

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION MEETING MINUTES
MAY 27, 2008

CALL TO ORDER. The meeting was called to order at 6:37 pm.

1. MEMBERS PRESENT

Jennifer Brock, Chairman
Stephanie Stoner
Monte Shearer
Shawn Vaccaro
Jim Zehring

STAFF PRESENT:

Ron Brown, Borough Engineer
Janet Hardman, Code Enforcement Officer

OTHERS PRESENT:

Brian Harris
Cliff Dillmann
John Murphy
Rick Castranio
Ann Simonetti
Sherree Knight

1. Rockville Estates Preliminary Subdivision Plan

Ms. Brock stated she reviewed the plan revisions and the Borough Engineer's report dated May 27, 2008. The changes were:

- Stone Arch Drive has been extended to connect into Kittochtinny Drive. This eliminates the extended cul-de-sac from the plan.
- Total open space has been increased by 16.34 acres to 182.21 acres.
- Common open space areas have been added between blocks and along the rear of lots 20-66
- A parking area has been added off of Stone Arch Drive adjacent to lot 301.

Mr. Brown stated that Alpha Consulting Engineers provided a new rendering of the subdivision. The old one was dated August 2004.

The extended cu-de-sac was removed and the road was extended into Kittochtinny Drive.

Ms. Brock stated that the area is just off the top of the ridge. It appears that lot 60 and lot 76 going out and lot 19 were moved lots.

Mr. Murphy stated there was a reduction in lots by adding the road to connect to Kittochtinny Drive.

Ms. Brock asked if the public and private open space were delineated separately.

Mr. Castranio stated that the dark green area is the common public open space.

Ms. Brock asked if the open space included storm water basins.

Mr. Murphy stated there are only a couple acres of overall open space area that includes storm water basins.

Ms. Brock stated that the difference is whether there is going to be useable public open space and if it will be deeded to the Borough.

Mr. Murphy stated that the open space is proposed to be maintained by the homeowners association.

Ms. Brock asked if the detention basins are useable open space.

Mr. Murphy stated that the detention ponds are really not open space.

Ms. Brock asked if the detention plans are shown separated for clarity.

Mr. Zehring stated that the detention ponds are marked out on the plan as open space S, D, E and F.

Mr. Murphy stated the detention pond areas will be subtracted from the open space.

Mr. Brown stated that storm water ordinance indicates that basins need to be identified and rectified during the preliminary plan approval. He talked with the solicitor because there will be a lot of storm water facilities such as swales and ditches that will cross private property. The developer recommends that the homeowners association be responsible to maintain the storm water facilities. In addition, language is needed in the deeds to make sure the private property owners are aware of the storm water facilities on their property.

Mr. Murphy stated that once the storm water facilities are completed they will be dedicated to the Borough and there will be an 18 month maintenance bond to secure that they function properly. They are not asking the Borough to take care of the storm water facilities.

Mr. Castranio stated that the storm water issue is addressed in general note #7 on the plan.

Mr. Murphy stated that once everything is approved by the Borough Engineer, documents will be submitted for the Borough Solicitor's review.

Ms. Brock stated that boundaries will be established in the preliminary plan.

Mr. Murphy stated that the final boundaries will be determined by the final plan.

Ms. Brock asked what the slope was for the connection to the cul-de-sac.

Mr. Castranio stated that the maximum road slope is 14%.

Ms. Brock asked how much was 15%.

Mr. Castranio stated that there will be no roads at 15%.

Ms. Brock asked if the road will level.

Mr. Murphy stated that the leveling area is as you approach the intersection.

Mrs. Stoner stated that during the work session there was discussion about the storm water drains on Rt. 11/15 and where the water goes after that. The water does unusual things after it crosses the street.

Mr. Murphy stated that the storm water crossing Rt. 11/15 will need additional permit approval by PennDOT. They are in the process of submitting to PennDOT for approval.

Mrs. Stoner stated she is talking about the area beyond PennDOT which is on the Norfolk Southern property. You will not end up with the same size pipe. How will it all be rectified?

Mr. Brown stated that the pre and post water discharge needs to be balanced for storm water management. In theory it will be the same quantity of water reaching the river.

Mrs. Stoner asked what the overall rate of gallons per minute.

Mr. Brown stated it is the most severe.

Mr. Murphy stated that the CFS is for any given storm which is equal to or less than. The discharge is the same amount of water as before.

Mr. Murphy stated that the rate of water is regulated; the volume of water is not. Other calculations need to be done to show there will not be excessive eroding because you can't have a higher rate.

Mr. Brown stated the laws of Pennsylvania require that you do not increase the amount of runoff.

Mr. Murphy stated that now even PennDOT is required to provide pre and post conditions by adding detention ponds.

Ms. Brock stated that if you have the same flow rate for longer period of time in the sections between the highway and railroad tracts and this is a lower area that flows out and flows in again it will act as a retention pond.

Mr. Murphy stated that all the issues discussed will be reviewed by PennDOT and DEP.

Mr. Brown stated that the Marysville Ordinance looks at the 100 year storm.

Mr. Dillmann stated PennDOT regulations may be more restrictive.

Mr. Murphy stated that the Marysville Ordinance is more restrictive than PennDOT regulations.

Mr. Brown stated that the Marysville Ordinance regulates storm water based on the type of road.

Mr. Murphy stated that at the end of the day there will be less water going onto the PennDOT road.

Mrs. Stoner stated that she is not concerned with PennDOT.

Mr. Murphy stated that they will be slowing down the rate of water which will require a couple different reviews by PennDOT.

Mr. Brown stated there are other methods to look at to make sure ponding will not occur.

Mr. Murphy stated that the biggest liabilities for storm water are to make sure the water is slowed down so that it does not affect downstream owners.

Mr. Castranio stated that the Marysville Ordinance reviews storm water based on four zones. The Rockville subdivision is in a zone that does not require retention.

Mr. Murphy stated that a lot of times you want to get the water out and downstream and don't do any retention. In this case they didn't feel that would be good.

Mr. Brown stated that Rockville Estates is in two zones. He picked the most restrictive zone for review purposes. There are existing facilities. PennDOT will not permit ponding of water on Rt. 11/15.

Mrs. Stoner stated she thinks there is ponding between Rt. 11/15 and the railroad.

Mr. Castranio stated the depreciation is huge between Rt. 11/15 and the railroad.

Ms. Brock asked where the pipe comes out after it leaves the railroad property.

Mr. Dillmann stated that it comes out at South Main Street. There is a number of ways water gets over Rt. 11/15.

Mrs. Stoner stated that both of the stone drains dump into the area of the "Y" at the bridge.

Ms. Brock stated that the stone drains are south of Elizabeth Street.

Mr. Castranio stated that the 48" culvert comes to the triangle area where tracks split. PennDOT will do a detailed analysis. Once everything is approved by PennDOT it will be the Borough's responsibility to maintain.

Mr. Murphy stated that the pipes are not cross pipes.

Mr. Brown stated that the pipes are not connected with inlets.

Mr. Castranio stated that they will be putting in an inlet for the 18" pipe.

Mr. Brown asked if the 18" pipe was off Ridgeview Drive.

Mr. Murphy stated that they are tying in at the Big Bee Plaza.

Mr. Brown stated that they will need to keep an eye on the 18” pipe connection.

Mr. Brown stated that referenced finding #20 of the zoning hearing board decision regarding open space for pedestrian access and provide a scenic overview of the Rockville Bridge. He was under the impression that members of the Planning Commission walked the property.

Ms. Brock stated that she and Mrs. Stoner walked the property.

Mr. Brown stated that lot 67 is the higher, flat area. Sheet 46, elevation 628.2 is the highest point between lots 67 and 68. Has the two Planning Commission members actually waked this area.

Ms. Brock stated that you would have to come down and back up. The best view is at elevation 620.7.

