

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
JULY 25, 2019
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

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

Other

Kelly Tessier, Environmental Associate, MBI

Staff

Bill Gomes, Director
James Lettiere, CD Administrator/Assistant
Director
Chastity Fultz, CDBG Fiscal Manager
Tiffany Brought, Planning Clerk

Call to Order

Kay Semler, Chair, called the meeting to order at 3:31 p.m.

According to the Pennsylvania Municipalities Planning Code, the alternate member, Cyle Vogt, will be able to vote since all members are not present.

Approval of Meeting Minutes

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

Hazard Mitigation Plan Update

Kelly Tessier, Environment Associate with Michael Baker International, provided a Multi-Jurisdiction Hazard Mitigation Plan Update. A Hazard Mitigation Plan is a community-driven, living document that communities use to reduce their vulnerability to hazards. She stated that each municipality must have a plan to maintain access to mitigation grants.

Components of the Multi-Jurisdictional Hazard Mitigation Plan include an introduction, community profile, planning process, risk assessment, capability assessment, mitigation strategy, plan maintenance and adoption. Ms. Tessier said that risk assessment is the largest part of the plan.

Ms. Tessier gave a recap of the February meeting of the Mifflin County Hazard Mitigation Steering Committee. At the meeting, they reviewed the 2019 Plan format and the process, the mitigation techniques and requirements, discussed the level of participation, and reviewed the schedule. Each Municipality had to complete a Hazard Risk Assessment Form. This form allows the municipality to determine which hazard is most important to them. For 2019 they did add two additional hazard identifications. The additions included

hurricane, tropical storm and nor'easter under the Natural Hazards and building or structure collapse under the Human-made Hazards.

Ms. Tessier explained that the Mitigation Strategy consists of goals, objectives and actions. Goals are general guidelines that describe what your community would like to achieve. Objectives are strategies that must be implemented so that each goal can be achieved. Actions are specific activities a community will take help reduce or eliminate risks. Mifflin County will have six goals in the 2019 plan. These goals are the same as those found in the 2014 plan, based on the input from the Steering Committee and Stakeholders.

Goal 1: Strengthen County and local capabilities to reduce the potential impact of flooding on existing and future public/partner assets, including structures, critical facilities and technological hazards.

Goal 2: Protect the citizens of Mifflin County as well as public and private property from the impacts of natural and human-caused hazards.

Goal 3: Enhance planning and emergency response efforts among state, county, and local emergency management personnel to protect public health and safety.

Goal 4: Build Mifflin County's spatial information resources to strengthen public and private hazard mitigation planning and decision support capabilities.

Goal 5: Increase public awareness on both the potential impacts of natural hazards and activities to reduce those hazards.

Goal 6: Increase intergovernmental cooperation and build public-private partnerships to implement activities that will reduce the impact of natural, man-made, and technological disasters.

Kay Semler asked if the Hazard Mitigation Plan is Federal or State mandated and how it is implemented. Ms. Tessier stated they it is mandated by both the State and Federal levels of government and that the implementation occurs through mitigation action forms. This plan is to aid in the prevention of disasters.

Neal Shawver asked why there were no results from the 2014 plan, and if there were any grants given.

Ms. Tessier said that they did not have the resources put in place to monitor the plan as well as they should have. One grant was given to Brown Township. Bill Gomes stated the previous 2014 plan did not have a mechanism to review projects, activities and strategies. The new plan will provide a mechanism for review and to assist in updates.

Dave Pennebaker wanted to know how this plan works with Emergency Management Administrators at the township level. Ms. Tessier was unsure of the answer and will need to ask Troy Truax.

Every municipality should have a director of emergency management. Bill suggested that emergency management contact information for each municipality be added to the directory.

Jim Lettiere added that Brown Township will be applying for additional funding through the DCED Mitigation Program to mitigate flooding in Honey Creek and asked if this is being tied to the plan. Brown Township did identify this as one of their hazard risks.

Subdivision and Land Development Review Committee Report

Three plans were submitted to the committee for review, two under Municipal Ordinance and one under County Ordinance. The plans under Municipal Ordinance included Samuel P. & Carol Hostetler (*Brown Township*) and Daniel D., Joel N. & Mark A. Hoffman (*Derry Township*). The plans under County Ordinance included Samuel J. & Diane Montgomery (*Wayne Township*).

Jim Lettiere reviewed the Daniel D., Joel N. & Mark A. Hoffman plan in Derry Township in further detail. This proposal has been reviewed before, but the current plan is proposing that Lot 1 and three additional lots of instrument no. 2019-0391 shall be added to the adjoining lot owned by Marshall K. Hafer and shall not be

conveyed or developed independently thereof. The existing property owned by Marshall K. Hafer has an existing house, barn, and several outbuildings erected thereon. Lot 2 shall be retained by the present owners Daniel D. Hoffman, Joel N. Hoffman and Mark A. Hoffman.

Dan Dunmire made a motion to accept the comments of the two plans under municipal ordinance. Jim Spendif seconded the motion. All members voted aye.

Dan Dunmire made a motion to conditionally approve the plan under the county ordinance. Tom Lake seconded the motion. All members voted aye.

Brown Township (*Municipal Ordinance*)

Name of Plan: Hostetler, Samuel P. & Carol J.
File Number: 2019-07-001
Tax Map #: 14-08-0120D; 14-08-0120E
Municipality: Brown Township
Applicant Name: Hostetler, Samuel P. & Carol J.
Land Owner Name: Hostetler, Samuel P. & Carol J.F.
Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 with an existing residence served by on-lot sewage disposal and a private water source located off site. Lot 2, 1.950 acres, is comprised of 1.136 acres from Lot A and 0.814 acres from Lot B. Lot A has an existing residence. Lot B is agricultural. No new development is being proposed by this plan.

*One asterisk represents comments generated at the July 18, 2019 Subdivision and Land Development Review Committee meeting.

Subdivision Information

The acreage from Lots A and B should be labeled on the plan, although these acreages are contained in the plan narrative.

An insert map should be shown on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.302 A. 27.)

Clean & Green / Agriculture

Both subject parcels are 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

The plan should note whether or not the site lies within a designated wetland in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.302A.28)

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%) on both parcels and development in these areas should be discouraged.

Soils

According to the County GIS files, some portion of both parcels 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, some portion tax Parcel 14,-08-0120 appears to have hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils are shown on the plan.

Right-of-Way Widths

The label for the Creekside Lane should be Creekside Drive in accordance with the county's GIS files.

Cartway Widths

Is there a cartway width for Hooley and Creekside Drive? If so, they should be shown on the plan in accordance

with the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.202 A.11.).

*The Wright surveying representative indicated there is none.

Will there need to be an expansion of Hooley Lane to serve proposed lot B? If so, will the extension be required to list construction standards that will be used and what will the cartway width be? Should a road plan be shown to be reviewed by the Township Engineer?

*The Wright surveying representative stated a 25 right-of-way is proposed using the existing driveway. He noted this information will be added to the plan.

PennDOT HOP / Municipal Driveway Permit

As noted in note 4, a PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)), for access to a state highway.

Private Street / Shared Driveway

It is acknowledged the owners of Lots B, 2 and Tax Parcel 14, 08-0120 have a shared driveway agreement as stated on the plan. It would be helpful if Hooley Lane is identified as the shared driveway.

Deed Restrictions and Easements

As noted in note 5, there are no known deed restrictions or easements associated with the property.

DEP Sewage Planning Module

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

Sewage Service

Is the Sam Hostetler parcel tax map 14,-08-0120 served with on lot septic? If so, its location should be shown on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.202 A.10).

Water Service

The water supply location should be noted on the plan for the Sam Hostetler parcel tax map 14,-08-0120 as prescribed in the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.202 A.9). 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.

Lot Addition

A lot addition statement should be noted on the plan stating the following on the plan:

"Lot # ___ consisting of ___ acres is to be added onto land owned by _____. Lot # ___ is a lot addition and shall become an integral part of the property owned by _____. Lot # ___ is not a building lot and cannot be maintained or developed as a separate individual lot."

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 Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.202 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 Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.202 A.9.).

There is an unnamed tributary shown on the GIS aerial but not on the plan.

