

MARYSVILLE BOROUGH PLANNING COMMISSION
WORK SESSION
MAY 25, 2010

1. Well Ordinance

Mrs. Stoner stated that she concentrated her review on geothermal wells. There will not be a lot of drinking water wells. The PA Ground Water Association has been focusing on geothermal wells. Last year there was a conference on geothermal wells. Mr. Todd Giddings article states, *Pennsylvania has no construction standards for geothermal boreholes or for residential wells to protect its ground-water resources. In this down economy, at least ten times more geothermal boreholes are being constructed each month than the number of residential wells for new homes. Therefore, geothermal boreholes that are improperly constructed (without the use of impermeable grout) pose the number one threat to the quality of the ground-water resources of Pennsylvania. The ungrouted boreholes provide a pathway for surface and subsurface contamination to flow directly into the ground water.*

Mrs. Stoner stated that geothermal wells are where the growth is. It is now considered the number one threat to ground water in PA. It is important to seal the boreholes so no other water can get down. It must be backfilled with the right material, which is bentonite.

Ms. Brock stated that when it gets wet it expands.

Ms. Mohr stated that Spring Creek Township's ordinance was referenced. Centre County also did a well ordinance.

Mrs. Stoner asked if the Planning Commission needs to address gas wells in Marysville. Marcellus shell is not found in this area.

Mrs. Stoner stated that at the last meeting the issue of whether there is a distance requirement from another well was raised. In general, the distance from wells is not an issue if they are constructed correctly because it is based on the yield.

(For the record, Mrs. Simonetti arrived at 6:37 pm)

Mrs. Stoner stated that Section 501.7.1.2. was reworded to read, *"Well caps shall be located at a point free from flooding and above the 100 year floodplain."*

Ms. Brock stated that people should not be drilling wells in the flood zone.

Mrs. Stoner stated that the well cap needs to be above the flood level.

Ms. Brock stated that geothermal wells do not have well caps.

Mrs. Stoner stated that the Section 501.71.2. is for drinking water wells.

Mrs. Stoner stated that Section 501.7.1 Construction . The last sentence should be reworded to read, *“All casings for water supply or geothermal return wells shall be fitted with a water tight well cap or sanitary seal and be fully seeded in competent formation with drive shoe.*

Mrs. Stoner stated that Section 501.7.2.1.6 should be changed to read, *“In all cases where a casing is extended, a pitless adapter and a well cap or sanitary seal must be installed.”*

2. Zoning Ordinance review of proofreading.

Ms. Brock stated that Mrs. Simonetti would like to go over questions she has on the Zoning Ordinance proofreading.

Mrs. Simonetti asked if principal conditional uses are approved by Borough Council.

Ms. Hardman stated that the MPC requires that conditional uses are approved by Borough Council with a recommendation by the Planning Commission.

Mrs. Simonetti asked if the accessory building regulations are more restrictive than the ordinance passed by Borough Council limiting the size to 200 square feet.

Ms. Hardman stated that the ordinance passed by Borough Council requiring a permit for accessory buildings that are 200 square feet or more is a building code requirement.

Mrs. Simonetti questioned the section under accessory uses that states that any accessory use is permitted that is determined by the zoning officer to be of the same general character as the accessory uses permitted.

Ms. Hardman stated that the statement was included so the zoning officer can permit accessory uses that are not specifically listed such as trampolines, tree houses, swing sets and other uses incidental to the principal use.

Mrs. Simonetti stated that R-1 is titled single family low density. Should the R-2 be multi family “high density”?

Mrs. Hardman stated that the R-2 should state ”high density” in the title.

Mrs. Simonetti asked why drive in and drive thru restaurants were excluded in Section 27-403.B.2.25.

Ms. Brock stated that Section 27-403 is the Commercial Neighborhood zoning district. Drive in and drive thru restaurants was excluded in the Commercial Neighborhood but they are permitted in the General Commercial. The reason is to prevent the traffic and the lines.

Ms. Hardman stated that the purpose of General Commercial zoning district is to permit traffic oriented type businesses.

Mrs. Simonetti stated that ICC is referenced in the Manufacturing district; is this correct.

Ms. Hardman stated that ICC is the International Code Council which is the organization that wrote the building codes. The IBC (International Building Code) should be referenced in the manufacturing district.

Mrs. Simonetti stated that the Conservation district permits game farms that are not involving structures. Are you sure you want to prevent structures.

Ms. Hardman stated that a game farm is a principal permitted use. Accessory structures to the game farm would be permitted.

Mrs. Stoner stated that the water and sewer issue may have been a reason to prevent principal structures.

Mrs. Simonetti stated that Article 9-Administration should state that the work should be commenced instead of commended.

Mrs. Simonetti asked why Section 902-Temporary Permits were deleted from Administration. The Borough issues permits for temporary uses.

Ms. Hardman stated that temporary permits should not be permitted for temporary uses. The codified ordinance has a section requiring a permit for transient uses.

Mrs. Simonetti stated that Section 903 references fees, is there a fee schedule adopted.

Ms. Hardman stated that Resolution 143 addresses zoning fees.

Mrs. Simonetti stated that Part 7 addresses demolition of a nonconforming structure.

Ms Hardman stated that Part 7 – Nonconformities was already adopted by the Borough Council in November, 2009.

Mrs. Simonetti stated that Section 27-101 of the General Provisions should be revised to add “as from time to time amended”. Everyone agreed to the amendment.

Mrs. Simonetti questioned Section 27-302 Interpretation of Boundaries where a property may be in two separate zoning districts.

(For the record, Mr. Zehring arrived at 7:30 pm)

Ms. Brock stated that a boundary interpretation of a property with two zoning districts may only be applicable to properties adjacent to the conservation district.

Mrs. Simonetti stated that Part 11 Conditional Use Criteria for Child Day Care should be changed to Adult/Child Day Care to be consistent with the district regulations. Everyone agreed to the change.

Mrs. Simonetti stated that Section 27-1106 states that home occupations are not permitted in manufactured homes located in manufactured home parks.

Ms. Hardman stated that home occupations should be permitted in manufactured homes whether they are located in a park or individual lots.

Ms. Hardman stated that there was discussion with Mr. Kmiecinski from Tri County Planning Commission regarding changing “manufactured” to “mobile” to be consistent with the MPC.

Mrs. Stoner stated that the term mobile home should be used.

Ms. Brock stated that the definition should state that the terms mean the same.

Mr. Zehring stated that a sign was erected at the existing mobile home park for Little Mountain Manor. Does manor have a specific meaning?

Ms. Brock stated that Little Mountain Manor is just the name.

Mrs. Simonetti stated that Section 27-1109 Animal Kennel prohibits cremation or disposal of dead animals.

Ms. Mohr stated that a veterinary could have a kennel.

Ms. Brock stated that disposal and cremation of animals can be shipped out.

Mrs. Stoner stated that it is her opinion that an animal kennel should not be permitted to cremate or dispose of dead animals on site.

Ms. Mohr suggested removing cremation.

Mrs. Simonetti stated that burial is not permitted.

Ms. Brock stated that it could be just disposal. She is inclined to leave it in.

Mrs. Stoner stated that an air quality permit is required to do cremation.

Mrs. Simonetti stated that Section 27-1110 Commercial Recreation in the C-1 states that the lines must be provided with shade. She recommends that this is removed.

Mrs. Simonetti stated that Motels and Hotels in the C-1 does not permit take out service for accessory restaurants. She recommends that this is removed.

Mrs. Simonetti stated that Article 11 - Light Manufacturing in the C-1 district requires an Operation and Maintenance Plan. Who must review it?

Ms. Hardman stated that the Planning Commission and Borough Council would review the Operation and Maintenance Plan.

Mrs. Simonetti stated that Section 27-1115 Storage Self Service states that the required parking must be screened. Who approves the screening?

Ms. Hardman stated that the Planning Commission and Borough Council would approve the screening.

(For the record, Mr. Weaver arrived at 7:25 pm)

Ms. Brock asked Mr. Weaver if the H2O grant application is ready to be submitted.

Mr. Weaver stated that the application is ready for submission. Mr. Tshudy, McCullough Consulting Group, LLC and Mr. Brown, Borough Engineer needs to review it. They were planning to submit the application on Friday, May 28, 2010.

MARYSVILLE BOROUGH PLANNING COMMISSION
REGULAR MEETING MINUTES
MAY 25, 2010

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

ROLL CALL:

1. MEMBERS PRESENT

Jennifer Brock, Chairman
James Zehring
Stephanie Stoner
Lori Mohr

STAFF PRESENT:

Janet Hardman, Code Enforcement Officer
Scott Weaver, Borough Manager

OTHERS PRESENT:

Ann Simonetti, Borough Council Liaison

2. MINUTES:

a. April 27, 2010 Minutes

Page 6, 2nd sentence change, “her questions is” to “Mrs. Stoner questioned”.

Page 6, paragraph 11 change sentence to read “*Mrs. Stoner stated that other places list facilities that would be too small to qualify as a semi-public water system such as apartment buildings, bed and breakfast, parks, camps and hotels with less than 15 rooms and 15 people. Semi public implies it is like public and there would be additional State regulations.*”

Page 7, paragraph 9 change “will” to “should”.

Page 7, paragraph 14 change “will” to “could”.

Page 8.5.a. paragraph 2, line 4, change \$8 million to \$800 million

Page 8, paragraph 8 add “at public water supplies” at the end of the sentence.

Page 8, paragraph 12, change “safe drinking water act” to “Safe Drinking Water Act “

Mrs. Stoner asked if the Borough received any letters from businesses supporting the H2O grant application.

Mr. Weaver stated the Borough received eight letters.

MOTION: Mrs. Stoner moved, seconded by Mr. Zehring to approve the minutes as amended. The motion passed. Ms. Mohr abstained because she was absent.

3. PUBLIC COMMENT.

- a. Mrs. Simonetti stated that there will be a Memorial Day event at 10:00am inside the Moose. The keynote speaker will be Representative Mark Keller. There will be a free lunch to all attendees.
- b. Mrs. Simonetti asked if the VFW road was dedicated to the Borough. The VFW wants the Borough to resurface the road because the VFW is a civil defense center and the garbage trucks and snow plows use it.

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. Mohr stated that she was assigned the Vision Statement. She prepared a vision statement for review and provided everyone with a copy.

Ms. Mohr stated that the vision statement is lengthy and can be shortened.

Ms. Brock stated that the Lancaster SALDO has 3 separate sections for rural, urban growth and urban infill. The idea was to review each section to consolidate them into one.

Ms. Hardman stated that the vision statement addresses everything that is applicable.

Mrs. Simonetti suggested adding the Revitalization Plan to the last paragraph.

c. Well Ordinance.

Mrs. Stoner stated that she will further discuss changes at the next workshop meeting on June 9, 2010.

5. NEW BUSINESS. NONE

6. GENERAL ANNOUNCEMENTS.

- a. Mr. Weaver stated that the pool will be open Saturday-May 29, Sunday-May 30 and Monday-May 31. The middle school and high school party will be June 4th. The elementary school and parent's party will be June 5. The pool will be open from June 4 until Labor Day.

**7. REPORT ON BOROUGH COUNCIL MEETING (Next Council Meeting 6/12/10).
NONE**

**8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 6/9/10 @ 6:30pm/NEXT
REGULAR MEETING 6/27/09 @ 7:30 pm, WORK SESSION @ 6:30 pm.**

MOTION: Mr. Zehring moved, seconded by Ms. Mohr to adjourn the meeting at 8:00 pm.

Respectfully Submitted,

Janet Hardman,
Code Enforcement Officer