Mr. Brown asked if elevation 620.7 in an open space area.

Ms. Brock stated that elevation 620.7 was in an open space area.

Mrs. Stoner asked what the finding number of the Zoning Hearing Board referencing the Rockville Bridge over look.

Mr. Brown stated that it was finding #20 which states: *“The open area designated as Open Space A on Exhibit No. 2 shall have pedestrian access and provide a scenic overview of the Rockville Bridge. The areas designed as Open Spaces B and C shall likewise be open to pedestrian traffic and use.”*

Ms. Brock stated that when they were walking the property in the area of elevation 620.7 it was winter and there was a good view but that is not the case in the summer.

Mr. Zehring stated that in the summer you almost have to cross the bridge to have a good view of the Rockville Bridge.

Mr. Brown stated that the new layout preserves that.

Ms. Brock stated that the way to get to the scenic overview, referencing Sheet #43, has sharp curves on a steep hill.

Mrs. Stoner stated that Lot 67 could be reshaped to stay on the south side which is the east side of lot 68.

Mr. Dillmann stated that he presented a letter that also points out that the top of Little Mountain should be a broad area to discourage wondering and make a destination. The current plan is very different than Plan 2. There was a broad connection and a broad connection to the creek area. That is what the Planning Commission bargained for.

Ms. Brock stated that the trail followed Stone Arch Drive and ended up at elevation 620.7. There are beautiful rock outcroppings. By extending lots 60-75 it is eliminating a lot of the view

shed which bothers her. It changes the whole nature on the area from a ridge top nature area to now just a look out.

Mrs. Stoner asked Mr. Brown if he had any other high concern issues.

Mr. Brown stated there are a host of issues of a technical nature related to storm water management. The biggest concern on the subdivision is the waivers. It is the general understanding that in order for the plan to move forward, 13 waivers must be granted.

Mr. Brown stated that he would like a typical for the 40' fill added for the elimination of the cul-de-sac.

Mr. Castranio stated that there is a drainage channel that acts as an additional safety buffer and they will look at a guide rail.

Mr. Brown stated a wider cartway is needed for guide rails. Lot 67 and Open Space A is the beginning point of the fill.

Ms. Brock asked if the area is sloping away.

Mr. Brown stated it is a 2:1 slope. A waiver is being requested for this which he does not have a problem with.

Mr. Murphy stated they will provide the appropriate geo technical analysis.

Mr. Brown stated that there is more construction area by eliminating the cul-de-sac.

Mr. Brown stated that as far of the other comments, the Planning Commission should focus on the waivers. The storm water issues can be addressed as well as the sanitary sewer issues.

Mrs. Stoner asked if the Sewer Committee reviewed the new plan.

Mrs. Simonetti stated that the Sewer Committee will review the new plan as soon as they give it to them. The Borough Engineer needs to come to a Sewer Committee meeting and explain the plan to them.

Mr. Brown stated he has a meeting scheduled with the Borough Manager to go over Borough standards to determine what the property owner's responsibility is and what the Borough's responsibility is.

Mrs. Stoner stated that there is low pressure areas marked on the plan.

Mr. Brown stated that the information he received was that the GPU (gallons per unit) per EDU (equivalent dwelling unit) is 207.

Mr. Harris stated he is in the process of reviewing the original tapping fee studies to determine GPU per EDU.

Mr. Murphy stated that Act 208 is specific to economics.

Mr. Brown stated that he reviewed the Chapter 90 report that was compiled for the system. It used 2.13 average number of people in the Borough per dwelling x 90 which is a realistic number.

Mrs. Simonetti asked if the number will be the same for the over 55 community.

Mr. Murphy stated that the over 55 community is the same

Mr. Castranio stated there will be 125 homes for the over 55 community.

Mr. Dillmann asked how will the over 55 community be restricted.

Mr. Murphy stated that it will be a restrictive covenant which will be reviewed by the Borough Solicitor based on the Fair Housing Law.

