

MARYSVILLE BOROUGH PLANNING COMMISSION  
WORK SESSION  
APRIL 27, 2010

**1. Article 5, Design and Improvement Standards – Subdivision and Land Development Ordinance.**

Ms. Brock asked if anyone looked at the Lancaster County SALDO.

Mr. Shearer stated that there is not much difference between Section 8, 9 and 10.

Mr. Zehring asked if the Lancaster County SALDO is much different from our current SALDO.

Ms. Brock stated that it is not incredibly different but the street section of the Lancaster County SALDO is centered around speed and traffic whereas the Borough's SALDO has specifications. Speed humps and curves are a function of speed control.

Mr. Zehring stated that he was assigned Easements and Survey Monuments and Markers. Section 8 says that an easement cannot be blocked. In his development there is a tot lot that has a ten foot wide access. It would be nice to be able to dump snow in the tot lot but they cannot because of the PPL transformer easement.

Ms. Brock stated that the tot lot is supposed to be a public use lot but you can't get to it.

Mr. Shearer stated that you must cross a private lot to get to the tot lot. They also looked at putting in a gazebo but because of the insurance laws it could not be done due to liability.

Ms. Brock stated that the riverfront park doesn't let other people use it because they cannot afford the insurance. The park could be dedicated to the Borough for public use.

Mr. Shearer stated that very few people in the association would want to maintain the park.

Mr. Vaitl asked what chapters of the Lancaster SALDO were assigned.

Ms. Brock stated that Mr. Vaitl was assigned General and Site Layout/Development Pattern, Ms. Brock was assigned Streets, Access Drives and Driveways, Mr. Shearer was assigned Preservation of Natural, Historic and Cultural Features, Landscaping and Lighting, Mr. Zehring has Easements and Survey Monuments and Markers; Mrs. Stoner has Sanitary Sewage Disposal and Water Supply, Ms. Mohr has the Purpose and Intent Section.

Mrs. Stoner stated she also has the well ordinance to do.

Ms. Brock stated that there are three sections under Urban Areas which are Urban Growth Areas, Infill/Redevelopment Areas and Rural Areas. The three sections need to be reviewed and combined into one for the characteristics and features of the Borough.

Mr. Zehring asked what if someone bought a block of land and tore all the structures down and wanted to redevelopment it.

Ms. Brock stated that would be considered an infill or redevelopment project. If it was previously developed and is now a vacant lot that it is considered infill. Redevelopment is reuse of a previously developed property being redesigned. The Borough has some spots for redevelopment.

Ms. Brock stated that she reviewed her section and have comments. She used Article 9 because it was the most detailed. Streets, access drives and driveways are on page 149. Appendix G is a checklist for street and access drive design on page 228. The checklist will classify the street to determine how the street is to be constructed. The intent of the chapter is in Section 9.3.1. Streets should follow existing patterns and go along with existing streets to facilitate the movement of people. The Borough's comprehensive plan does not list a circulation plan on how traffic is supposed to move through the borough.

Mrs. Stoner stated that the intent of a circulation plan can be the general existing movement of traffic.

Ms. Hardman stated that there is a transportation plan on page 71 of the Borough's Comprehensive Plan.

Ms. Brock stated that this section could be written to say that streets must conform to the transportation plan in the comprehensive plan.

Ms. Brock stated that the biggest thing that wasn't addressed in the Borough's SALDO is Section 9.3.2.D. Curvilinear Streets.

Ms. Brock stated that Section 9.3.2.G. permeable pavement needs to be discussed. Permeable pavement is encouraged on sidewalks, plazas, driveways, parking lots and low-traffic roads. Section 9.3.2.H states, *streets shall be designed with drainage grates that are safe for crossing by bicycles and/or horse-drawn vehicles.* She removed *and/or horse-drawn vehicles.*

Ms. Hardman asked if Section 9.3.2.G was kept the same.

Ms. Brock stated that she does not recommend any changes to Section 9.3.2.G. Ms. Brock referenced Article 8, Section 8.2.1.H. on page 110 states, "*Street lengths shall be minimized as to promote the most efficient Street layout while still protecting the natural, cultural, and historical environment.*"

Mr. Vaitl stated that Section 8.2.1.H is a vague statement. The street lengths are long.

Ms. Brock stated that block lengths are the same thing as street lengths for infill development.

Ms. Hardman stated that the current SALDO permits a block length of 1,200'.

Mr. Vaitl stated that 1,200' is a quarter mile.

Ms. Brock stated that we should stay with a maximum. If you have three blocks for a street it would not be permitted to eliminate a street. The question is if that is needed.

Ms. Stoner stated that there should be minimum street lengths, the maximum should not be more than 1,200'.

Mr. Vaitl stated that Section 8 encourages it. A minimizing statement is not needed.

