

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**MARCH 26, 2020**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

Members

Dan Dunmire  
Tom Lake  
Kay Semler  
Neal Shawver  
Jim Spendiff  
Kent Spicher  
Cyle Vogt

Other

Robert Postal, Commissioner  
Lucas Lenze, The Sentinel

Staff

Mark Colussy, Director  
Chastity Fultz, Community Development  
Administrator

**Call to Order**

Tom Lake, Chair, called the meeting to order at 3:32 p.m via teleconference.

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**

Chastity Fultz recorded public attendance because the meeting was held via teleconference.

**Approval of Meeting Minutes**

Mark Colussy noted that there was one minor edit to the minutes and this edit was sent prior to the meeting. It was noted that Cyle Vogt abstained from voting on the Joyce Vogt plan due to it being a possible conflict of interest due to a familial relationship. Kay Semler made a motion to approve the minutes from the February meeting with the noted revision. The motion was seconded by Jim Spendiff. All members voted aye.

**Subdivision and Land Development Review Committee Report**

Eleven plans were submitted to the committee for review, ten were under Municipal Ordinance and one was under County Ordinance. There were five land development plans. The plans under Municipal Ordinance included Farmers Choice Tire (*Armagh Township*); Douglas M. & Terry L. Koch (*Armagh Township*); Samuel C. & Barbara S. Yoder (*Brown Township*); David S. Hostetler (*Derry Township*); Dollar General Subdivision (*Derry Township*); Dollar General Land Development (*Derry Township*); Fur and Fowl Barn, LLC (*Oliver Township*); David W. & Sara A. Yoder and Marlin J. Yoder (*Oliver Township*); Frank W. & Kathy E. Phoenix (*Oliver Township*); and Amos D. Peachey (*Union Township*). The plan under county Ordinance included the Ellen G. Boozel Plan (*Wayne Township*).

Mark Colussy reviewed three plans in further detail. The first plan he reviewed was the Samuel and Barbara Yoder in Brown Township. This plan proposes to create Lots 2, 3, 4, 5, 6, 7, 8, and Lot Addition A. Lots 2, 3, 4,

5, 6 and 7 are each for a proposed single-family residence to be served by on-lot sewage disposal and private well. Lot 8 has an existing residence served by on-lot sewage. Lot Addition A is to be added onto Lot A and become an integral part thereof. The residual tract, Lot 1, is vacant farmland with no new development proposed. Due to high nitrates in this area, the sewage enforcement officer, Dan Page, required a Component 2 form, which requires a hydro study. This necessitated a minimum lot size of 1.85 acres to allow on-lot sewage to occur as normal. Mark also noted because of the abundance of lot development, all lots would exceed one acre of earth disturbance, which requires an NPDES permit. A comment on the E & S plan is noted that a letter from the Conservation District would be helpful and as well as notifying the township. Kay Semler assumes the construction would not occur at the same time on all houses proposed. Dan Dunmire raised the most concern regarding this at the Subdivision Review Committee meeting. He showed a copy of the subdivision plan to Floyd Ciccolini at the Conservation District. Floyd never saw the actual plan, he only had a conversation with Bill Wright, the surveyor. Floyd contacted DEP who stated the original landowner is not responsible for land improvements and does not need an NPDES permit. It is the responsibility of each individual lot owner. Floyd will send a letter to Brown Township advising them of this finding. Further discussion evolved around a proposed 50' right-of-way. Cyle Vogt asked if this was in the deed because there could be a possibility of two lots becoming landlocked. Mark noted that this particular lane is to be shared and a shared maintenance agreement is noted. He also added that the lane already exists and the right-of-way is proposed. The residual, proposed Lots A, 7 and 8 all have access to the existing lane. Once the lots are sold and deeded, a right-of-way will be needed and should be referenced. Cyle also raised concerns if the buyers will know about an NPDES permit and the one acre of disturbance. Dan said this should be known upfront.

Mark then reviewed the Dollar General Land Development plan in Derry Township. PTV 1040, LLC is proposing to construct a 9,100 square foot retail building. The project will include construction of bituminous parking areas and driveway with stormwater management facilities and other site features. Also, as a part of this project, a minor subdivision of parcel 16-09-01051C,000 is being proposed. Mark noted that the developer of this project has requested five variances. The property has been rezoned. The engineer did attend the Subdivision Review Committee meeting. Mark sees a few issues with this plan; the first of which includes proposing total ingress and egress to the store via US Highway 522, which requires an HOP. The engineer has already contacted PennDOT to potentially acquire an HOP. Mark also added that the Derry Township Zoning Ordinance is pretty robust and particular and should be useful in the issues he noted. This property directly abuts Maplewood Avenue and he questions whether this entry has been considered. The engineer stated it was not considered because Dollar General always wants access via the main roadway. The zoning requires access via the street of lesser classification when there is more than one street classification involved; thus access should be via Maplewood Avenue. Mark is concerned with potential congestion and traffic conflicts. He also added that at the Snappy's/Taco Bell in Granville Township, a right in/right out off of the main road was required. Other access was via the nearby traffic light. This was also true with the Auto Zone in Granville Township. PennDOT may not allow left turns to and from the site via US Highway 522. The Derry Township Planning Commission will discuss this plan on April 2<sup>nd</sup> via remote call-in.

Mark also noted that the engineer requested two waivers regarding stormwater. In order to allow onsite detention, there has to be a certain amount of soil types to allow for in-ground absorption. However, upon engineering review, the soil types on the parcel do not allow for proper draining of the site. On-lot detention and infiltration cannot occur. The engineer is proposing an underground system under the parking lot to detain the water temporarily and a valve will allow the water to go out and dump into an existing wetland. This is a contract to the Derry Township ordinance. The engineer did not know how to rebut this comment. Mark suggests that the Township Engineer take a hard look at this item.

Neal Shawver agrees that all points are valid and are typical traffic safety concerns and low lying area runoff related issues. Cyle Vogt asked if stormwater would run off the hill into that particular wetland, to which Mark responded yes. The engineer had stated that they believe they are dealing with a known condition in

regards to stormwater runoff. Dan Dunmire added that while everything may be legitimate, if they are going to contact DEP, questions relating to direct discharge to a wetland may occur. An underground retention system is one way to mitigate the temperature of runoff water. Tom Lake lives in Rolling Hills, across the road from the proposed development, and has been fighting this store. He also agrees with the issues Mark raised.

The last plan Mark reviewed was the Ellen Boozel plan in Wayne Township under County Ordinance. This plan proposes to create Lot Addition A to be taken from Lot 1 and added onto Lot A to become an integral part thereof. All properties are owned by Ellen G. Boozel. Lot 1 was created in 1977 and has been a stand-alone lot owned by Ellen Boozel since then. The residual parcel of Lot 1 has had soils testing completed to ensure that this lot will still qualify for an on-lot system. Lot A was first created in 1969 as an 85' by 200' lot as depicted on the plan around the existing house. Lot A, as shown, was approved as a lot addition in 1997 and recorded in Map Book 16-68. A lot consolidation deed was never recorded. After this plan approval, Lot A will get a new lot consolidation deed comprised of Deed Books 186-252, 452-1405, and Lot Addition A has an existing residence served by on-lot sewage disposal and a private well. No new lots are being created by this plan.

Mark noted there have been many changes from the original plan to the revised plan being considered now. The plan was originally submitted as a lot addition; however, upon further review, it was determined that it is more of a lot consolidation and a lot addition. Ms. Boozel currently owns three properties, but wants to consolidate them into two. The Swage Enforcement Officer will require sewage testing on the lot that is shrinking. The landowner has always proposed the possibility of future development on one of the lots, this plan is just a reconfiguration. Access to the property is via an existing private drive that currently does not meet standards. A note on the plan mentions that future planning is required if any future development occurs. Mark wants to be clear that there is ability to build a house on the lot in the future, which puts additional traffic on a substandard drive.

Neal Shawver questioned what prevents building on Lot 1 and wanted to know what would trigger the submission of a land development plan. Mark stated that any building requires a sewage permit. The Sewage Enforcement Officer should flag the project at this time. This is in the hands of Wayne Township and they should not issue a building permit until a land development plan is submitted. The plan could be approved or denied based on the substandard cartway. Mark does not want to set a precedent by approving a plan with a substandard cartway width. Dan Dunmire added that the issue is the existing 14' cartway and County Ordinance requires a 16' cartway width. Mark could strengthen the comment regarding cartway to include the existing cartway width and the ordinance to include dimensions. Consensus of the commission agreed that this needs to be spelled out in the comments.

Tom Lake entertained a motion to conditionally accept the Ellen Boozel plan in Wayne Township under County Ordinance with the modification of the comment regarding cartway. A motion was made by Dan Dunmire and Jim Spendiff seconded the motion. All members voted aye. Tom then entertained a motion to accept the comments of the remaining 10 plans under municipal Ordinance. Dan Dunmire made the motion, which was seconded by Neal Shawver. All members voted aye.

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

Name of Plan: Farmer's Choice Tire

File Number: 2020-03-008

Tax Map #: 12-06-001

Municipality: Armagh Township

Applicant Name: Farmer's Choice Tire Service, LLC Kenneth Resinger

Land Owner Name: Farmer's Choice Tire Service, LLC Kenneth Resinger

Plan Preparer: The EADS Group, Inc.-Lucas Parkes

**Plan Summary:**

Famer's Choice Tire Services is planning to construct a warehouse for his business. The proposed project will include the construction of a 9,000 SF pole building and associated site improvements.

**Start Notes**

The following Plan Review comments have been revised based upon the Plan Review Committee meeting on March 19, 2020. Edits to the comments will be shown with an \*asterisk.

**Basic Plan Information**

The registered Engineer responsible for the plan should sign the plan, along with the registered professional's seal.

**Topographic information**

Though existing topographical contours at vertical intervals should be displayed on the plan, the proposed contours need to be shown on Sheet C-1. (Armagh Township Subdivision and Land Development Ordinance, Section 6.202.a.7 and 6.302.a.11).

**Soils**

Though an Agricultural Land Use is not feasible on the site, it should be noted that, 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.

Soils information should be shown on the plan. (Armagh Township Subdivision Ordinance, Section 6.207.a.8)

**Setback Lines**

The setback lines are shown on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Section 3.207.a, Table 2).

**Right-of-Way Widths**

The plan does not show any clear way as to the intended access to the site. Considering the details shown on the plan related to the abutting properties, it is not clear if the access will be via a new right-of way across an abutter or directly via Royal Street.

\*According to the project engineer, access to the site will be via an existing ROW. This ROW must be shown on the plan (Please reference Armagh Township SALDO, Section 6.207.a.13).

**Private Street / Shared Driveway**

Due to the lack of information regarding access to the site, it is unclear if a shared driveway and maintenance agreement is needed. Far too little site details are provided.

\*Since access has been confirmed to be via a ROW, the plan should include a private drive agreement outlining maintenance responsibilities, regardless if each property is owned by the same landowner to assure access into perpetuity.

**Street Names**

The Township road number associated with Royal Street should be labeled on the plan.

**DEP Sewage Planning Module**

Considering no sewage source is proposed, a DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided. Also, a non-building declaration should be placed on the plan.

**Features**

All significant man-made features, including water and sewer lines, petroleum lines, electric pole, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc.. Should be shown on the plan. (Armagh Township Subdivision and Land Development Ordinance, Section 6.202.a.10).

