

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION MEETING MINUTES
APRIL 28, 2009

1. Rockville Estates Phase 1 Final Plan.

Ms. Brock stated that there are two homeowner's associations proposed. One for 55 and over development and the other for the remaining development.

Mrs. Stoner stated that there are two parcels in Phase 1 because some of the lots are for 55 and over and some are not. The parcel property lines do not match the phasing property lines.

Mr. Vaitl stated that at the last meeting the developer stated that Borough Council approved the parceling and it was discussed at the Borough Council meeting.

Mrs. Simonetti stated there was no discussion on the parceling or having two homeowner's associations with Borough Council.

Mrs. Stoner stated that parceling was a big issue of discussion at the last meeting. The parceling for the entire development was to be recorded with Phase 1.

Mrs. Simonetti asked if the parceling was for the entire development.

Mrs. Stoner stated that the parceling was for the entire development.

Mrs. Stoner stated that the parceling will create odd shaped lots that are landlocked. What happens if the development does not get past Phase 1?

Mrs. Simonetti asked if parcels are lot lines.

Mr. Vaitl stated that Phase 1 has five parcels.

(For the record, Mr. Kmiecinski and Mr. Shearer arrived at 6:40 pm)

Mr. Vaitl stated that the minutes state that the Planning Commission is asking for a plan of completion for the sewer as part of Phase 1.

Ms. Brock stated that a time frame was to be indicated on the plan as part of Phase 1 for the sewer improvements for Phase 1.

Mrs. Stoner asked where the dirt was being taken from the Kings Highway project.

Mrs. Simonetti stated it was her understanding it was going to the Stephen's property on Landsvale Street. There were holes in the street caused by the heat that the contractor, Detraglia Excavating, came out and fixed it because it was falling away.

Ms. Brock stated that on page 7 of the minutes Mr. Murphy stated that the sewer timing and scope of work will be done as part of the developer's agreement at recording. The developer's agreement needs to be provided to the Planning Commission for review prior to plan approval and prior to recording.

Ms. Brock stated that it is her understanding that under the Planned Community Act, any land that is not developed within five years will become open space. Ms. Brock stated that the parceling should be done at a later date.

Mr. Vaitl stated that he does not understand why there is a five year time limit for planned communities.

Mr. Kmiecinski asked what happens to landlocked parcels if the development is not built. No separate land development. The developer is saying that the parcels can't be developed separately.

Ms. Hardman stated that parceling plan is similar to phasing plan. Phase 1 is only to create 33 lots.

Mr. Kmiecinski stated that "parcel" is another word for "lot".

Ms. Brock stated that the 55+ community falls under the Uniform Planned Community Act.

Mr. Kmiecinski stated that the note on Page 4 states, "*No separate land development is proposed by this plan sheet indicating the subdivision of the larger 477 +/- acre tract into smaller parcels. This plan sheet is included for the sole purposes of facilitating compliance with the requirements of a 55+ development, the Pennsylvania Uniform Planned Community Act, and the proposed dedication to the Borough of certain open space parcels as part of the overall development of the larger tract pursuant to the preliminary subdivision and land development plan for Rockville Estates.*"

Mr. Vaitl asked how the boundary for the parceling is determined. Why doesn't the boundaries for the parceling match the phasing plan. Rather than 5 phases there now will be 21 with parceling.

Ms. Brock asked how parcels differ from lots.

Mr. Vaitl asked what determines parcel requirements.

Ms. Brock asked how do parcels make the plan conform to the Planning Community Act.

Mr. Kmiecinski stated that the plan does not indicate where the 55+ lots are located.

Mr. Vaitl stated that PennDOT required the 55+ lots for approval of the Highway Occupancy Permit.

Mr. Kmiecinski stated that the parceling makes less sense if all the 55+ lots are in Phase 1.

Mrs. Stoner stated that she could understand parceling out the open space lots.

Mr. Vaitl stated that the phasing and the parceling plans do not coincide.

Ms. Brock stated that the Planning Commission wants the dedication of land moved forward. Right now there is no public way until the street is open.

Mr. Vaitl stated that the sidewalk needs to go all the way to Ridgeview Drive. The sidewalk is stopping at the open space.

Mrs. Simonetti stated that the plan for Essis to dedicate additional land to Yingst for at Ridgeview was not done in time for this plan submission.

Mr. Vaitl stated that the subdivision plan was done in time and could be incorporated into the Rockville Estates Plan Phase 1. Sidewalks are not required for both sides of the street. The plan needs to show where the sidewalks are located.

Mr. Kmiecinski stated that Kittochtunny Drive is not spelled correctly.

Mrs. Simonetti stated that it could be spelled Kittoctunny.

Mrs. Stoner stated that the detention ponds are fenced.

Mr. Vaitl stated that the detention ponds are supposed to be landscaped also.

Mrs. Simonetti stated that there should be access through Ridgeview Drive from Caroline Street to Ridgeview Drive in the Whitetail development. There is a sixty foot right of way shown as Open Space C.

Mr. Kmiecinski stated that in a brochure it is spelled "Kittatunny".

Mr. Vaitl stated that he received an ordinance in the mail regarding corporations

Ms. Brock stated that she was contacted to allow Ben Price from the Community Environmental Legal Defense Fund from Carlisle to make a presentation at the workshop meeting on April 8, 2009.

Mr. Vaitl stated that the ordinance bans everyone that is a corporation. He cannot support such an ordinance.

Mrs. Stoner stated that Mr. Price stated that other communities have adopted the ordinance. There is a challenge pending regarding gas drilling that has not been resolved. The Borough may want corporations to invest in the community. There was discussion that the ordinance could be an overlay which would only apply to certain areas of the Borough.

Mrs. Stoner stated that banning corporations from submitting land development plans or subdivision plans would even the playing field. There was discussion on home rule.

Ms. Simonetti stated that home rule is a form of government.

Ms. Hardman stated that Mr. Price stated that if the ordinance was adopted, the Community Environmental Legal Defense Fund would defend it at no cost to the Borough if there was a legal challenge.

**MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
APRIL 28, 2009**

Call to order and roll call. The meeting was called to order at 7:40 pm

Roll Call:

1. MEMBERS PRESENT

Jennifer Brock, Chairman
Stephanie Stoner
Monte Shearer
Art Vaitl

STAFF PRESENT:

Janet Hardman, Code Enforcement Officer
Mike Kmiecinski, Tri County Planning Commission

OTHERS PRESENT:

Ann Simonetti, Borough Council

2. MINUTES:

a. March 24, 2009 Minutes

Page 2, change “retention” to “detention”.

MOTION: Mrs. Stoner moved, seconded by Mr. Shearer to approve the March 24, 2009 minutes as amended. The motion passed unanimously.

3. PUBLIC COMMENT.

Mrs. Simonetti stated that there will be a Memorial Day service on Monday, May 25th, at 10:00 am on the square which will be indoors in the Moose Ballroom. At 9:30 am the blood mobile will be there.

4. OLD BUSINESS:

a. Subdivision Amendment -Plan Specifications and Procedures

Ms. Brock stated that the Planning Commission received the County’s subdivision plan section on specifications and procedures. The Planning Commission should begin to review two sample ordinances at the May 13, 2009 workshop meeting.

Mrs. Stoner stated that Mr. Harris is working on the zoning amendments.

b. Rockville Estates Phase I Subdivision Plan

Ms. Brock stated that the agenda does not have the plan expiration date. She is concerned that the plan will expire.

Ms. Hardman stated that the staff report indicates that the plan expiration date is June 23, 2009.

Mrs. Stoner stated that a time extension should be requested at the May meeting.

Ms. Brock stated that there are questions that need to be answered such as:

- what are parcels and how do they differ from lots and
- the plan does not show the location of the sidewalks.

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

5. NEW BUSINESS:

Ms. Brock asked Mrs. Stoner if she was in contact with the trail people.

Mrs. Stoner stated that she sent them an email asking how they want things done, what their preference were so everything is clarified up front, if there are any specific legal issues and if they wanted an easement with Phase 1. She did not get a response. Mrs. Stoner stated that she will copy the email to the President.

6. GENERAL ANNOUNCEMENTS.

a. DEP Five Year Water Plan.

Ms. Brock stated that the State Water Plan was in for public comment last year. The water plan is the DEP five year water plan. The plan was approved on February 2, 2009.

b. The Susquehanna Water Gap Landscape Workshop

Mrs. Stoner stated that several Planning Commission members attended the Susquehanna Water Gap Landscapes workshop held on March 30th and April 2nd by Land Logics. The full review was provided. Copies were passed out to the Planning Commission members for review. It sounds like a good idea but it needs to be implemented

Ms. Simonetti stated that Land Logics wants to be hired by the four municipalities to develop ordinances to implement the recommendations. They received a grant for the four communities.

Mr. Vaitl stated that it sounded like there would not be any more meetings.

Ms. Brock stated that the review of the Borough's ordinance made sense. The Planning Commission should review the recommendations to see if it could be implemented. She referred to the recommendation on the street width reduction in some areas and retail areas within walking distances.

Mrs. Stoner stated that the recommendation pointed out where the ordinances are lacking.

Mr. Kmiecinski stated that the whole plan is a multi municipal plan to do the full vision. Directing some types of development from townships into boroughs and some types of development from boroughs to townships. It is a good idea to go through the recommendations.

Ms. Brock stated that Land Logics experience dealt with planned communities that are being started from scratch.

Mrs. Stoner stated that is where the Borough differs because it is already developed.

Mr. Kmiecinski stated that it is out of the Planning Commission's hands if the community is already built.

Mrs. Stoner stated that there was demolition of a structure that left a large open space near the fire company.

Mrs. Simonetti stated that the land is owned by the church. The church is proposing a planned community garden.

Mr. Kmiecinski stated that the Borough would not want something built on the vacant land that is out of character.

7. Report on Borough Council Meeting (Next Council Meeting 5/11/09):

Mrs. Simonetti gave a report on the Borough Council meeting. The Council voted to re-accept two grants for the Square separation of storm sewer and sanitary sewer.

Ms. Brock asked if the storm sewer and sanitary sewer will be separated through the subway.

Mrs. Simonetti stated that the subway is included in the separation. The subway separation should not be difficult since there is a six inch pipe there.

Ms. Brock stated that there should be no combined storm and sewer.

Mrs. Simonetti stated that there are still areas with combined sewers. Valley Road, Park Street and Ridgeview Drive have been separated.

Mr. Vaitl asked if Kings Highway will be widened.

Mrs. Simonetti stated that Kings Highway will be widened by ten feet for a bike/walking path.

Mr. Shearer asked if the project will encompass the corner property at Kings Highway and Park Street owned by Fantine.

Mrs. Simonetti stated that this property is in question.

Mrs. Stoner asked about the chunk of land between the Whitetail development and the trailer park.

Mrs. Simonetti stated that it will be cut back.

Mrs. Simonetti stated that Borough Council passed an ordinance to put stop signs on Kings Highway, Deer Trail and Antler Drive.

**8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 5/13/09 @ 6:30pm/NEXT
REGULAR MEETING 5/26/09 @ 7:30 pm, WORK SESSION @ 6:30 pm.**

MOTION: Mr. Shearer moved, seconded by Mr. Vaitl to adjourn the meeting at 8:25 pm.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer