

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

**ATTENDANCE**

Members

Michele Bair  
Dan Dunmire  
Dave Pennebaker  
Kay Semler  
Neal Shawver  
Jim Spendiff  
Cyle Vogt

Other

Kevin Kodish, Commissioner  
Robert Postal, Commissioner  
Steve Dunkle, Commissioner

Staff

Bill Gomes, Director  
James Lettiere, CD Administrator/Assistant  
Director  
Chastity Fultz, Office/Grants Manager

**Call to Order**

Kay Semler, Chair, called the meeting to order at 3:30 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**

Neal Shawver made a motion to approve the minutes from the March meeting as well as the minutes from the April annual dinner meeting. The motion was seconded by Jim Spendiff. All members voted aye.

**Annual Dinner**

Kay Semler asked for input after the annual dinner at the Penn Valley Christian Retreat. Dave Pennebaker doesn't think you can beat the menu. Neal Shawver understands there were some limitations and potential issues with the venue. Neal heard of the crowdedness during the reception time. The food was great and he enjoyed the speaker. He thanked Bill Gomes and the staff. Dan Dunmire added that the dining area being closed until shortly before serving time led to the congestion in the lobby area. Chastity Fultz explained that she discovered the dining area would be closed until 15 minutes prior to serving only about a month in advance of the dinner. The meeting room was opened to allow individuals to congregate there, but once the room was full of people, it was difficult to convey this information.

Kay asked if anyone had any issues with locating the venue. Only a few people commented that the GPS could not always get signal. Bill Gomes added that we needed better signage for parking and that attendees still parked along the lane. He also heard some comments as to the closeness of the tables making it difficult to hear conversations. He had no complaints on the food, but did have a few comments on the lack of alcohol. If the dinner is held at this location again, a reception time would not be held. The venue only holds 120 and 112 attendees registered, which is a concern for future dinners. Kay did not like the long tables because she thought it made it difficult to speak to others.

Bill looked at the Londonderry earlier this spring and would like to look at it again. He also asked what the members thought of the possibility of a buffet. One comment was to make sure that lines could go down both sides of the buffet if that is the route chosen. Jim Lettiere added that most buffets are served by table so that everyone does not try to get in the line all at once.

### **CDBG Update**

Jim Lettiere reviewed the budget sheets for CDBG projects. All environmental reviews have been completed for 2017 projects. Jim first reviewed the Mifflin County contract. The Juniata Terrace project is out for bid. The Armagh ADA project is expected to be completed by the end of summer.

The HOME program, which is a \$500,000 grant, is currently at a 72% expenditure rate and all funds must be spent by July 12<sup>th</sup>. Kay questioned the status of the prevailing wage rate and the state's stance. Jim responded that there has been no traction despite holding a forum a couple of years ago to discuss this issue. A new mandate states that anything over \$25,000 must use prevailing wages. Jim feels the wages have hurt the program by increasing costs and some contractors have opted out due to the demands of the reporting and prevailing wages. Bill added that Mike Fisher of SEDA-COG was trying to get some flexibility for the HOME program. Dan Dunmire stated that this issue has affected his office with the low volume dirt and gravel roads program as well.

Jim received a letter that Big Brothers/Big Sisters is pulling out of Mifflin County in June and they will forfeit their 2017 money and this will be reallocated to another project. He will forward the letter he received from the organization to the members.

In Derry Township, the Lewistown Heights, Hamilton Terrace project will be underway soon. MABL will be replacing water lines in the area soon. If Jim would have known this project was coming up, he could have funded materials for the water lines through CDBG. Once the water line replacement has been completed, CDBG will do a stormwater management, paving project in the area. Cyle Vogt asked if there is a moratorium on digging up streets once they are completed. Jim responded that there is no moratorium, but they do have to have a life span of seven years. Jim also tries to coordinate any related utility projects in those areas.

Granville demolition projects will begin soon. Lewistown Borough wants to discuss various ADA ramps throughout the Borough. Road reconstruction of Spring Street and Wayne Street was completed and revisions will be completed for the leftover money.

Jim received a letter for the 2018 CDBG funds. The total award was \$666,245, including funds for the County, Brown Township, Derry Township, Granville Township, and Lewistown Borough. He is hopeful to receive the contract by mid-May. Most of the 2018 application was benchmarked for housing rehab since there were no shovel ready projects. Modifications will have to be made to allocate those funds towards other projects. Jim added that there are now only three years to expend the funds and one year to close out the grants.

The U.S. Census Bureau released the latest American Community Survey Data estimates from 2011-2015, which has changed the low-to-moderate income areas in Lewistown Borough as well as some other areas. He can create a spreadsheet to demonstrate the differences.

The department is looking into an emergency rehabilitation program. The problem with using CDBG or HOME money in an emergency situation is that the whole house must be brought up to code within one year. If Act 137 funds are used, this does not have to happen. An emergency will need to be defined.

### **Subdivision and Land Development Review Committee Report**

Five plans were submitted to the committee for review, four under Municipal Ordinance and one under County Ordinance. The plans under Municipal Ordinance included MCS Bank – Milroy (*Armagh Township*),

Kish Bank Operations Center (*Brown Township*), Samuel J. and Katie Byler (*Decatur Township*), and Daniel D., Joel N. & Mark A. Hoffman (*Derry Township*). The plans under County Ordinance included Liza Feagley (*Newton Hamilton Borough*).

Jim reviewed the MCS Bank plan in Armagh Township in further detail. The project consists of the construction of an 8,694 square foot building with 60, 9 foot by 18 foot parking spaces located on asphalt paving. Also included is a stormwater management plan and proposed subdivided lots C-G inclusive. The plan also involves the extension of Commerce Drive approximately 1,325 linear feet to be constructed with high strength asphalt paving. Jim noted this is a master plan proposal and the Planning Commission is only reviewing the land development and extension of Commerce Drive at this time. The subdivision of lots C-G is not under review at this time and will be submitted at a future date. Jim will revise the comment regarding traffic movement under the "Other Comments" category to make this clearer. There was no further discussion.

Kish Bank resubmitted their plans for rereview due to an additional 2,000 square feet added to the building and some modifications to the lawn area.

Kay then entertained a motion to accept the comments of the four plans under municipal ordinance. A motion was made by Dan Dunmire and Neal Shawver seconded the motion. All members voted aye.

Kay entertained a motion for the conditional approval of the single plans under county ordinance in Newton Hamilton Borough. A motion was made by Dan Dunmire and seconded by Jim Spendiff. All members voted aye.

### **Armagh Township (*Municipal Ordinance*)**

Name of Plan: MCS Bank - Milroy  
File Number: 2019-04-004  
Tax Map #: 12-02-0106DC  
Municipality: Armagh Township  
Applicant Name: MCS Bank  
Land Owner Name: MCS Bank  
Plan Preparer: The EADS Group, Inc.-Lucas Parkes

#### **Plan Summary:**

The project consists of the construction of an 8,694 square foot building with 60, 9 foot by 18 foot parking spaces located on asphalt paving. Also included is a stormwater management plan and proposed subdivided lots C-G inclusive as depicted on drawing no. C-1. The plan also involves the extension of Commerce Drive approximately 1,325 linear feet to be constructed with high strength asphalt paving.

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

#### **Administrative**

This parcel was part of a lot addition subdivision reviewed by the Mifflin County Planning Commission on August 23, 2018. There is no narrative on the plan. However, it appears the project consists of the construction of an 8,694 square foot building with 60, 9 foot by 18 foot parking spaces located on asphalt paving. Also included is a stormwater management plan and proposed lots C-G inclusive as depicted on drawing no. C-1. The plan also involves the extension of Commerce Drive approximately 1,325 linear feet of high strength asphalt paving.

#### **Basic Plan Information**

A plan narrative should be placed on the plan and there should be a brief description stating the purpose of the project in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6, Section 6.100).

Preliminary discussions with the engineer revealed this project may include subdivision to create Lots C-G inclusive as depicted on drawing no. C-1. However, since there is no project narrative and the application only indicates the plan is a preliminary/final land development plan, it is assumed the subdivision would occur at a later time. Please confirm.

All abutters should be shown on the plan, including tax map numbers in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6, Sections 6.202a.16. and 6.302a.17.).

#### **Subdivision Information**

There are no metes and bounds for tax parcel 12-02-0100DC and Lots C-G inclusive and there should be if this project includes subdivision activity, in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.201 a.5. and 6.302 a. 5.)