Derry Township (Municipal Ordinance)

Name of Plan: Hoffman, Daniel D., Joel H. & Mark A.

File Number: 2019-07-003

Tax Map #: 16-13-0124; 0121; 132A; 132B; 132C

Municipality: Derry Township

Applicant Name: Hoffman, Daniel D., Joel H. & Mark A.

Land Owner Name: Hoffman, Daniel D., Joel H. & Mark A.

Plan Preparer: Griffin, Ralph M.

Plan Summary:

Lot 1 shall be added to the adjoining lot owned by Marshall K. Hafer and shall not be conveyed or developed independently thereof. The existing property owned by Marshall K. Hafer has an existing house, barn, and several outbuildings erected thereon. Lot 2 shall be retained by the present owners Daniel D. Hoffman, Joel N. Hoffman and Mark A. Hoffman.

Parcel #1, #2, and #3 of instrument no. 2019-0391 shall be added to the adjoining lot owned by Marshall K. Hafer and shall not be conveyed or developed independently thereof.

*One asterisk represents comments generated from a July 16, 2019 phone conversation with Allen Hornberger, P.L.S., and Ralph Griffin, P.L.S., revised plans dated July 17, 2019 and comments generated at the July 18, 2018 Subdivision and Land Development Review Committee meeting.

Administrative

A lot addition subdivision for lot 1 to have been added to the Hafer parcel was reviewed by the Mifflin County Planning Commission on May 20, 2015. On April 25, 2019 the MCPC reviewed the plan for the subdivision of lot 1 and the lot addition of lot 1 to the Marshal Hafer property. This proposal now includes lot additions of tax parcels 16, 13-0132A, 16,13-01328, and 16, 13-0132C (parcels 1,2, and 3 respectively) to lot 1.

Was the 2015 subdivision plan ever recorded?

*The Hornberger and Griffin call indicated it was never recorded.

Subdivision Information

The combined acreage of Parcels 1, 2, and 3, lot 1 and tax parcel 16, 13,-0121 the Marshal Hafer property must be noted on the plan, in accordance with Derry Township subdivision and Land Development ordinance (Article IV Section 186-16 B. (14).

*The revised plans contains this information.

It appears there are no metes and bounds labeled on the plan along the perimeter of the Crossover Drive boundary for the Hafer parcel. However, there is reference that bearings and distances for the Hafer property as referred in DB 2012 PG 2855. This information needs to be included in accordance with the Derry Township SALDO (Article IV Section 186-17 (6) and (8).

*The Hornberger and Griffin call indicated they will request a waiver to this provision. The revised plan requests a waiver to this provision.

Subdivision Information

There is a connector symbol between lots 1 and 2. This should be removed since this subdivision will eliminate this connection.

*The revised plans show the symbol has been removed.

Clean & Green / Agriculture

As noted in note 2 both parcels are enrolled in the Clean and Green program. It should also note parcel numbers 1, 2, and 3 are as well.

*The revised plan includes the Clean and Green statement for lots 1, 2, and 3.

Topographic information

Topographical contours at vertical intervals should be displayed on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance, (Article IV Section 186-16. B. (7)). It is acknowledged a waiver request to this provision is being requested by the applicant.

*The revised plan indicates they are seeking a waiver to this provision.

If any future development is contemplated for lot 2 the residue, 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

According to the County GIS files, some portion of the Hafer 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. According to the County GIS files, some portion of the Hafer property appears to have hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils information should be shown on the plan.

*The revised plan does not show hydric soil types.

Setback Lines

The setback lines should be shown on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Article IV ss186-17. B. (11)).*The revised plan indicates a waiver is being requested to this provision.

Right-of-Way Widths

Are there any plans to create a right-of-way out of parcels 1, 2, and 3?

*The plan notes any access to a State road will require an HOP.

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Back Maitland Road State Route 2004 should be shown on the plan (Article IV. ss 186-16. B. (11)).

*The right-of-way for SR 2004 Back Maitland Road has been added to the revised plan.

Cartway Widths

The cartway width of Back Maitland Road State Route 2004, should be shown on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Article IV. ss 186-16. B. (11)).