**Zoning**

The plan states in the site data on the cover sheet that the property is in a the General commercial Zoning District. Our records do not show that Armagh Township has an adopted Zoning Ordinance.

**Land Development**

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

Parking provisions should be indicated on the plan, including if an ADA accessible parking space is required. The Township should note that Section 3.209 of the SALDO only defines off-street parking requirements for

residential land developments and not non-residential, and may want to consider updating the ordinance. A traffic circulation diagram should be included with this plan submission to verify adequate site circulation. There are zero plan details provided outlining any proposed improvements, E&S controls, or stormwater provisions.

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

If this plan propose over 5,000 square feet of earth disturbance, this proposal may require Erosion and Sedimentation (E & S) provisions included with the plan submission. The applicant should contact the Mifflin County Conservation District.

\*According to the plan engineer, since most of the site has already been disturbed and the only thing being proposed at this time is the building, less than 5,000 sq.ft. will be disturbed and not require an E&S plan. It is highly recommended that additional details outlining the full intent of the plan versus existing features that will be undisturbed and/or utilized should be part of a more elaborate plan narrative.

Since underground stormwater facilities are called-out on the plan, stormwater drainage provisions should be included with the plan submission. The stormwater plan should be reviewed by the Armagh Township alternate Engineer, since the regular Engineer is the proposer.

#### **Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Armagh Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

#### **Other Comments:**

This plan does not appear to developed enough to submit. All ordinance provisions should be met and QA/OC conducted prior to submission.

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

Name of Plan: Koch, Douglas M. & Terry L.

File Number: 12-06-0645

Tax Map #: 2020-03-009

Municipality: Armagh Township

Applicant Name: Koch, Douglas M. & Terry L.

Land Owner Name: Koch, Douglas M. & Terry L.

Plan Preparer: The EADS Group, Inc.-Lucas Parkes

#### **Plan Summary:**

Douglas M. & Terry L. Koch are planning to construct a warehouse addition. The proposed project will include the construction of a 2,400 SF warehouse addition and associated site improvements.

#### **Start Notes**

The following Plan Review comments have been revised based upon the Plan Review Committee meeting on March 19, 2020. Edits to the comments will be shown with an \*asterisk.

#### **Soils**

Soils information should be shown on the plan. (Armagh Township Subdivision Ordinance, Section 6.202.a.8)

#### **Setback Lines**

The setback lines are shown on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Section 3.207.a, Table 2).

#### **Street Names**

The Township route numbers should be labeled on the plan for Duke and Royal Streets.

#### **Deed Restrictions and Easements**

According to the plan application, there are no known deed restrictions or easements associated with the property.

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

since the project is to utilize public sewer, a DEP Component 3, or Exemption from Sewage Planning (Mailer), may need to be provided. Since it appears a new connection to the public sewage system is being proposed at

this time.

### **Sewage Service**

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

\*According to the project engineer, the applicant is requesting that a tap fee is not to be paid since service will only be transferred from another building on the site and no additional EDUs will be required.

### **Water Service**

A letter from MABL, municipal water authority, acknowledging availability of public water should be submitted to the Township Supervisors.

### **Land Development**

The plan shows some features not listed in the legend, which will need updated.

Parking spaces have been outlined on the plan.

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

Provisions for Street Lighting may be required and should be included with the plan submission. The applicant should contact the Township directly for more information.

\*According to the project engineer, the property is not accessible by the public or individual customers, therefore lighted spaces will not be needed, though building-mounted lights may be provided. If building mounted lights are provided, it is recommended to provide a detail and/or notes outlining the proposed features.

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

This proposed may require Erosion and Sedimentation (E & S) provisions included with the plan submission, should be submitted to the Mifflin County Conservation District.

\*According to the project engineer, the site disturbance is less than 5,000 sq. ft. and will not require an E&S plan. It is recommended that all site improvements either needed or not needed based on the design be provided in a more detailed plan narrative.

