

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 26, 2019
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Michele Bair
Jason Cunningham
Dan Dunmire
Tom Lake
Dave Pennebaker
Kay Semler
Neal Shawver
Jim Spendiff
Kent Spicher
Cyle Vogt

Other

Steve Dunkle, Commissioner
Kevin Kodish, Commissioner
Bill Wright, Wright Land Surveying
Barbara Wahler
Michael Wahler

Staff

Bill Gomes, Director
James Lettiere, CD Administrator/Assistant
Director
Tiffany Brought, Planning Clerk

Call to Order

Kay Semler, Chair, called the meeting to order at 3:28 p.m.

Record of Public Attendance

Kay reminded everyone to sign the attendance sheet.

Temporary Adjournment to Hold CDBG Public Hearing

The regular Mifflin County Planning Commission was temporarily adjourned at 3:33 p.m. in order to conduct the FFY 2019 CDBG Public Hearing based upon a motion by Neal Shawver, which was seconded by Dan Dunmire.

FFY 2019 CDBG Public Hearing

Kay turned the meeting over to Jim Lettiere, CD Administrator/Assistant Director for the public hearing. Two presentations were made including the following: Borough of Juniata Terrace stormwater management project and Borough of Juniata Terrace design and construction of parking area project. Two other proposed projects on the agenda that were not fully discussed included a water project in Wayne Township and a pilot demolition project.

The public hearing adjourned and the regular Mifflin County Planning Commission reconvened at 3:53 p.m. upon a motion by Neal Shawver, which was seconded by Jason Cunningham.

Approval of Meeting Minutes

Neal Shawver made a motion to approve the minutes from the July meeting. The motion was seconded by Jim Spendiff. All members voted aye.

Subdivision and Land Development Review Committee Report

Four plans were submitted to the committee for review, three under Municipal Ordinance and one under County Ordinance.

Jim Lettiere reviewed the Whaler plan that was tabled at the August 2019 meeting, because further information was needed for the right-of way. Bill Wright has submitted revised plans and Subdivision and Land Ordinance waiver requests. The revised plan shows the right-of way width was extended to 19 feet and signage was added. Dan Dunmire made a motion to approve the revised Whaler plan under the Municipal Ordinance and waiver requests. The motion was seconded by Dave Pennebaker. All members voted aye.

Jim went on to review the plan in Wayne Township under the County Ordinance. This plan proposes to create Lot 2. Lot 2 has an existing residence served by on-lot sewage disposal and private well. The residual tract, Lot 1, has two existing residences with no new development proposed. It was determined the subject tax parcel was transferred from David W. and Sharon E. Keiser to Olga Levi after the filing of the application on September 3, 2019. The sale occurred through the County's upset tax sale process on September 9, 2019. Olga Levi, who represented the new owner was present during the September 26, 109 Mifflin County Planning Commission meeting. She indicated she wanted the subdivision plan as submitted to be approved. Dan Dunmire entertained the motion to conditionally approve with provisions and allowing Jim additional time to review the plan. Kent Spicher seconded the motion. All members voted aye.

Jim Spendiff made a motion to accept the comments of the three plans under municipal ordinance and the one plan under County Ordinance. Tom Lake seconded the motion. All members voted aye.

Granville Township (*Municipal Ordinance*)

Name of Plan: Greenbrier Rail Services
File Number: 2019-09-004
Tax Map #: 17-12-0119A
Municipality: Granville Township
Applicant Name: Greenbrier Rail Services
Land Owner Name: Greenbrier Rail Services J.
Plan Preparer: Thomas H. Metz Engineering, Inc.

Plan Summary:

Greenbrier Rail Services is proposing to construct a 93 space parking lot on lands adjoining their tract to accommodate an equipment & storage expansion over impervious parking area at their existing manufacturing site. A subdivision plan is required for the purchasing of 3.5 +/- acres which only 0.96 acres will be disturbed for the parking facility. No future development of the new tract is proposed as well as no utilities will be required for such improvements.