The Engineer, Land Surveyor and Geologist Registration Law Act of May 23, 1945 P.L. 913, No 367 (L. 63 Section 2.e states in part a professional engineer may not practice land surveying, unless licensed and registered as a professional land surveyor, as defined and set forth in this act; however, a professional engineer may perform engineering land surveys, however, tract perimeter surveys shall be the function of the "Professional Land Surveyor". Prior to recordation a professional land surveyors seal must be affixed to the plan.

#### **Floodplain / Wetlands**

The plan should indicate if the site is located in the 100-year floodplain or designated wetland in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6, Section 6.202a.9. and 12.).

#### **Soils**

According to the County GIS files, the entire 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**

Although drawing no. C-101.1 shows a 24 foot wide area of the Commerce Drive extension, it is not clear what the right-of-way width is. The right-of-way width should be shown in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6, Section 6.202a.11.).

#### **Cartway Widths**

The cartway width of Commerce Drive Extension should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6, Section 6.202a.11).

#### **PennDOT HOP / Municipal Driveway Permit**

A Clear Sight Triangle and Sight Distances should be shown on the plan for any new access onto a State Route.

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 the master plan shows the subdivision of Lots C-G to be completed at a later time. Since this portion of Commerce Drive is private and multiple users will access the drive, 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."

If a private street is proposed, appropriate supporting information (i.e. the length(s), curve(s), tangent(s), angle(s), right-of-way width, cartway width, and if applicable, a road profile) should be provided on the plan.

If a private street is proposed, the plan should be reviewed by the Armagh Township Engineer.

\*A representative from the Subdivision and Land Development Review Committee asked which engineer would be reviewing the specifications for the extension of Commerce Drive since the plan was prepared by the Township Engineer. The EADS Group representative indicated he was unsure.

\*The EADS Group engineering representative indicated the extended portion of Commerce Drive will eventually be dedicated to the Township.

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6, Section 6.202a.18).

**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.

**Sewage Service**

A letter from the municipality acknowledging availability of public sewer should be submitted to the Armagh Township Supervisors.

\*According to the engineer, a letter is available.

**Water Service**

A letter from the Municipal Authority of the Borough of Lewistown (MABL) acknowledging availability of public water should be submitted to the Armagh Township Supervisors.

\*According to the engineer, a letter is available.

**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 Armagh Township Subdivision and Land Development Ordinance, (Article 6, Section 6.202 a.9.).

\*The EADS Group representative stated 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 in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6, Section 6.202a.10.).

\*The EADS Group representative stated all are shown.

**Land Development**

Based on preliminary discussions with the engineer, the project will disturb over one acre of land area and requires an individual NPDES Permit. It was also disclosed that a traffic study has been conducted. Can the County have a copy of the study for review if it is available?

The applicant should consult the local Fire Marshall to see if new fire hydrants will be required and included with the plan submission in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 3 Section 3.214 b.)

The plans need to have a summary of the total number of required parking spaces.

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

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

**Other Comments:**

1. What type of market is depicted on drawing C-104? Is this another business in addition to the bank? There is no information on the market in terms of building footprint, parking and traffic circulation based on sheets C101 - C104 (circulation).

\*The EADS Group representative stated it is a farmers market for the Amish.

2. It appears south bound traffic from Commerce Drive has a right in movement only and exiting traffic from the site has only one movement, which is right, as well. Access would be restricted from Old US Highway 322 as a right in only movement. The other access would be from Old US Highway 322 onto Commerce Drive. Please confirm.

\*The EADS Group representative stated the above traffic movement understanding is correct. As presented on the plan. However one drive will be right out only and that Commerce Drive will have full right and left movement. He will revise the traffic circulation plan to reflect this.

3. Was there an HOP scoping meeting with township officials and PennDOT? IF not, the County should be extended an invitation to participate.

\*The EADS Group engineering representative stated it did not occur.

4. Has or will the Township require the execution of a legally binding document agreement with the developer?

\*The EADS Group engineering representative stated yes.

5. What is the time frame for the bank to be constructed?

\*The EADS Group engineering representative indicated that this will occur around October or November of 2019.

6. There does not appear to be a lighting or landscape plan for the proposal.

\*According to the engineer, a lighting plan will be provided.

\*There is a recommendation that the township approve this conditionally based on the applicant receiving a PennDOT approved Traffic Impact Study. The EADS Group representative indicated there is a center turn lane along the frontage of Old US Highway 322.

\*The EADS Group engineering representative indicated that he will provide written responses to the comments.

### **Brown Township (*Municipal Ordinance*)**

Name of Plan: Kish Bank Operations Center

File Number: 2019-04-005

Tax Map #: 14-01-115B; 14-01-115C; 14-01-115

Municipality: Brown Township

Applicant Name: Kish Bank

Land Owner Name: Kish Bank

Plan Preparer: Herbert, Rowland & Grubic, Inc.

#### **Plan Summary:**

The project generally consists of the development/redevelopment of two adjacent lots located along SR 655 at the intersection of SR 655 and the on-ramp for US Highway 322 East, Brown Township, Mifflin County, PA. The past land use is agriculture/woodland. The present land use is commercial. One of the lots (tax parcel ID 14-01-p115B) is currently occupied by the Kish Bank Financial Center and a Kish Bank Branch office. The other lot (tax parcel ID 14-01-0115C) was the previous location of the Dutch Country Restaurant that has since been demolished. Additionally, as part of this project, property line adjustments are proposed.

\*One asterisk represents comments generated at the January 17, 2019 Subdivision and Land Development Review Committee meeting.

\*\*Two asterisks represent comments generated from revised plans dated April 15, 2019 and comments from the January 24, 2019 review, which may or may not have been addressed in the revised plan.

\*\*\*Three asterisks represent comments generated at the April 18, 2019 Subdivision and Land Development Review Committee meeting.

#### **Administrative**

There is an authorized signature for Kish Bank. However, the signature of William Hayes, the parent parcel of tax parcel 14,01-0115, is not on the application. Is the signature of the landowner representing both Kish Bank and the William Hayes property?

\*The signature for William Hayes must be provided.

\*\*The signature of William Hayes has been provided.

#### **Subdivision Information**

Based on County Assessment and GIS records, tax parcel 14,01-0115C contains 1.81 acres, while the deed indicates 2.0831 acres excepting out land taken by the Commonwealth of PA by eminent domain in January 1997. The County's GIS and assessment records show tax parcel 14,01-0115 having 100.33 acres. The deed for tax parcel 14,01-0115 shows a total of 201 acres excepting out land for the Reedsville Fire Company, Kish Bank

and the Valley Observer Corporation. It appears 1.596 acres is being taken from tax parcel 14,01-0115 as a lot addition subdivision to be added to Lot 1. The acreages of County files do not appear consistent with the acreage displayed on sheet 6 of 20.

The deed for tax parcel 14,01-0115B (DB 181 Pg 237) shows 1.160 acres while the plan shows this area as Lot A having 1.04 acres. Also, the deed for tax parcel 14,01-0115B (DB 236 Pg 549) shows a total of one (1) acre. There appears to be some question about the 0.19 acres situated between Lot A and Lot B which is being conveyed to Lot B. Overall, the subdivision acres appear inconsistent with the County Assessment, GIS records and deeds from the Recorder of Deeds Office.

The Planning and Development Office is not indicating the acreage figures are incorrect, only that there appears to be inconsistencies with County records. These parcels throughout the years also appear to have been part of eminent domain proceedings by PennDOT, thus perhaps complicating the acreage figures through the years.

Property boundary information should be provided for the entire property including the residual lot 2, in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 7, Sections 7.302A.5., A.7. and A.9.).

The Engineer, Land Surveyor and Geologist Registration Law Act of May 23, 1945 P.L. 913, No 367 (L. 63 Section 2.e states in part a professional engineer may not practice land surveying, unless licensed and registered as a professional land surveyor, as defined and set forth in this act; however, a professional engineer may perform engineering land surveys, however, tract perimeter surveys shall be the function of the "Professional Land Surveyor". Prior to recordation a professional land surveyors seal must be affixed to the plan.

#### **Clean & Green / Agriculture**

Tax parcel 14,01-0115-000 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**

Based on County GIS files and general notes 14 and 15, there are no wetlands or floodplains associated with the parcels for this project.

#### **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.

#### **Setback Lines**

The C-H Commercial Highway District has a 40' front yard setback. Assuming Gateway Drive is the front of the financial branch office building, it appears the financial branch office is an existing non-conforming structure since it is situated in the front yard setback.

#### **Right-of-Way Widths**

Based upon the Brown Township Road Ordinance, the right-of-way width of Gateway Drive is substandard (Part 4, Section 41).

Based upon the Brown Township Subdivision and Land Development Ordinance, the right-of-way width of SR 0322 should be shown on the plan (Article 7, Section 7.202A.11).

\*\*The right-of-way width of SR 0322 is shown on drawing number EC-1, Sheet number 03 of 23.

The private access drives A and B appear to have a 35 foot easement or right-of-way and a 24 foot cartway.

\*The Kish Bank representative indicated it is an easement, not a right-of-way.

#### **Cartway Widths**

The cartway width of SR 0322 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 cartway width range of SR 0322 is shown on drawing number EC-1, sheet number 03 of 23.

#### **PennDOT HOP / Municipal Driveway Permit**

A Clear Sight Triangle and Sight Distances should be shown on the plan for any new access onto a State Route.

\*\*A Clear Sight Triangle is shown on sheet 7 of 23.

If there is any existing HOP permit for the existing access points onto SR 0655, they should be listed on the plan.

A notation about the requirement stating: Any new 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.

\*The HRG representative indicated there will be a pre-scoping meeting with PennDOT regarding the HOP permit.

It was mentioned the County should be extended an invitation to this meeting.

\*\*The County participated in the pre-scoping meeting via a conference call recently. When will the results of the traffic study be available?

#### **Private Street / Shared Driveway**

Is there a shared driveway agreement in place for Gateway Drive? If not, 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**

According to survey Note 7 on sheet 5 of 20, the plan was prepared without the benefit of a title report and may be subject to easements and other restrictions, either recorded or unrecorded. The surveyor has made no investigation or independent search for easement of record encumbrances, restrictive covenants, ownership title evidence or any other facts that an accurate and current title search may disclose other than what is shown on this plan.

#### **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.

#### **Sewage Service**

A letter from the Brown Township Municipal Authority acknowledging availability of public sewer should be submitted to the Brown Township Planning Commission.

#### **Water Service**

A letter from the Municipal Authority of the Borough of Lewistown (MABL) acknowledging availability of public water should be submitted to the Brown Township Planning Commission.

#### **Signature Blocks on Plan**

The Mifflin County Review Certificate should have one line stating "Plan Tracking Number" and one stating "Chairman or Designated Representative".

\*\*Revised plan shows this correction.

#### **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 7.302A.29).

\*The HRG 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 in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 7, Section 7.302A.23).

\*The HRG representative indicated all are shown.

#### **Land Development**

Sheet 2 of 20 uses parking requirements for office, business, or professional for the restaurant. The Township's Zoning Ordinance (Article XVII, Section 1703) stipulates one parking space for every two seats plus one per employee on the largest shift. This parking requirement is a subcomponent of the restaurant use. How many seats are proposed for the fast food restaurant?

\*The HRG representative indicated there are 30 seats and 5 employees on the largest shift.



The plan does not show lighting provisions as required in the Brown Township Subdivision and Land Development Ordinance (Article 4, Section 4.203 J).

\*\*The revised plan has a lighting plan on drawing number L1-1, sheet 9 of 23.

Has the Township required a developer's agreement to ensure all components of the project are installed?

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

\*The HRG representative indicated no.

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

\*The HRG representative indicated no.

The applicant should consult the local Fire Marshall to see if new fire hydrants will be required and included with the plan submission.

\*\*The revised plans show an increase of 2,000 additional square feet for the operations center, which will now total 38,000 square feet. The other changes, based on the revised plans, include two pedestrian crosswalks that traverse "Access Drive B" and "Access Drive A".

\*\*The number of parking spaces adjacent to (south) of the operations center lists 17 spaces, while a manual count depicts 15 spaces. The lawn area depicted on drawing number S1-1, sheet 07 of 23 now shows a partial area of impervious brick pavers and lawn area.

#### **E & S / Stormwater**

What is the total area of earth disturbance? This should be shown on the plan. If this plan proposes an acre or more of earth disturbance, an NPDES permit is required.

\*The HRG representative indicated 5.83 acres of land will be disturbed. He indicated the NPDES permit will be submitted soon. The Mifflin County Conservation District Representative stated HRG and his staff had a preconstruction meeting and it will be an individual NPDES permit.

\*\*\*The HRG representative indicated that stormwater system changes were made in order to be more economical. DEP comments for the individual NPDES permit will be available by the end of the month.

Has the Township Engineer reviewed the plan for compliance with the Township's stormwater management provisions?

\*The HRG representative indicated the Township Engineer has reviewed the plan and provided comments and they can provide his comments to the Planning and Development Department.

#### **Other Comments:**

1. There does not appear to be any documentation regarding traffic. If this development will generate 50 or more peak hour trips or 300 total trips per day, a traffic impact study is required in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 4, Section 4.216). Will the LOS levels for SR 0655 or 0322 be impacted as a result of this land development?

2. There is no landscape plan.

\*The revised plans show a landscape plan on drawing number LA-1, sheet 08.

3. Has there been any consultation with the residential development across State Route 0655 regarding the potential impacts to their residences, traffic and noise?

\*The KISH Bank representative indicated they will be making a presentation to the Mifflin County Industrial Development Corporation soon and there will be public meetings with the Township in order to disclose the details for this project.

4. Sheet 2 mentions a proposed future expansion of 12,000 square feet, which is not shown on the plan. Will a second land development plan be submitted in the future?

\*The HRG representative stated the 12,000 square foot addition will be completed as a separate land development plan at a later time.

5. Sheet 2 calls for 117 required parking spaces for the proposed operations center, yet the parking provided for calls for 145 spaces. The plan appears to comply. The parking for the fast food restaurant needs to be accounted for separately since it will not likely accommodate bank customers. How will this be addressed? The number of parking spaces for the operations center has changed.

\*\*The fast food parking has been accounted for separately.

6. The proposed operations center calls for a lot coverage of 70.8% while the Township's Zoning Ordinance allows a maximum of 70%. How will this be accommodated unless the applicant will be requesting a zoning variance.

7. Will dumpsters be provided for the restaurant and bank buildings? If so, they should be shown on the plan including any type of screening material.

\*The HRG representative indicated there is an area noted for a dumpster pad for the fast food restaurant and the financial buildings will shred their paper, however, there will be a dumpster for other generated waste.

\*\*The dumpster pad location is depicted for the restaurant.

\*\*\*8. There is a recommendation that the township conditionally approve the plan based on the applicant receiving a PennDOT approved Traffic Impact Study. This study is anticipated to be completed around Memorial Day. The Traffic Impact Study may require offsite improvements tied to land development approval. The HRG representative indicated that there will be right-in and right-out movement and that Three Cent Lane will not be part of the traffic study.

\*\*\*The HRG representative indicated the operations center will be built first, beginning in late June or early July and completed by the end of 2020. The branch office will be demolished in 2021.

\*\*\*The HRG representative indicated that he will provide written responses to the County's preliminary comments and provide updated plans. A final copy will need to be provided.

### **Decatur Township (*Municipal Ordinance*)**

Name of Plan: Byler, Samuel J. and Katie

File Number: 2019-04-001

Tax Map #: 15-12-0109A

Municipality: Decatur Township

Applicant Name: Byler, Samuel J. and Katie

Land Owner Name: Byler, Samuel J. and Katie

Plan Preparer: Sarge Engineering and Surveying

#### **Plan Summary:**

In 2017, Lot 3 was approved as a Lot Addition to be conveyed to Jeremy R. and Lynn M. Bell. The plan is recorded as Instrument #2017-4065. The Bell's decided not to purchase Lot 3. Lot 3 was then conveyed to Samuel J. and Katie Byler in the deed recorded as Instrument #2018-2933. The Byler's are also the Owners of Lot 2. The purpose of this plan is to solve this problem by consolidating Lots 2 and 3 into a single parcel.

\*One asterisk represents comments based on revised plans dated April 17, 2019 and comments generated at the April 18, 2019 Subdivision and Land Development Review Committee meeting.

#### **Administrative**

This subdivision plan was reviewed by the Mifflin County Planning Commission on September 28, 2017. The plan was to add Lot 1 of 6.599 acres from the land of Larry E. and Carol A. Brower, tax parcel 15,12-0109, to other land of Larry E. and Carol A. Brower, tax parcel 15,12-0110 and to add lot 3 of 4.385 acres from land of Larry E. and Carol A. Brower to the land of Jeremy R. and Lynn M. Bell, tax parcel 15,12-0104A. The property was also subdivided in May 2004.

The subdivision application form should be signed by the municipality.

**Basic Plan Information**

Although instrument #2017-4065 is recorded as a lot addition subdivision conveying 6.599 acres from (tax parcel 15,12-0109) to tax parcel 15,12-0110, the sales transaction never occurred even though a deed has been created as instrument #2018-002933.

**Subdivision Information**

Property boundary information should be shown for the entire property, including Tax parcel 15,12-0110. 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 Decatur Township Subdivision and Land Development Ordinance Sections 22-603.2 A (5) (7) (9) and (12).

\*The revised plans shows metes and bounds for tax parcel 15,12-0110. Also, plan note 8. states the property boundary information for tax parcel 15, 12-0110 is not available. The deed is made up of 3 parcels with 5 exceptions.

**Clean & Green / Agriculture**

Tax parcel 15,12-0109 and 15, 12-0110 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.

\*Note 9. indicates tax parcels 15, 12-0109 and 15,12-0110 are enrolled in the clean and green program.

**Floodplain / Wetlands**

As noted in notes 2 and 3 the parcels are not located in the 100 year flood plain or designated wetland.

**Soils**

According to the County GIS files, some portion of tax parcels 15,12-0109 and 15,12-0110 appear to have hydric soils. Hydric soils can indicate the presence of wetlands.

**Setback Lines**

As noted under plan note 6, the existing house and barn on lot 3 are existing non-conforming structures since they are within the setbacks.

**Right-of-Way Widths**

As noted on the plan Ertley Crossover Lane was vacated by court order in 1939 and became a private road having a 25 foot right-of way.

Based upon the Decatur Township Subdivision and Land Development Ordinance, the right-of-way width of Ertley Crossover Lane and Ertley Road are substandard (Part 3 ss-22-302 Table 1).

**Cartway Widths**

Based upon the Decatur Township Subdivision and Land Development Ordinance, the cartway width of Ertley Crossover Lane and Ertley Road are substandard (Part 3sg 22-302 Table 1).

**Private Street / Shared Driveway**

As noted on the plan Ertley Crossover Lane is a private lane and the property owners that use the road are responsible for improvements and continued maintenance.

**Deed Restrictions and Easements**

As noted in Note 4, 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. There should be a non-building waiver statement on the plan.

\*The revised plans include a non-building waiver.

**Sewage Service**

Is Lot 1 served with a septic system? If so, it should be noted on the plan in accordance with the Decatur Township Subdivision and Land Development Ordinance (Part 6 ss 22-602.2.A.(10)).

\*The revised plan appears to indicate Lot 1 is not served with a septic system.

**Water Service**

The water supply location for Lot 1 should be noted on the plan as prescribed in the Decatur Township Subdivision and Land Development Ordinance (Part 6 ss 22-602.2.A.(10)). 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.

\*It appears based on the revised plans there is no water serving lot 1.

**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."

\*The revised plan note 1. includes a lot addition statement.

**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 Decatur Township Subdivision and Land Development Ordinance, (Part 6 ss 22-602.2.A.(10)).

The GIS files show 2 unnamed tributaries on Lot 1. These natural features should be shown on the plan in accordance with the Decatur Township Subdivision and Land Development ordinance (Part 6 ss 22-602.2.A.(9)).

\*The revised plans depict the two unnamed tributaries.

**Land Development**

The driveway location to access lots 2 and 3 should be depicted on the plan.

\*The revised plans show the driveway location for lot 2.

The last note states the house and barn are on lot 2 yet they currently are on lot 3. This should be corrected.

\*The revised plan note 4. states the house and barn are on lot 3.

The plan shows a "Z" connection involving lot 1. Since this took place previously, does this symbol need to be on the plan, so as not to confuse the current lot addition?

The revised plans do not show the "Z" lot consolidation symbol for lot 1.

**Other Comments:**

\*A question was raised as to who lives in the existing house.

**Derry Township (Municipal Ordinance)**

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

File Number: 2019-04-003

Tax Map #: 16-13-124; 16-13-0121

Municipality: Derry Township

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

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

Plan Preparer: Ralph M. Griffin, PE, PLS

**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.

\*One asterisk represents comments based on a telephone conversation on Thursday, April 18, 2019 with Ralph Griffin and his representative.

**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 28, 2015.

The subdivision application form should be signed by the municipality.

**Basic Plan Information**

Based on County Assessment and GIS files, tax parcel 16,13-0102-000 is currently owned by Dennis Trinity Smith and not Donald D. and Kathleen F. Gage.

