

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
FEBRUARY 27, 2020
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

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

Other

Robert Postal, Commissioner
Mark Sunderland, Commissioner
Kevin Kodish, Commissioner
Lucas Lenze, The Sentinel
Lucas Parkes, The EADS Group

Staff

Mark Colussy, Director
Tiffany Brought, Clerk

Call to Order

Cyle Vogt, Vice Chair, called the meeting to order at 3:30 p.m.

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

Record of Public Attendance

Cyle Vogt reminded everyone to sign the attendance sheet.

Approval of Meeting Minutes

Jim Spendiff made a motion to approve the minutes from the January meeting. The motion was seconded by Kay Semler. All members voted aye.

Subdivision and Land Development Review Committee Report

Four plans were submitted to the committee for review, all four were under Municipal Ordinance. The plans included AJM Real Estate Holdings, LLC (*Brown Township*), The Estate of Joyce M. Vogt (*Granville Township*), Kanagy, James D. & Sharlene G. (*Menno Township*), and Yoder Pallet Shop, LLC (*Armagh Township*).

The Valley Rural Wayne Township Substation Plan was tabled from the January 24, 2020 meeting. At the time Bill Gomes indicated that more information was needed before the plan could be reviewed. Valley Rural Electric Cooperative is proposing to construct a new electrical substation adjacent to the existing substation located in Wayne Township, Mifflin County, PA. The substation will consist of chain-link fencing, gravel surface and electrical equipment. Access to the site will be from the existing access easement off of Ferguson Valley Road. Stormwater management for the new improvements will be achieved with construction of an infiltration basin. The infiltration basin will collect runoff from the gravel substation and will infiltrate and detain the additional storm runoff from the site.

There were two waiver requests submitted. One for providing property boundary information of the parent parcel and the other for placement of a chain link fence, access gate and electrical equipment within the rear yard setbacks.

Cyle entertained a motion to accept the waivers for the Wayne Township Substation. A motion was made by Dan Dunmire and Jim Spendiff seconded the motion. All members voted aye.

Cyle made the motion to conditionally accept the Wayne Township Substation plan. A motion was made by Dan Dunmire and Jim Spendiff seconded the motion. All members voted aye.

Cyle then entertained a motion to accept the 4 plans under the Municipal Ordinance. A motion was made by Neal Shawver and Dan Dunmire seconded the motion. All members voted aye, excepting Cyle Vogt, who abstained due to the Joyce Vogt plan being a possible conflict of interest due to a familial relationship.

Brown Township (*Municipal Ordinance*)

Name of Plan: AJM Real Estate Holdings, LLC

File Number: 2020-02-002

Tax Map #: 14-08-0115; 14-08-01150; 14-08-0115R

Municipality: Brown Township

Applicant Name: AJM Real Estate Holdings, LLC

Land Owner Name: AJM Real Estate Holdings, LLC

Plan Preparer: PennTerra Engineering, Inc.

Plan Summary:

The purpose of this plan is to subdivide tax parcel 14-08-0115-000 into two residential lots with access, consolidate tax parcel 14-08-0115R-000 with the residual of tax parcel 14-08-0115-000, and to subdivide a lot from tax parcel 14-08-0115-000 to consolidate said lot with tax parcel 14-08-01150-000.

Basic Plan Information

This parcel was reviewed by the Mifflin County Planning and Development Department on June 25, 2009 and March 25, 2010. The plan involved a 557 unit traditional neighborhood development master plan, consisting of mixed uses including single-family and multi-family residential and commercial mixed uses. It was formerly named Quillas Creek.

Tax Parcel 14-01-0100-000 is listed as an abutter, however, County GIS files shows this parcel north of State Route 655 which does not abut the subject parcel. Why is this tax parcel shown in this area on the plan as a black dot?

Floodplain / Wetlands

Based on county GIS files and as mapped on Sheet #1 and #2 of the plan, the southern portion of this property is within the 100 year floodplain. It is acknowledged that two wetlands are mapped on the plan, however, County GIS Files does not show any designated wetlands.

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 this site and any future development in these areas should be discouraged.

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.

According to the County GIS files, some portion of this property appears to have hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils information is listed on Sheet #1 of the plan.

Right-of-Way Widths

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

Cartway Widths

Timber Lane should be labeled on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance (Article 7 Section 7.202 A. 11.).

The cartway widths for State Route 655, and Timber Shelly Drives should be shown on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.202 A.11).

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. There appears to be a farm lane from SR 655 connecting to the John and Arlene Yoder subdivision, Tax Parcel 14,08-115W-000. Was a PennDOT Highway Occupancy Permit (HOP) obtained for this plan? If so, can the permit number be affixed to the plan?

Private Street / Shared Driveway

Is the farm lane that traverses Tax Parcel 14,08-0015 and 14,08-0115W a shared lane/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."

Deed Restrictions and Easements

Are all deed restrictions and easements depicted on the plan? If not, any others not listed should be shown on the plan, in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.202 A.18)

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided to the Brown Township Planning Commission and the Mifflin County Planning and Development Department.