*The revised plan shows the cartway width of SR 2004 Back Maitland Road.

PennDOT HOP / Municipal Driveway Permit

As noted in note 3, 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

Access to serve the Hafer property and proposed lot 1 appears to be through a private lane. Is the existing lane used to access the Hafer parcel shared with any surrounding land owners? If so, a shared driveway agreement should be established. What is the cartway width of the existing lane?

*The existing lane used to access the Hafer property is used solely by Mr.Hafer.

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Derry Township Subdivision and Land Development Ordinance. (Article IV Section 186-16.B. (12)).

*The Surveyors indicated there are no deed restrictions.

Sewage Service

As noted in the Residue Tract Waiver for lot 2 and the non-building waiver for lot 1, neither lot is being approved for the installation of any sewage disposal facility.

Water Service

Is the residual served by public water, a private water source or none? If it is served by a water source it should be identified on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Article IV Section 186-16B. (9) and (10) and Section 186-17. B. (24)).

*The Surveyors indicated no water service serves the residual.

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 Derry Township Subdivision and Land Development Ordinance, (Article IV Section 186-16.B. (9)).

*The Surveyors 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 in accordance with the Derry Township Subdivision and Land Development Ordinance, (Article IV Section 186-16. B. (10)).

*The Surveyors indicated all are shown.

Land Development

Since no sewage testing was done for lot 2, and future development that meets the definition of land development as defined in the Derry Township Subdivision and Land Development Ordinance may require the filing of a land development plan.

Wayne Township (County Ordinance)

Name of Plan: Montgomery, Samuel J. & Diane
File Number: 2019-07-002
Tax Map #: 21-09-0108
Municipality: Wayne Township
Applicant Name: Montgomery, Samuel J. & Diane
Land Owner Name: Montgomery, Samuel J. & Diane F.
Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to add a single-family residence to be served by on-lot sewage disposal and private well.

*One asterisk represents comments generated at the July 18, 2019 Subdivision and Land Development Review Committee meeting.

Administrative

Plan should be listed as a land development plan on the plan label and not a subdivision. This should also be noted in the plan narrative.

Basic Plan Information

As noted in note # 7. property dimensions are based on adjoining deeds.
The abutter tax parcel 21, 09--0105 currently owned by John and Winifred Medvidovich should be shown on the plan in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302 A. 17.).

Floodplain / Wetlands

The 100 year flood basin goes through the western portion of the property as shown on the plan and Note # 6 mentions Zone A.

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.

Right-of-Way Widths

The railroad right of way should be noted on the plan.
The right-of-way width for Train Trail and Newton Road should be shown on the plan. (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A6).

*The Wright surveying representative indicated he is not sure if there is a dedicated right-of-way for Train Trail Road but will further research this.

Cartway Widths

The cartway width for Train Trail and Newton Road should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.202.A.11).

The cartway width for Train Trail is likely substandard so further development along this road should be discouraged without road improvements.

PennDOT HOP / Municipal Driveway Permit

Note# 4 mentions a highway occupancy permit.

Private Street / Shared Driveway

There appears to be a new proposed driveway connecting to Train Trail. Since Train Trail is a private road are there any deed restrictions allowing further use of this road?

*The Wright surveying representative stated no.

All private drives that are used by more than one party shall have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan. The agreement should include the following: "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." (See Mifflin County Subdivision and Land Development Ordinance, Section 4.205.G.4.c)

Deed Restrictions and Easements

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

*The Wright surveying representative there are none.

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 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 all are shown.

Land Development

To your knowledge has a building permit been issued for this project?

*The Wright surveying representative stated no, not until this plan is approved. He indicated a DEP planning module is required for this plan.

To your knowledge has a building permit application been submitted to the appropriate permitting agency for this project?

*The Wright surveying representative stated no, not until this plan is approved.

Other Comments:

Assess to the proposed second house is via a field lane that connects to the existing driveway that connects to Train Trail.

Public Comment

None

Other Business or Comments

CDBG Applications will be presented at the September meeting. This will allow for additional time for better quality applications.

The internet study was shared with all contributors.

Adjournment

Upon no further discussion, Kay Semler, adjourned the meeting at 4:19 p.m.