\*The Ralph Griffin representative stated he intends to correct this information.

#### **Subdivision Information**

It appears there are no metes and bounds along the perimeter of the Crossover Drive boundary for the Hafer parcel. However, there is reference that bearings and distances for the Hafer parcel as referred in DB 2012 Pg 2855. This information needs to be included in accordance with the Derry Township Subdivision and Land Development Ordinance (Section 186-17 (6) and (8)).

\*Mr. Haffer's representative stated he does not intend to survey this area and may need to ask for a waiver from the Township.

#### **Clean & Green / Agriculture**

As noted in Note 2, both 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**

Although there is a plan note stating the approximate limit of Zone AE (100-year flood zone), the 100-year floodplain boundary is not clearly shown for Lot 1 and the Hafer parcel.

The plan should note if there are any mapped wetlands in accordance with the Derry Township Subdivision and Land Development Ordinance (Article IV, ss 186-16.B.(9)).

\*Mr. Haffer's representative indicated he intends to show this on revised plans.

#### **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, ss 186-16.B.(7)).

\*Mr. Haffer's representative indicated he may request a waiver from the Township regarding this provision.

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 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 hydric soils. 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 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.

#### **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**

Is the existing lane used to access the Hafer parcel shared with any surrounding landowners? If so, a shared driveway agreement should be established. What is the cartway width of the existing Lane?

\*Mr. Griffin's representative indicated the Lane is used only 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, ss 186-16.B.(12)).

\*Mr. Griffiin's representative indicated there is a 30 foot rail road right-of-way easement and he will note that on the revised plans.

#### **DEP Sewage Planning Module**

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

\*Mr. Griffin's representative indicated he will prepare this form, get it signed and submitted to our office.

**Sewage Service**

As noted in the residual tract waiver, Lot 2 is not 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.

\*Mr. Griffin's representative indicated no water source exists for the residual and it is used solely for hunting and timbering purposes.

**Lot Addition**

It is acknowledged that Note 1 contains a lot addition statement. However, the total acreage after the lot addition must be noted on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Article IV, ss 186-16.B.(14)).

\*Mr. Griffin's representative indicated he will provide the total acreage on the revised plan.

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

\*Mr. Griffin's 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 in accordance with the Derry Township Subdivision and Land Development Ordinance, (Article IV ss 186-16.B.(10)).

\*Mr. Griffin's representative indicated all are shown.

**Newton Hamilton Borough (County Ordinance)**

Name of Plan: Feagley, Liza  
File Number: 2019-04-002  
Tax Map #: 11-01-0098; 11-01-0098A  
Municipality: Newton Hamilton Borough  
Applicant Name: Feagley, Liza  
Land Owner Name: Feagley, Liza  
Plan Preparer: Sarge Engineering and Surveying

**Plan Summary:**

The purpose of this plan is to consolidate two adjoining lots owned by Liza Feagley. Lot 1, Tax Parcel 11,01-0098, will be joined with Lot 2, Tax Parcel 11,01-0098A. The new combined parcel will contain 0.171 acres.

\*One asterisk represents comments based on revised plans dated April 17, 2019 and comments generated at the April 18, 2019 Subdivision and Land Development Review Committee meeting.

**Administrative**

The subdivision application form should be signed by the municipality.

**Floodplain / Wetlands**

According to Note 3 and County GIS files there are no mapped wetlands on either parcel.

According to County GIS information, and as depicted on the plan in note 4, a portion of Lot 1 and 2 are within the 100 year floodplain.

**Soils**

According to the County GIS files, some portions of both properties appear 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.

**Setback Lines**

As noted in Note 6 and as depicted on the plan, the existing house and garage are existing non-conforming structures since they are within the building setback.

**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.

\*The revised plans in note 7. has the PennDOT statement on the plan.

**Private Street / Shared Driveway**

The plan should show how the property is accessed from the public road system. It appears an unnamed drive from Wayne Street may be used to access the garage. Any existing driveways should be shown in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302A.20).

\*The revised plans show the unnamed drive from Wayne Street.

**Deed Restrictions and Easements**

According to the surveyor, 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.

**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.)

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.)

**Public Comment**

None

**Other Business or Comments**

Nick Felice will speak on economic development at the May meeting and Tom Zurat from PennDOT will speak at the June meeting.

**Adjournment**

Upon no further discussion, the meeting adjourned at 4:11 p.m.