Lot Addition

A lot addition statement should be noted on the plan stating the following on the plan in accordance with the Brown Township Subdivision and Land Development Ordinance, (Article 7 Section 7.302 A.25).

"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 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).

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 7.302 A. 23.).

Land Development

All future contemplated development that meets the definition of land development as defined in the Brown Township Subdivision and Land Development Ordinance, (Article 2 Section 2.200) will require the filing of a land development plan.

Granville Township (Municipal Ordinance)

Name of Plan: The Estate of Joyce M Vogt et.al.

File Number: 2020-02-004

Tax Map #: 17-04-0105; 17-04-0104

Municipality: Granville Township

Applicant Name: Vogt, Louis O., Jr.

Land Owner Name: Vogt, Louis O., Jr.

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 and Lot Addition A. Lot 2 is for existing agricultural and silvicultural use. Lot Addition A is to be added onto Lot A and become an integral part thereof. The residual tract, Lot 1, is vacant farmland. No new development is being proposed by this plan.

Basic Plan Information

Instrument Number: 2019-002700 is the deed for tax parcels 17,10-0100-000 and 17,04-0105-000. Tax Parcel 17,04-0105-000 is described in the deed as five separate tracts. This subdivision proposes to subdivide Tract 4 into Lot 2 containing 29.559 acres, leaving a residue of 44.187 acres. It also proposes a 0.079 acre lot addition from the residue to Lot A that contains 0.50 acres totaling 0.579 acres.

Clean & Green / Agriculture

As noted in Note #4, 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

As noted in Note #6 and based on County GIS files, no wetlands or floodplains are located on the subject parcel.

Soils

If on-lot sewage is proposed for any part of this subdivision, soils information should be mapped by the U.S. Soil Conservation Service or by another competent qualified soil scientist in accordance with the Granville Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.8.).

According to the County GIS files and noted on Note #5, some portion of Lot 2 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

The existing house on Lot A is within the setbacks. The house can be considered an existing non-conforming structure.

Right-of-Way Widths

Based upon the Granville Township Subdivision and Land Development Ordinance,(Table 1) the right-of-way width of Graystone Lane is substandard.

Cartway Widths

Based upon the Granville Township Subdivision and Land Development Ordinance, (Table 1) the cartway width of Grayson Lane is substandard.

PennDOT HOP / Municipal Driveway Permit

As noted in Note #7, any access to a state right-of-way requires an PennDOT Highway Occupancy Permit (HOP).

Private Street / Shared Driveway

Is Graystone 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 the Granville Township Subdivision and Land Development Ordinance. (Article 6 Section 6.302 b.7).

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided to the Granville Township Planning Commission and the Mifflin County Planning and Development Department.

Sewage Service

Is the house on Lot A served by an on lot septic system? If so, its location should be shown on the plan in accordance with the Granville Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.10.).

Water Service

The water supply location, if any for the house on Lot A, should be noted on the plan as prescribed in the Granville Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 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.

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

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 6.202 a.10.).

Zoning

If Lot A is served with no public facilities, two acres is the minimum lot size. If it is served with public water, but no public sewer, the minimum lot size is .75 acres, in accordance with the Township's Zoning Ordinance, (Article 4 Section 4.402 a.1.).

It appears there are no public utilities serving this site. If so, a dimensional variance may be required. This determination should be made by the Township's Zoning Officer.

Menno Township (Municipal Ordinance)

Name of Plan: Kanagy, James D. & Sharlene G.

File Number: 2020-02-002

Tax Map #: 18-08-0124B; 18-08-0124BB

Municipality: Menno Township (Municipal Ordinance)

Applicant Name: Kanagy, James D. & Sharlene G.

Land Owner Name: Kanagy, James D. & Sharlene G.

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 and Lot Addition A1 & A2. Lot 2 is for a proposed single-family residence to be served by on-lot sewage disposal and private well. Lot Additions A1 & A2 are to be added onto Lot A and become integral part thereof. The residual tract, Lot 1, has an existing residence with no new development proposed.

Administrative

The Mifflin County Planning Commission reviewed a plan for the subdivision of one lot from tax parcel 18,08-0124B on May 23, 2013 and in June 1999.

Floodplain / Wetlands

Based on county GIS files and Note #4, there are no floodplains or wetlands associated with tax parcel 18,08-0124B-000.

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 the majority of this property that includes Lot 2, Lot Addition A-1 and Lot Addition A-2 and development in these areas should be discouraged.

Right-of-Way Widths

The plan shows a proposed 50 foot right-of-way from the Byler property, tax parcel 18,08-0124BB to Lot 2. What assurance does the Township have that this will be constructed?

Based upon the Menno Township Subdivision and Land Development Ordinance (Table 1), the right-of-way width of (Township Road 451) Back Mountain Road and Log Hollow are substandard.

Based on the Menno Township Subdivision and Land Development Ordinance (Article 3 Section 3.207) all lots shall front on a public street, except that such frontage may be located on a private street where such as private street is permitted as set forth in Table 1 and Section 3.204 f. This proposal does not meet this provision and a waiver from the Township Supervisors may be required.

Based upon the Menno Township Subdivision and Land Development Ordinance (Table 1), the right-of-way width of (Township Road 451) Back Mountain Road and Log Hollow are substandard.

Cartway Widths

Based upon the Menno Township Subdivision and Land Development Ordinance (Table 1), the cartway width of (Township Road 451), Back Mountain Road and Log Hollow are substandard.

Private Street / Shared Driveway

It appears the proposed 50 foot right-of-way and Log Hollow Lane are used by more than one property. Does the deed 576-1709 contain a shared driveway agreement? 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."

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Menno Township Subdivision and Land Development Ordinance. (Article 6 Section 6.302 a.7.).

DEP Sewage Planning Module

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Menno Township Supervisors and the Mifflin County Planning and Development Department.

Features

Are all natural features shown? It appears there is unnamed tributary that traverses the parcel. 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 Menno Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.9.).

It appears there is an unnamed tributary that traverses the James and Sharlene Kanagy property tax parcel 18,08-0124B that should be shown on the plan.

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 Menno Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.10.).

It appears based on recent aerial mapping, after 2017, there is a single-family structure located on tax parcel 18,08-0124B that is not shown on the plan and should.

Armagh Township (*Municipal Ordinance*)

Name of Plan: Yoder Pallet Shop, LLC

File Number: 2020-02-001

Tax Map #: 12-04-114AA

Municipality: Armagh Township (Municipal Ordinance)

Applicant Name: Yoder, Steven M.

Land Owner Name: Yoder, Steven M.

Plan Preparer: Thomas H. Metz Engineering, Inc.

Plan Summary:

Steven M. Yoder, Jr. of Yoder Pallet is proposing to construct a new lumber storage building on the current site of Yoder Pallet in Armagh Township, Mifflin County, Pennsylvania. The proposed structure (40'x45') is to be erected near the setback limits on the North-Central corner of Tax Parcel 12-04-0114AA-,000 as indicated on Mifflin County parcel viewing map. All disturbance for the proposed structures will be solely located on the proposed lot. All boundaries and features are approximately shown on this plan as taken from referenced subdivision plan. No utilities are necessary for the proposed structure.

Subdivision Information

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. It is acknowledged that the boundary and improvement survey shown was taken from the "Subdivision Plan of Steven and Anna Yoder" prepared by William Wright, PLS, Wright Surveying on June 19, 2017.

The L4 metes and bounds are not shown on the plan and should. Based on County GIS files and the boundary survey on the plan, it appears the pallets and/or building materials may possibly infringe onto the adjacent property of Emanuel L. and Frieda L. Yoder tax parcel 12 ,04-0114AB-000. Can you please verify this possibility? It would be helpful if there was an insert map showing the location of the project in relation to the surrounding

area.

Floodplain / Wetlands

Based on County GIS files and Note #5, the site is not situated in the 100 year floodplain or a 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.

Right-of-Way Widths

Based upon the Armagh Township Subdivision and Land Development Ordinance, (Article 3 Table 1) the right-of-way width of Salem Road, (Township Road 469) is substandard.

Cartway Widths

Based upon the Armagh Township Subdivision and Land Development Ordinance, (Article 3 Table 1) the cartway width of Salem Road, (Township Road 469) is substandard.

Deed Restrictions and Easements

According to the engineer, as noted in Note #9, there are no known deed restrictions or easements associated with the property.

DEP Sewage Planning Module

The plan shows a privy on site, however, are there plans for an on lot septic system? If so, a Component 2 PADEP Planning Module will be required. There may be a requirement from the PA Department of Labor and Industry, that in order to receive a certificate of occupancy for the new structure, an adequate on site sewer system may be required.

Sewage Service

This Land Development plan shall be served with an adequate sewage system. Said systems shall be either an on-lot, publically owned or private central systems, in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 3 Section 3.213 a.).

Water Service

This Land Development plan shall be served with an adequate water system. Said systems shall be either an onlot, publically owned or private central systems, in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 3 Section 3.213 a.).

Does the pallet shop use water? If so, where is the water source for the property? This should be depicted on the plan, in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.10).

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

Land Development

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

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

Is this pallet business a retail operation that allows the public to purchase pallets? If so, does the project meet the parking lot provisions for this use? It is acknowledged that 9 parking spaces are provided, however, these areas should be depicted on the plan.

A traffic circulation diagram should be included with this plan submission to verify adequate site circulation.

E & S / Stormwater

If the area of disturbance is 5,000 square feet and less than one acre an Erosion and Sediment Control Plan is required.

Stormwater drainage provisions should be included with the plan submission. The stormwater plan should be reviewed by the Armagh Township Engineer.

Public Comment

None

Other Business or Comments

Jim Lettiere told the Planning Committee that he accepted the position of Planning Director in Huntingdon County and that this last day would be March 6, 2019.

Mark Colussy held an open discussion with Planning Commission Members to see where they think the committee can go moving forward. Mark presented the group with a handout "Visions for the 21st Century" from the Mifflin County Comprehensive Plan 2014.

Next Month

The next meeting will be held March 26, 2020.

Adjournment

Upon no further discussion, Cyle Vogt, adjourned the meeting at 4:43 p.m.