Mr. Murphy stated that the deeds themselves will refer to the covenant document.

Mrs. Stoner stated that lot 35 might be an over 55 lot, but it may be in ten years.

Mr. Murphy stated there will be a set format based on the condo laws or PABCA.

Mr. Dillmann stated that the over 55 community will be a nested association.

Mr. Murphy stated that the association has not been determined.

MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
MAY 27, 2008

Call to order and roll call. The meeting was called to order at 7:30 pm

Roll Call:

1. MEMBERS PRESENT

Jennifer Brock, Chairman

Stephanie Stoner

Monte Shearer

Shawn Vaccaro

Jim Zehring

STAFF PRESENT:

Ron Brown, Borough Engineer

Janet Hardman, Code Enforcement Officer

OTHERS PRESENT:

Brian Harris

Cliff Dillmann

John Murphy

Rick Castranio
Ann Simonetti
Sherree Knight
James Sabo

2. MINUTES:

a. March 23, 2008

Page 1 and page 5 change "March" to "April".

Page 10, line 1 change "Mrs. Tamm" to "Ms. Brock".

MOTION: Mrs. Stoner moved, seconded by Mr. Vaccaro to approve the March 23, 2008 minutes with the three attachments as amended. The motion passed unanimously.

3. PUBLIC COMMENT.

a. Cliff Dillmann.

Mr. Dillmann stated that he presented a letter from the Susquehanna Water Gap Coalition dated May 27, 2008 for the record. The letter is attached hereto and made a part hereof. Mr. Dillmann stated the new plan is a very complicated mess. The developer made us think that it needed changed for storm water. The plan started as a checker board plan and was changed to a planned environmental community. He felt Marysville got a fair plan. Then they got plan 3 and all the amenities were gone. An example is when his mother was buying a car and asked for carpets and when she got the car they were not there, she was upset. Need to go back to review the negotiations. The plan can offer the kind of environment to Marysville that no one else can make. Marysville has a focal point of the Rockville Bridge. That was the deal breaker. It is not Marysville's fault that the previous engineer could not be met the storm water regulations. They need to eliminate 10 to 12 lots so there will be a state park like development. He is not talking about a big loss to the developer. This is the last chance to grab the area.

4. OLD BUSINESS:

a. Rockville Estates Preliminary Plan.

Mr. Brown stated that a summary of his comments are technical in nature regarding storm water and erosion and sedimentation control. See copy of the engineer's report dated May 27, 2008 attached hereto and made a part hereof.

Mr. Brown stated that lots 60-65 are generally the area of the view shed at Little Mountain.

Mrs. Stoner stated that the view shed is lots 59-67.

Ms. Brock stated all the lots were moved. The entire area made the substantial end of the mountain open space area irreplaceable.

Mr. Murphy stated that he was not a part of the suffering through Plan 2.

Ms. Brock stated that she talked to different attorneys that stated that the zoning hearing board variance wording was to facilitate an open space development. The variance should not apply if it went back to a conventional subdivision.

Mr. Murphy stated that he would question that if the plan was modified the variance did not apply to this plan.

Mr. Zehring stated that he has lived in the Borough for six years. The mountain has been posted as private property. The plan will gain access to the mountain.

Mr. Murphy stated that right now the mountain is private property. The preliminary plan intended to convert the open space to public use.

Ms. Brock stated that the issue is the view shed – losing the view shed.

Mr. Murphy stated that they are trying to get access for public use.

Ms. Brock stated that there are other areas for access. It is a question of balancing.

Mr. Dillmann stated that the developer has a right to develop under the code. The developer is building more homes by requesting a variance for higher density in exchange for open space. The Borough has amended the ordinance and it is now more restrictive. The amenities are a trading to do open space.

Ms. Brock stated that there are 470 acres but if they went with the conventional plan of one acre per dwelling you won't get 400+ homes.

Mr. Murphy stated that if you look at the overall number of 476 acres which would permit 476 homes compared to the current proposal of 301 dwellings.

