

MARYSVILLE BOROUGH PLANNING COMMISSION  
WORK SESSION  
AUGUST 24, 2010

**1. Zoning Ordinance Proofreading review**

Ms. Hardman stated that the proofreading was completed by Mrs. Simonetti and was given to the Borough to make changes. There were additional questions that needed to be discussed.

Part 16 – Motor Vehicle Assess is not listed on the index but there is text. Part 16 was deleted because it was included in Part 8 – driveways.

Part 11 – Conditional Uses has text for Section 27-1119 Light industrial in C-2 General Commercial District, Section 27-1120 Storage self-service facilities in C-2 General Commercial District, Section 27-1121 Adult entertainment uses in I Industrial District and Section 27-1122 Junkyards in I Industrial District but was not listed in the index. Keep sections in the ordinance and list them in the index.

Part 2, Section 27-202 remove North American Industrial Classification System (NAICS) and add The Latest Illustrated book of Development Definitions prepared by Center for Urban Policy Research.

Change as follows: Part 2, Section 27-203, 250. Manufactured Home (see Mobile Home). Keep text as is. Part 2, Section 27-203, 262. Mobile Home (see Manufactured Home) and remove the text.

Section 27-403.B.2.25. Change to read, Restaurants (excluding drive-in and drive-thru establishments).

Section 27-405.A. Change GI General Industrial District to I Industrial District.

Discussion was held regarding the email received from the Borough Solicitor regarding definitions that were in the definition section that are not in the text of the zoning ordinance. It was the consensus of the Planning Commission to keep all the definitions.

**2. Discussion of the Norfolk Southern Railroad Communication Tower**

Ms. Hardman informed the Planning Commission that a conditional use will be submitted by a cellular phone provider for their review and recommendation. A variance was granted by the Zoning Hearing Board at their August 18, 2010 meeting from one of the conditions the Zoning Hearing Board placed on the approval for Norfolk Southern Railroad height variance to permit a communication tower as an accessory use.

One of the conditions placed on the approval of the accessory use height variance was that only the antennas for Marysville Borough Fire Department would be permitted.

The Zoning Hearing Board agreed that the use of a Personal Wireless Service Facility was a conditional use in the General Industrial zoning district.

The variance from the condition placed on Norfolk Southern Railroad's approval will permit three antennas for Shenandoah (Sprint).

Mrs. Stoner asked why the tower was a permitted use for the railroad but the antennas is a conditional use.

Ms. Hardman stated that a railroad is a principal permitted use and the communication tower is an accessory use to the railroad. A commercial tower for cell antennas is a principal permitted use. A commercial tower for a cell antenna is defined by the zoning ordinance as a Personal Wireless Service Facility. The ordinance specifically lists a Personal Wireless Service Facility as a conditional use in the C-2 General Commercial District. The property where the tower was erected for Norfolk Southern Railroad is zoned General Industrial. The General Industrial zoning district does not list Personal Wireless Service Facility as a Use by Right. The General Industrial zoning district, Section 27-406.3. USES PERMITTED BY CONDITIONAL USE does permit Borough Council to determine if the use is of the same general character as the Uses by Right or the Uses Permitted by Conditional Use.

**MARYSVILLE BOROUGH PLANNING COMMISSION  
REGULAR MEETING MINUTES  
AUGUST 24, 2010**

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

**ROLL CALL:**

**1. MEMBERS PRESENT**

Jennifer Brock, Chairman  
Stephanie Stoner  
Lori Mohr  
Art Vaitl  
Shawn Vaccaro

**STAFF PRESENT:**

Scott Weaver, Borough Manager  
Janet Hardman, Code Enforcement Officer

**OTHERS PRESENT:** None

**2. MINUTES:**

**a. July 27, 2010 Minutes**

Page 4, paragraph 4, change "state" to "borough".

**MOTION:** Mrs. Stoner moved, seconded by Ms. Mohr to approve the minutes as amended. The motion passed with Mr. Vaitl and Mr. Vaccaro abstaining because they were 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 Streets, Access Drives and Driveways from Article 8, 9 and 10 of the Lancaster County Model SALDO are being reviewed. Since Mr. Zehring is resigning and Mr. Vaccaro did not receive a chapter to review, Mr. Zehring's chapter can be assigned to Mr. Vaccaro. Mr. Vaccaro agreed to review Mr. Zehring's chapter.

Ms. Brock will find out what sections Mr. Zehring was assigned and provide Mr. Vaccaro with copies.

Ms. Mohr suggested discussing the SALDO at the regular meeting work session since there is not much on the agenda.

Ms. Mohr stated that she cannot attend Wednesday night workshop meetings because that is the night she teaches.

Since several members could not attend the September 8<sup>th</sup> workshop meeting, it was cancelled.

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

Ms. Brock stated that Mrs. Stoner has a few things to check on. The well ordinance review will continue at the September meeting.

Mrs. Stoner stated that she checked on the definition of abandoned well-*Any well that is no longer equipped in such a manner as to be able to draw groundwater. This shall include wells where the pump, piping and/or electrical components have been disconnected or removed. Or any well where the drilling process has been completed in excess of 90 days and the well has not been approved for use as a supply by the Department (for new construction the 90 day period begins on the final approval date of the sewage system); or wells that have been used for a period of one year; or wells which are in such a state of disrepair that continued use for the purpose of obtaining ground water is impracticable.* The issue was the 90 day period. The Planning Commission's discussion was to use a shorter time period. The question is how long until the well is drilled to completion. She was told it takes a day. Also a question was what to do with the well from drilling to development stage. There is usually no time.

Ms. Brock stated that it is a continual process. The question is how long the ordinance will permit the well to be open.

Mrs. Stoner recommended seven days.

Mr. Vaitl suggested two weeks to allow for bad weather.

Mrs. Stoner stated that well drillers need to finish and file reports. The drillers can't file a report until it is decided what they are doing with the well (completing or abandoning).

Ms. Brock stated that the report is for informational purposes.

Mr. Weaver asked what if the well is drilled and the sand mound is installed and the developer waits to build the house.

Mrs. Stoner stated that the well would be cased. The time period being discussed is how long the well can remain open before it is cased. She thought the time period was to do testing before they decide what they are going to do with the well, but most people just go on the yield. If the yield is good, they go with the well. It is not a long period of time.

It was a consensus that the time period be five working days.

**5. NEW BUSINESS. NONE**

**6. GENERAL ANNOUNCEMENTS.**

Ms. Brock stated that the borough received a resignation letter from Mr. Zehring effective August 31, 2010.

Mr. Weaver stated that an ad will be put in the Newspaper and the Newsletter for a new member.

**7. REPORT ON BOROUGH COUNCIL MEETING (Next Council Meeting 9/13/10).**

Mr. Weaver stated that the grant application for the sewer separation is at DCED. There are four stages of approval. DCED is the first stage.

**8. ADJOURNMENT/NEXT SPECIAL MEETING DATE 9/8/10 @ 6:30pm/NEXT REGULAR MEETING 9/28/10 @ 7:30 pm, WORK SESSION @ 6:30 pm.**

MOTION: Ms. Mohr moved, seconded by Mr. Vaitl to adjourn the meeting at 7:58 pm.

Respectfully Submitted,

Janet Hardman,  
Code Enforcement Officer