Administrative

This property was previously reviewed in 1998 as a subdivision plan and in 2004 as a combined land development and subdivision plan.

The landowner's signature needs to be on the subdivision application form.

The plan narrative indicates a subdivision plan is required for the purchasing of 3.5 +/- acres for the parking facility. Tax parcel 17,12-01119A the parcel where the parking lot is proposed, contains 17.07 deeded acres. The acreage figures listed on sheet S1-1 do not appear accurate in relation to the deeded acres.

The project narrative and the stormwater management narrative makes reference to an expansion/construction fabrication structure, over the existing 40' x 80' office single-story building, on tax parcel 17,12-0119C. The plan does not show this expansion and it should since this expansion is not shown on the plan, another land development application or a revised plan would need to be submitted in order to construct the addition.

Basic Plan Information

All abutters should be shown on the plan, including tax map numbers in accordance with the Granville Township

Subdivision and Land Development Ordinance, Section (Article 6 Section 6.202 a.16.).

Subdivision Information

It appears on page S1-1 that DB 345 page 574 is a deed of dedication to acquire 10 feet of right-of-way from Middle Road (T-355) containing 5,409.30 square feet. This deed is associated with a different tax parcel not part of this Subdivision and Land Development Plan.

The subdivision plan reflects a subdivision plan recorded in BK-22 PG-164. This subdivision created lot 3 consisting of 12.46 acres and lot 2 consisting of 2.01 acres. However, deeds were never created and these lots do not exist. Tax parcel 17,12-0119A contains 17.07 deeded acres. The subdivision plan should be corrected to account for the accurate acreage.

Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. In accordance with the Granville Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 A.5. and 6.302 A.5).

Floodplain / Wetlands

According to County GIS files and general note 5, the project site is not within the 100 year floodplain or designated wetland.

Soils

According to the County GIS files, some portion of this property appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops.

Cartway Widths

The cartway width of Expansion Drive should be shown on the plan in accordance with the Granville Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 A.11.).

Deed Restrictions and Easements

According to the surveyor as noted in general note 9, all known deed restrictions or easements associated with the property are shown.

DEP Sewage Planning Module

If the project is to utilize public sewer, a DEP Component 3, or Exemption from Sewage Planning (Mailer), should be provided.

Water Service

The water supply location should be noted on the plan as prescribed in the Granville Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 A.10.).

Signature Blocks on Plan

The signature block section is not complete with either the County signature block or the Township's block verifying the plan was reviewed by the County Planning Commission.

Features

Are all man-made features shown? If not, all significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan in accordance with the Granville Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 A.10.).

Are all natural features shown? If not, all significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan in accordance with the Granville Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 A.9.).

Land Development

The plan does not show the addition and the connection to the proposed parking area.

Please confirm the parking calculations and if they fully meet the requirements for the existing building and proposed addition.

E & S / Stormwater

It appears the total earth disturbance is 41,818 square feet. Please confirm. It is acknowledged that an Erosion and Sedimentation Plan has been submitted with this application. Has this been submitted to the Mifflin County Conservation District?

*The Metz Engineering representative indicated total earth disturbance is 42,000 square feet.

Other Comments:

The plan is not complete and it is recommended the Township table the application until it is completed.

A Subdivision and Land Development Review Committee member stated the plan must meet the Mifflin County Industrial Development Corporation (MCIDC) standards as well. Also there is a spelling error in sheet Sil-2

regarding Greenbrier

Brown Township (Municipal Ordinance)

Name of Plan: Hostetler, Rudy M. & Leah K.
File Number: 2019-09-001
Tax Map #: 14-01-0118BA; 14-01-0118B
Municipality: Brown Township
Applicant Name: Hostetler, Rudy M. & Leah K.
Land Owner Name: Hostetler, Rudy M. & Leah K.
Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot Addition A to be added onto Lot A and become an integral part thereof. The residual tract, Lot 1, has an existing residence with no new development proposed. No new development is being proposed by this plan.