Ms. Brock stated that under the current ordinance, 301 homes are more than is permitted.

Mr. Brown stated that from an engineering perspective, the footprint of the lots is critical in the review process with technical issues such as storm water, sewer, etc. This issue is paramount to determine before the plan can move forward. The number of lots will impact storm water analysis. A decision needs to be made regarding lots 60-75.

Mr. Murphy stated it is his understanding that the variance applies to this plan as submitted. He does not foresee 10 to 20 lots being removed from the plan. The plan as submitted is the plan they are asking the Planning Commission to make a recommendation on and the governing body to make a decision on. The plan meets the letter of the law and the intent of the Zoning Hearing Board decision.

Mr. Dillmann acknowledges that the Planning Commission can deny the waivers if they are not viable.

Mrs. Stoner stated that after the first rendering of the plan was revised and they saw major changes. The Planning Commission made a list of a lot of things they wanted addressed which

have been incorporated into the revised plan. They have discussed Little Mountain in depth. The revisions at the very end do give the view shed a different feel.

Mr. Dillmann stated there was a flip flop from plan 2 to plan 3.

Ms. Brock stated that when you get down to details, everyone knew that there would be a loss of lots and lots would be rearranged.

Mr. Murphy stated that everyone knew there would be a change which resulted in a loss at Little Mountain.

Ms. Brock stated that the thing about open space first proposed concept was to provide open space for the people. A lot of area makes lousy area for development. The idea was to bring buildings down off ridges and make lots smaller. When the large number of building lots was shown on the ridge is what offended her.

Mr. Murphy stated that the current plan meets the definition of an open space development.

Mrs. Stoner stated that two issues are view and connectiveness – not connected as nicely as it was.

Mr. Murphy stated that there is a long way to go. The plan is at the preliminary plan stage. They need approval from DEP and the Perry County Conservation District and then they must come back to the Planning Commission and Borough Council with final plans based on phases. There is still a lot of work to do. A lot of tweaks will be made. Then there is the final plan process.

Ms. Brock stated that the preliminary plan will determine if lots can be placed at the top of the ridge. After the preliminary plan approval, the Planning Commission will not have the authority to prevent lots from encroaching into Little Mountain.

Mrs. Stoner stated that the Borough Engineer stated earlier that the Planning Commission needs to review the waivers requested. A lot of the waivers were discussed previously.

Mr. Brown stated that the newest waiver requested is on the Penonni report dated May 27, 2008, C.3 on page 2 regarding the approach to the intersection and C.9. on page 3. C.3 states, *“Intersection Vertical Alignment Leveling Area maximum grade is 4%. Applicant proposes 6% leveling area. Section 22-502.3. C.9 on page 3 states, “Approaches shall follow a straight line for a distance of at least 100 feet from the intersection of Centerlines Section 22-502.C) e.g. Caroline drive at Street B and Street C, Street E at Street H, Street E at Street F, etc.”*

Mr. Murphy stated that C.3 and C.9 are tied together.

Mr. Brown stated that he thinks that C.3. and C.9 can be waived because the intersection sight distance will be met.

Mr. Castranio stated that he will provide a profile of each intersection to show it meets sight distance.

Mrs. Stoner asked if the slopes of 2:1 and 3:1 are acceptable to the Borough Engineer.

Mr. Brown stated that the 2:1 slope can be stabilized. This will minimize earth disturbance.

Mrs. Stoner stated that it is important that the Borough Engineer agrees with the waiver requests.

Mr. Brown stated that there are a lot of waivers but they are all in keeping with the open space concept. There is nothing that is substantial. It is important that the safety features are there. The last four waivers are dealing with shapes of lots.

Ms. Brock stated that the shapes of the flag lots were most amendable to reduce road space and that sort of thing. The Planning Commission had agreed on joint driveways as long as it is reviewed by the Borough Solicitor.

Mr. Castranio stated that the joint driveway agreements will be a part of the final plan submission.