Ms. Hardman stated that Section 8.2.1. is General Arrangement which is similar to an intent section?

Ms. Brock stated that it could be removed but she thinks it is contributing. Street blocks have been established so you can't deviate from it too much except where you are extending a street.

Mr. Vaitl stated that Section 8.2.1.H.is good as long as there is a specification of 1,200' indicated as maximum street length.

Ms. Brock stated that Section 8.2.2 Street Hierarchy is for proposed streets and private streets. She likes the requirements for private street because it specifies that the Borough determines whether it can be dedicated. If there is a dispute on who uses the street it is between them. The applicant must state the method of assessing maintenance and repair costs.

Ms. Hardman recommended that private streets meet design standards up front.

Ms. Stoner stated that the width of right of way and cartway for a private street near her house is bigger than needed because it was built to standards. The Borough permitted rip rap instead of a storm drain.

Ms. Brock stated that page 152, Section 9.3.4.A. Travel Lanes has a chart defining street widths based on miles per hour.

Mr. Vaitl stated that the width is not same for existing construction. The street needs to be wide enough for two cars to get through.

Mr. Zehring stated that you only need one lane if there are not a lot of deliveries.

Mr. Vaitl stated that if there are three or four houses on a street, a private street could easily permit people to pass. A private street should be built to standard so there are no maintenance issues.

Mrs. Stoner stated that she does not have faith that Borough will take over private streets.

Mr. Vaitl stated that it is a good argument to have a private street built to standards up front.

Mr. Zehring stated that disputes regarding easements are a private matter.

Mrs. Stoner asked if there are any issues that are fire response related.

Mr. Weaver stated that the biggest issue is getting into a private drive.

Mr. Vaitl stated that there should be specifications for aprons. He is in favor of making a private street be built right the first time. Down the road, everyone will be better off.

Ms. Brock stated that the issue is whether to require a private street to be built to standards up front or when it is dedicated.

Mr. Vaitl stated that the marginal street category of a 40' right of way with a 22' cartway width should be used for a private street.

Mr. Zehring asked who names streets.

Ms. Brock stated that street naming is addressed on page 159, Section 9.3.8.E.

Mr. Weaver asked if the ordinance addresses speed humps.

Ms. Brock stated that speed humps are not addressed.

Ms. Brock stated that new private street should be built to standards. There could be infill development that attaches to existing private streets. Private streets should not be offered for dedication until they are brought up to standards in accordance with Section 9.3.3.B.5. Ms. Brock stated that we should add "new private streets must be built to existing public street standards."

The review of Streets, Access Drives and Driveways will resume at this point at the next meeting.

MARYSVILLE BOROUGH PLANNING COMMISSION  
REGULAR MEETING MINUTES  
APRIL 27, 2010

**CALL TO ORDER.** The meeting was called to order at 7:30 pm

**ROLL CALL:**

**1. MEMBERS PRESENT**

Jennifer Brock, Chairman  
James Zehring  
Art Vaitl  
Stephanie Stoner  
Monte Shearer  
Shawn Vaccaro

**STAFF PRESENT:**

Janet Hardman, Code Enforcement Officer  
Scott Weaver, Borough Manager

OTHERS PRESENT:

David Tshudy, 17 N. 2<sup>nd</sup> Street, Harrisburg, PA 17101

## **2. MINUTES:**

### **a. March 23, 2010 Minutes**

Page 6, 3. Public comment, change “Labor” to “Memorial”.

Page 6.c. Well Ordinance, paragraph 7 remove “because of the need for a tank.

Page 7, paragraph 5 change “Stoner” to “Simonetti”.

Page 7, paragraph 7 add “Well” before ordinance.

Page 8.b. paragraph 3 change “Shermandale” to “Shermans”.

MOTION: Mr. Shearer moved, seconded by Mr. Vaitl to approve the minutes as amended. The motion passed with Mr. Vaccaro abstaining because he was absent.

## **3. PUBLIC COMMENT. NONE**

## **4. OLD BUSINESS.**

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

Ms. Brock stated that Article 4 review has been completed.

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

Ms. Brock stated that the Planning Commission assigned chapters to Planning Commission members for review. The Streets, Access Drives and Driveways will continued to be reviewed at the next meeting.

### **c. Well Ordinance.**

Mrs. Stoner has some recommended changes to the Chester County Well Ordinance. Her question is regarding public water systems, semi public water systems and individual systems.

Section 501.3.27 defines Individual Water Supply as *a system including wells, pumps, and piping equipment, which supplies water to a private structure and does not meet the criteria of “Semi-Public Water Supply” or “Public Water Supply”*.

Section 501.3.41. “Semi-Public Water Supply” *A water system including wells, pumps and piping equipment which supplies water to one or several facilities such as industrial or commercial establishments, parks, camps, hotels, motels, schools, institutions, eating and dining establishments or a water supply which services two (2) or more dwelling units and is not a*

*public water system as defined by the Pennsylvania Safe Drinking Water Act (35 P.S. 721.1. et. Seq.).*

Mrs. Stoner questioned what a semi public water system would include that is not individual.

Ms. Brock stated that a semi public water system is 4 or 5 uses; more than one but not enough to meet public water system definition.

Mrs. Stoner stated that she thought that a semi public water system may not be needed. She does not like the term semi public water system.

Mr. Weaver stated that the Yingst developers met with the Borough last week regarding the water supply for Rockville Estates. They are going to do a water tank system in Phase 4.

Ms. Brock stated that the preliminary plan specified that the development would be served by public water.

Mr. Weaver stated that the development is still considered to be served by public water. The water tank will be similar to what the VFW has which is still United Water.

Mrs. Stoner stated that a semi public water system could be one well for four homes. She does not see a developer doing a semi public water system because they don't want the legal hassle.

Mr. Weaver stated that he does not foresee a developer doing a semi public water system.

Ms. Brock suggested keeping the definition the same but just change the name of the term to multiple water user system.

Mrs. Stoner stated that other places list facilities that would be too small to qualify as a semi public water system such as a apartment building, bed and breakfast, parks, camps and hotels with less than 15 rooms and 15 people. Semi public implies that it is like public and there would be additional State regulations.

Mrs. Stoner stated that the Borough does not want to get into licensing but the wording in the ordinance complicates issues because some things need to be done by a licensed individual. She questioned whether a contractor needs a State license. Section 501.4 addresses Licenses.

Mr. Vaitl stated that remodelers need to be licensed by the attorney general's office.

Mrs. Stoner asked if geothermal installers would need a license from the attorney general's office.

Mr. Vaitl stated that geothermal installers would not need a license.

Ms. Brock asked if a well driller license pertains to drinking water wells.

Mrs. Stoner stated that a permit is supposed to be submitted by a licensed contractor.

Mr. Vaitl stated that the State does not require a license. The Chester County ordinance has licensing requirements.

Mrs. Stoner asked what could be substituted for a license contractor.

Ms. Brock stated that the ordinance should read that a permit needs to be submitted.

Mr. Vaitl stated that the well ordinance should just address specifications for the construction of a well.

Ms. Brock stated that the homeowner could submit an application for a well.

Mrs. Stoner stated that drinking well isolation distances for building foundations, mobile homes and wooden structures on concrete or dirt floors are 30 feet which is specified in Section 501.7.1.2.

Mr. Weaver asked what the isolation distance is for a sand mound system.

Mrs. Stoner stated that a septic system must be 100'. Septic tanks and gravity sewer lines is 50'.

Mr. Zehring asked if geothermal well would affect drinking water well.

Mrs. Stoner stated that a geothermal well should not affect a drinking water well.

Mr. Vaitl stated that the 30' isolation distance will eliminate a lot of people in a mobile home park.

Ms. Brock stated that a wooden structure may have a terminate treatment that would effect a drinking water well.

Mrs. Stoner stated that the ordinance does not indicate how far a well needs to be from another well.

Mr. Zehring stated that drilling a well by another well would muddy up the existing well.

Mrs. Stoner stated that drilling a well could muddy up the water.

Mrs. Stoner stated that the ordinance states that the permit for a well is approved by the director. This should be changed to say that the permit is approved by the Borough Manager or his designee.

Mr. Vaitl stated that the permit could be approved by the Borough Engineer.

Mr. Zehring stated that some wells have sulfur in them. If another well is drilled by a well with sulfur, the sulfur will transfer to the new well.

Mrs. Stoner stated that proper development would minimize sulfur transfer. The water pressure between the two wells should keep sulfur separate. That is the purpose of the casing, grouting and closed loop system requirements.

Mrs. Stoner removed the section that references water and sewer permits. Water and sewer permits are two separate issues.

Mrs. Stoner stated that individual water supply systems start with 480 gallon in 2 hour period at least once a day. The minimum well yield is one gallon per minute.

Ms. Brock stated that most home systems operate with a pressure tank. A pressure tank doesn't hold a lot of water. If a well does not do two gallons per minute or less it needs 400 gallons of storage capacity. There is a lot of storage in the bore hole.

Ms. Brock asked if more storage should be required. The bore hole could be counted.

Mrs. Stoner stated that water storage could be an issue. There could be some areas of low water bearing geology.

Mr. Weaver stated that there may be old wells that are shallow.

Ms. Brock stated that if the minimum well is now two gallon per minute it will make ¼ of it. The well will need to be dug pretty deep.

Mrs. Stoner stated that there is a new federal law that will require chlorination at public water supplies.

Mrs. Stoner stated that that the contingency plan on page 15 should be removed.

Mrs. Stoner stated that she recommends that the whole section on disinfecting a well should be removed.

Mr. Weaver asked if there was a standard for casing.

Mrs. Stoner stated that there is a standard for casing. The standards are specific. Casing must extend a certain amount above ground. She thinks some of the ordinance came out of the Safe Drinking Water Act.

## **5. NEW BUSINESS.**

### **a. Marysville Borough H2O PA Act Grant.**

Ms. Brock stated that the Planning Commission needs to provide a letter regarding the H2O grant.

Mr. Tshudy representing the McCullough Consulting Group, LLC and Stevens & Lee Law firm was present to speak regarding the H2O grant. Mr. Tshudy stated that they have been retained by the Borough to assist in the application for the H2O grant. The law requiring the separation of the storm sewer and the sanitary sewer passed in the summer of 2008. \$800 million of grant

money will be available for municipal governments and sewer authorities for the repair and replacement of water and sewer infrastructure, flood control projects and high hazard dams. The Borough of Marysville is in the process of designing a project to separate the sanitary sewer and storm sewer due to a DEP consent order dated December 31, 2009. The project will cost \$6 million. The H2O PA Act offers a 2 to 1 grant with local match. The H2O application is for \$4 million. One exhibit that is required to be included in the application is a letter from the Planning Commission certifying that the project is compliant with the Marysville Borough Comprehensive Plan. He received a letter from the Perry County Planning Commission signed by James Turner that the project is in compliance with the 2007 Comprehensive Plan. Mr. Tshudy will prepare a draft letter for Ms. Brock's signature as the chairman of the Planning Commission to include in the application. The application for the grant must be submitted by July 1<sup>st</sup> of this year. The grant application process will be competitive. Approximately \$3 million is available for water and sewer projects. There were 800 applications sent in for February 2009; awards of which 37% were awarded funding, 63% received zero funds. Marysville's request has environment concerns, health and safety concerns and will help with economic development.

Ms. Brock stated that one impediment of economic development of the Borough is because of the subway smell.

Mr. Tshudy stated that he has been working with Mr. Weaver to get letters from the businesses in Marysville to support the request for the grant to alleviate the odor from the subway.

Ms. Brock stated that business owners have been pushing for the repair to the subway.

Mr. Weaver stated that he has not received any letters from the businesses to date.

Mr. Tshudy stated that to have the most effect the letters from the business owners should be addressed to the Commonwealth Financing Authority, Department of Community and Economic Development because they are the government entity that is administering the program.

Mrs. Stoner asked if the grant is a 1 to 1 match.

Mr. Tshudy stated that the grant is a 2 to 1 match. The Borough would be responsible for \$2 million. There is a grant application which is separate from the H2O PA Act Grant with the Federal Government in Mr. Casey's office which could be used as part of the match.

Mrs. Stoner asked if the grant would be needed to get the project done on time.

Mr. Weaver stated that if the grant is received, the work must be completed by December 2012. If the Borough does not receive the grant, the work must be completed by 2020.

Ms. Brock asked what section of the Borough is mandated.

Mr. Weaver stated that the north section and the central part of the Borough must be separated.

Ms. Brock asked if the creek off Valley Street is included.

Mr. Weaver stated that the creek off Valley Street is included. The creek water will go into the river.

Mr. Tshudy stated that Governor Rendell will want to be responsible for getting this money out before he leaves office so they anticipate awards in November before the election. The DEP Consent Order states that if the H2O funds are awarded, the time table is different. DEP is one of the reviewing parties of the application. DEP will want to see some of the funding being award to the Borough. He thinks that because Consent Order was done by DEP, the request for the grant will rate higher. Mr. Tshudy is asking for the Planning Commission to take formal action for a letter stating the request is consistent with the Borough of Marysville's Comprehensive Plan.

MOTION: Mr. Zehring moved, seconded by Ms. Shearer to provide a letter stating the separation of the storm sewer and sanitary sewer was in accordance with the comprehensive plan specifically addressed in the Public Utilities Plan Element on page 93. The motion passed unanimously.

#### **6. GENERAL ANNOUNCEMENTS.**

Ms. Brock stated that she received a request from the Perry County Planning Commission for Borough of Marysville last update of the Comprehensive Plan and the Zoning Ordinance.

The comprehensive plan was last updated on February 10, 2004. The zoning ordinance was last updated on September 14, 2009.

#### **7. REPORT ON BOROUGH COUNCIL MEETING (Next Council Meeting 4/12/10). NONE**

#### **8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 5/10/10 @ 6:30pm/NEXT REGULAR MEETING 5/25/09 @ 7:30 pm, WORK SESSION @ 6:30 pm.**

MOTION: Mr. Vaitl moved, seconded by Mr. Shearer to adjourn the meeting at 8:47 pm.

Respectfully Submitted,

Janet Hardman,  
Code Enforcement Officer