Basic Plan Information

Since this is a lot addition subdivision the names of the owners and Tax Parcel Numbers of the abutters do not need to be displayed, in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 3 Section 3.502 A.).

Subdivision Information

The configuration of lot addition on the insert map does appear to be the same on the main subdivision plan. *The Wright Surveying representative indicated he will change this so they both are the same.

Clean & Green / Agriculture

The parent parcel, lot 1 tax parcel 14,01-0118B is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

The parent parcel, lot 1 Tax Parcel 14,01-0118B is in an Agricultural Security Area and should be noted on the plan.

Floodplain / Wetlands

According to County GIS files and note 6. a sliver of the parent parcel lot 1, is within the 100 year floodplain. The floodplain for lot 1 should be shown.

According to County GIS information and plan note 4. there are no wetlands on lot 1, the residue, lot A and lot addition A.

Topographic information

If any future development is contemplated on any of the parcels suitability considerations should be made for this plan. It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and development in these areas should be discouraged.

Soils

Soils information should be shown on the plan, in accordance with Brown Township Subdivision Ordinance, (Article 7 Section 7.202A.8).

According to the County GIS files, some portion of the residue only appears to have hydric soils. This is noted in note 7. Hydric soils can indicate the presence of wetlands. The hydric soils information should be shown on the plan.

According to the County GIS files, some portion of the residue only appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops.

Right-of-Way Widths

Based upon the Brown Township Road Ordinance, (Part 4 Section 41.) the right-of-way width of Lynn Avenue (T-445) and the private alley are substandard.

Please confirm how much of Lynn Avenue is open to serve lot A since the plan shows it "unopened".

*The Wright Surveying representative indicated that approximately 89.27' is closed and he will add a note to reflect this.

Cartway Widths

Based upon the Brown Township Road Ordinance (Part 4 Section 41.), the cartway width of the private alley is substandard.

PennDOT HOP / Municipal Driveway Permit

A notation about the requirement stating: Any access via a State Highway to lots shown on this subdivision plan will require the issuance of a PennDOT Highway Occupancy Permit (HOP). PennDOT regulations provide that a Highway Occupancy Permit is required prior to constructing, altering or exceeding the permitted capacity for any access connected onto a State Highway. A Highway Occupancy Permit is also required prior to altering the existing pattern or flow of surface drainage or directing additional surface drainage onto or into the highway right-of-way or highway facilities. Approval of this plan neither implies nor guarantees permit approval by PennDOT.

Private Street / Shared Driveway

It appears Lynn Avenue a private right-of-way serves as access for the Jamie and Connie Fultz parcel, tax parcel 14,01-0118BA and the Darla King parcel, tax parcel 14,15-0250. All private drives that are used by more than one party should have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan stating: "The owners of lots ____, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold." in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 4 Section 4.204 1.C.).

*The Wright Surveying representative indicated this is not a shared driveway and access is through a public road.

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Brown Township Subdivision and Land Development Ordinance. (Article 7 Section 7.202 A.18.).

*The Wright Surveying representative indicated there are none.

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided.

Features

Are all natural features shown? If not, all significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.302 A.29.).

*The Wright Surveying representative indicated all are shown and he added within the narrative he will state lot 1 is served by private water and sewer.

Burnham Borough (*Municipal Ordinance*)

Name of Plan: McCardle, Guy D. & Marjorie A.

File Number: 2019-09-003

Tax Map #: 16-03-0103; 08-26-0043; 08-26-0038; 08-26-0035

Municipality: Burnham Borough

Applicant Name: McCardle, Guy D. & Marjorie A

Land Owner Name: McCardle, Guy D. & Marjorie A

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot Additions A & B to be added onto Lots A & B, respectively. Lot A has an existing garage. Lot B has an existing residence served by public sewer and private well. The residual tract, Lot 1, has an existing residence served by public sewer and public water. No new development is being proposed by this plan.

Administrative

The parent parcel tax map 16,03-0103 was last reviewed by the Mifflin County Planning Commission on September 22, 2011. The parent parcel was a part of a four lot subdivision.

Basic Plan Information

All abutters should be shown on the plan, including tax map numbers. In accordance with the Burnham Borough Subdivision and Land Development Ordinance, (Part 4 Section 402.3. E.)

*The Wright Surveying representative indicated he may request a waiver to this provision since this is a lot addition subdivision.

Subdivision Information

Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. In accordance with the Burnham Borough Subdivision and Land Development Ordinance (Part 4 Section 402.3.G and Section 403.1.A.).

Clean & Green / Agriculture

As noted in note 7 and based on County GIS files only the residual is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

Topographic information

Suitability considerations should be made for this plan. It appears, according to County GIS information, that there are steep slopes (grades over 15%) only on the residue and development in these areas should be discouraged.

Soils

According to the County GIS files, some portion of the residual appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops.

According to the County GIS files and as noted in note 3, some portion of the residual only appears to have hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils information should be shown on the plan.

Setback Lines

It appears the existing garage on tax parcel 08, 26-0043 is within the setbacks and can be considered an existing non conforming structure. Following the lot addition creation, it will no longer be non-conforming.

In accordance with the Burnham Borough Zoning Ordinance (Part 5 Section 502) the front setback is ten feet from the curb or property line, whichever is greater, the rear is ten feet, and the side setback shall have two side yards with an aggregate of fourteen feet. These need to be corrected on the plan.

Right-of-Way Widths

If Shade Lane has a defined right-of-way in accordance with the Burnham Borough Township Subdivision and Land Development Ordinance, the right-of-way width should be shown on the plan (Part 4 Section 402.3. N. (1)).

Cartway Widths

Based upon the Burnham Borough Township Subdivision and Land Development Ordinance, the cartway widths of McKalips and Shade Lanes are substandard (Part 5 Section 502.3.).

Private Street / Shared Driveway

Is Shade Lane used by more than one party? If so, all private drives that are used by more than one party should have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan stating: "The owners of lots ____, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold."

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Part 4 Section 403.1.D. and Section 403 2.B.) of the Burnham Township Subdivision and Land Development Ordinance.

*The Wright Surveying representative indicated there are none.

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided.

Sewage Service

The public sewer line location for the residue and if Lot A is served with public sewer, their line locations should be shown on the plan in accordance with the Burnham Borough Subdivision and Land Development Ordinance (Part 4 Section 402.3 K.).

Water Service

The water supply location for the residue and lot A should be noted on the plan as prescribed in the Burnham Borough Subdivision and Land Development Ordinance (Part 4 Section 402.3 K.). If the water source is off site, there should be evidence of an easement and right-of-way agreement on record and so noted on the plan. This information is particularly important if the water supply serves more than one household. The surveyor will note both are off site and make reference to easement/right-of-way agreements on record.

Features

Are all man-made features shown? If not, all significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan in accordance with the Burnham Borough Subdivision and Land Development Ordinance, (Part 4 ss 402.3. K.).

*The Wright Surveying representative indicated all are shown.

Are all natural features shown? If not, all significant natural features, including swales, ditches, trees, water

courses, sinkholes, rock out-cropping, etc. should be shown on the plan accordance with the Burnham Borough Subdivision and Land Development Ordinance, (Part 4 ss 402.3. K.)

*The Wright Surveying representative indicated all are shown.

Can the municipal boundaries be shown on the plan?

*The Wright Surveying representative indicated he can add the boundaries to the insert map and the main plan.

Wayne Township (County Ordinance)

Name of Plan: Saratoga Properties, LP.

File Number: 2019-09-002

Tax Map #: 21-13-0108

Municipality: Wayne Township (County Ordinance)

Applicant Name: Keiser, David K.

Land Owner Name: Keiser, David K.

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2. Lot 2 has an existing residence served by on-lot sewage disposal and private well. The residual tract, Lot 1, has two existing residences with no new development proposed. No new development is being proposed by this plan.*One asterisk represents comments generated at the September 19, 2019 Subdivision and Land Development

Review Committee meeting.

**Land Surveyor William Wright submitted a waiver request to the requirement to survey and show metes and bounds for the residue. These provisions are required in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302.A.5.,

A.7., and A.9.). The waiver request was unanimously approved based on the farm deed has no metes and bounds and bounds description for neighboring deeds are old and some also have no description.

**It was determined the subject tax parcel was transferred from David W. and Sharon E. Keiser to Saratoga Properties L.P. after the filing of the application on September 3, 2019. The sale occurred through the County's upset sale process on September 9, 2019. Olga Levi, who represented the new owner was present during the

September 26, 109 Mifflin County Planning Commission meeting. She indicated she wanted the subdivision plan as submitted to be approved.

Subdivision Information

Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Mifflin County Subdivision and Land Development Ordinance, Sections 7.302.A.5, A.7 and A.9)

*The Wright Surveying representative indicated he will attempt to provide the best dimensions available and may request a waiver request prior to the September 26, 2019 Planning Commission meeting.

Clean & Green / Agriculture

The property is in an Agricultural Security Area and should be noted on the plan.

**The revised plans indicate this.

As noted in note 5. and according to the County GIS files the parcel is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

Floodplain / Wetlands

According to the County GIS files and plan note 4. there are no wetlands or floodplains on Lot 2 or the residual.

Topographic information

If any future development is contemplated suitability considerations should be made for this plan. It appears, according to County GIS information, that there are steep slopes (grades over 15%) on Lot 2 and the residue and development in these areas should be discouraged.

Soils

According to the County GIS files, some portion of the residue only appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops.

Right-of-Way Widths

Irvin Ridge Road is (T-311) not (T-310) as noted on the insert map based on the PennDOT type 5 map of Wayne Township.

**The revised plan shows Irvin Ridge Road as (T-311).

Based upon the Mifflin County Subdivision and Land Development Ordinance, the right-of-way width of Irvin Ridge Road substandard (Section 4.204 F).

Cartway Widths

If future subdivision activity is proposed for further development the right-of-way and cartway widths of Irvin Ridge Road should be enlarged to meet the County's road provisions.

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway width of Irvin Ridge Road is substandard (Section 4.204 F).

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Article 7 Sections 7.302.A.6. and 7.302.B.7.) of the Mifflin County Subdivision and Land Development Ordinance.

*The Wright surveying representative indicated there are none.

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided.

**The form was provided on September 26, 2019.

Sewage Service

The on lot septic system (s) for the residual should be shown on the plan, in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.202 A.10. and 7.302 A.11.).

Water Service

The water supply location for the residual should be noted on the plan as prescribed in the Mifflin County Subdivision and Land Development Ordinance (Section 7.302. A20). If the water source is off site, there should be evidence of an easement and right-of-way agreement on record and so noted on the plan. This information is particularly important if the water supply serves more than one household. The surveyor will note both are off site and make reference to easement/right-of-way agreements on record.

Features

Are all natural features shown? If not, all significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A.26).

*The Wright surveying representative indicated all are shown.

Are all man-made features shown? If not, all significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A.20).

*The Wright surveying representative indicated all are shown.

Public Comment

None

Other Business or Comments

Juniata River Trail: Bill Gomes stated that DCED has approved a grant for \$200,000 to extend the trail a ½ mile and that we will not know the status of the DCNR grant until November 2019. We are still waiting on the easement agreement with the State Fire Academy.

Adjournment

Upon no further discussion, Kay Semler, adjourned the meeting at 4:13 pm.