Mr. Brown stated that there is one comment from before regarding the cul-de-sac at the end of Reiff Drive.

Mr. Castranio stated that sheet 43 shows the cul-de-sac stub at the Rye Township line.

Mrs. Stoner stated there are storm water issues still outstanding which are a main concern.

Mr. Brown stated that the comments were just received by Alpha Consulting Engineers today.

Mr. Murphy stated that the storm water comments are down to 20.

Mr. Brown stated that they are making progress on the technical end of the review. Sanitary sewer details of the design of the system will be provided. There will be a meeting with the Borough Manager to discuss at what point the property owner will have responsibility for the sanitary sewer.

Mrs. Stoner asked what was the proposal for the sanitary sewer connection to the existing main at Specialty Bakers and using existing main.

Mr. Brown stated that the sanitary sewer line was televised and there are certain updates that will need to be done in concert with this plan.

Mr. Harris stated that the line is 8" which has the capacity to handle the sewer. It will need to be slipped and relined.

Mr. Brown stated that it is inefficient to go too far ahead until they have the footprint of the lots determined.

Mrs. Stoner asked if it is possible to run into a road block that will cause problems for the development with what is already there for the sewer.

Mr. Brown stated that there has been a change in philosophy from the original plan for sewer.

Mr. Castranio stated that there were recommendations made.

Mrs. Stoner stated that no matter what is done with the sewer, major work will need to be done.

Mr. Castranio stated that there are comments related to the sewer on page 5.E. of the Borough Engineer's report.

MOTION: Mr. Shearer moved to table the plan, seconded by Mrs. Stoner. The motion passed unanimously.

A time extension was received extending the review period until September 28, 2008.

b. Nonconformities.

Ms. Brock stated that the changes that were recommended by the Solicitor were minor. The changes were reviewed at the workshop but no action was taken because there was no quorum.

MOTION: Mrs. Stoner moved, seconded by Mr. Zehring to recommend the changes to the nonconforming section of the zoning ordinance to Borough Council. The motion passed unanimously.

5. New Business:

A. Susquehanna Water Gap Landscapes – June 5th Dinner

6. General Announcements.

A. Recreation Committee Meeting

Mrs. Stoner stated that she and Mr. Dillmann attended the May 6th meeting to go over the Rockville Estates open space and what was different with the new plan. Mr. Dillmann spoke on the Susquehanna Water Gap Coalition and what it meant to recreation planning in Marysville.

Mrs. Stoner stated that the legal issues are on shaky ground.

Mrs. Hardman stated that she was told that Mr. Altland, Borough Solicitor, did not attend the meeting because there were no legal issues.

Ms. Brock stated she talked to Mr. Altland regarding whether the Zoning Hearing Board decision would stick to the property and he said maybe.

Mr. Dillmann stated that he met with other attorneys and was informed that the Zoning Hearing Board Solicitor did not do a good job writing the decision. The decision should have said, "because you promised this, we will do this." The decision is litigatable and can go to court. Everyone would be in agreement if the developer agrees to give up the ten lots on Little Mountain to preserve the view shed.

Mr. Brown stated that he asked the Borough Solicitor to review the Zoning Hearing Board decision. The developer meets the decision at face value. The decision talks about view of Rockville Bridge. The Subdivision and Land Development Ordinance addresses view sheds.

Ms. Hardman stated that the ordinance requirement is vague for view shed preservation.

Mr. Brown stated that the legal issues need to be discussed with Mr. Altland.

7. Report on Borough Council Meeting (Next Council Meeting 6/2/08)

Ms. Brock stated that she did not attend the May Borough Council meeting but can attend the June 2nd meeting.

8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 6/11/2008 @ 6:00pm/NEXT REGULAR MEETING 6/24/08 @ 7:30 pm, WORK SESSION @ 6:30 pm.

MOTION: Mrs. Stoner moved, seconded by Mr. Shearer to adjourn the meeting at 8:45 pm.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer