Park and Recreation plan.

Mr. Vaitl stated that the calculation to determine value of land in municipal fund reimbursement is different than the fee in lieu of calculation.

Ms. Brock stated that it is not what the developer pays the Borough it is how the funds are being allocated.

Ms. Hardman stated she thinks the municipal fund reimbursement is a third way to address park funding. There is land dedication, fee in lieu of land dedication and municipal fund reimbursement.

Mr. Finnerty stated that he would not include municipal fund reimbursement if it is not in the park and recreation plan.

Mrs. Stoner stated that Section 22-702.9 should be deleted.

Appendices.

Mrs. Stoner stated the Appendices will need to be reviewed at the next workshop meeting on September 11, 2013.

B. Zoning Ordinance/Chapter 7 (2007)

a. Part 14 Development Standards.

Mrs. Stoner stated that after the SALDO is completed, the Planning Commission will review the Zoning Ordinance.

b. Part 15 Performance Standards. No discussion was held.

Mrs. Stoner stated that after the SALDO is completed, the Planning Commission will review the Zoning Ordinance.

C. Well Ordinance.

Mrs. Stoner stated that the form necessary to complete the Well Ordinance will be discussed at the next meeting.

5. NEW BUSINESS.

A. Tri-County Planning Commission news.

Mr. Finnerty stated that Tri County Planning Commission has been working on a series of updates to the County SALDO to address waivers that has been coming in. Some of the amendments that have been address are updating the SALDO to not require DEP approval of the Form B Non-building waiver form. DEP no longer requires their review and approval for Form B Non-Building waiver forms.

Mrs. Stoner stated that the Form B non-building waiver made sense within the State change.

Mr. Finnerty stated that he thought it would benefit DEP to know where lots are being created without sewage.

Ms. Brock stated that the Form B Non-building waiver is required when a lot is being connected to another lot.

Mr. Finnerty stated that if a Form B Non-building waiver is sent to DEP but they will not respond back with an approval letter.

Mr. Finnerty stated that another amendment was changing plans to show the instrument number for recording instead of book and page numbers.

Mr. Finnerty stated that another amendment was that easements no longer need to be shown for adjacent properties.

Mr. Finnerty stated that there are two Hazard Mitigation Forums being held this week.

B. Parks and Recreation Plan Committee.

Ms. Brock stated that the Parks and Recreation Plan Committee started working on identifying existing facilities.

C. Other Business.

Mr. Finnerty stated that there is a survey on bicycle pedestrians on the Tri County Planning Commission website. No one from Perry County completed the survey.

Ms. Brock asked what counties can participate in the survey.

Mr. Finnerty stated Perry County, Cumberland County and Dauphin County can participate in the survey. He will email the link to the Planning Commission members.

6. GENERAL ANNOUCEMENTS. None

7. REPORT ON BOROUGH COUNCIL MEETING - NONE
(Next Council Meeting September 9, 2013).

**8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 9/24/2013 @ 6:30pm/NEXT
REGULAR MEETING @ 7:30 pm, NEXT WORK SESSION 9/11/2013 @ 6:30 pm.**

Adjournment: Ms. Brock moved, seconded by Mr. Vaitl adjourn the meeting at 8:38 p.m.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer/Recording Secretary