Stormwater drainage provisions should be included with the plan submission. The stormwater plan should be reviewed by the Armagh Township Alternate Engineer, since the current engineer is the proposer.

\*According to the project engineer, the downspouts from the roof will be directed to the storage area already on the site. Additional details may need to be provided to show the capacity for additional volume.

### **Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Armagh Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

### **Other Comments:**

1. Several provisions of the existing Subdivision and Land Development Ordinance reference Residential Land Development requirements, but are silent on Non-Residential specific requirements. The Township is urged to consider updating the ordinance, especially considering the volume of Non-Residential Land Developments recently submitted or in the works.
2. The plan shows an area immediately to the North of the proposed building addition that appears to conflict with existing site details and conditions. Since six truck spaces are outlined along Royal Street, it would be helpful to understand what this area is intended for since it is not labeled.

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

Name of Plan: Yoder, Samuel C. & Barbara S.

File Number: 2020-03-002

Tax Map #: 14-06-0118A; 14-06-0118AA

Municipality: Brown Township

Applicant Name: Yoder, Samuel C. & Barbara S.

Land Owner Name: Yoder, Samuel C. & Barbara S.

Plan Preparer: Wright Land Surveying

### **Plan Summary:**

This plan proposes to create Lots 2, 3, 4, 5, 6, 7, 8, and Lot Addition A. Lots 2,3,4,5,6 and 7 are each for a proposed single-family residence to be served by on-lot sewage disposal and private well. Lot 8 has an existing residence served by on-lot sewage. Lot Addition A is to be

added onto Lot A and become an integral part thereof. The residual tract, Lot 1, is vacant farmland with no new development proposed.

**Start Notes**

Plan Comments have been revised based upon the Plan Review Committee meeting on March 19, 2020.

**Basic Plan Information**

The name of the registered surveyor responsible for the plan should, include a signature with the registered professional's seal, along with a statement of accuracy.

**Clean & Green / Agriculture**

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.

**Topographic information**

Topographical contours at vertical intervals should be displayed on the plan (Brown Township Subdivision and Land Development Ordinance). Verify intervals, as the plan only provides 20 feet.

**Setback Lines**

The setback lines are shown on the plan as prescribed in the Brown Township Subdivision and Land Development Ordinance.

**PennDOT HOP / Municipal Driveway Permit**

A municipal driveway permit is required, and a copy should be provided to the Brown Planning Commission.

**Private Street / Shared Driveway**

The plan lists a driveway maintenance statement on the plan. The future deed preparer should include this information with the deeds for Lots 1, 7 and 8.

**Street Names**

If multiple parties are to use a private drive, the roadway will need to be named. Street names are to be coordinated with the County GIS (Mapping) Department. There is a fee associated with the street naming.

**Deed Restrictions and Easements**

According to the surveyor, via the plan application, there are no known deed restrictions or easements associated with the property.

**DEP Sewage Planning Module**

A copy of the DEP Component 2 Sewage Facilities Planning Module should be submitted to the Mifflin County Planning Commission. According to the surveyor, a Component 1 cannot be submitted because a Hydro Study was required, necessitating a minimum lot size of 1.85 acres.

**Lot Addition**

Considering there is a lot addition proposed, there should typically be an Owners Statement of Intent from both landowner, but since the same landowner owns both parcels involved, there should be clear note as such on the plan. This could possibly be clarified as "the other lands owned by Samuel & Barbara Yoder" in the narrative. A lot addition statement is noted on the plan.

**Zoning**

Zoning information is stated on the plan in Plan Note 3.

**E & S / Stormwater**

Erosion and Sedimentation (E & S) provisions are included with the plan submission. The applicant should coordinate with the Mifflin County Conservation District again to verify that an NPDES permit will not be required for this submission since the total earth disturbance once all lots are developed will easily exceed one acre. According to the Surveyor, the Conservation District was already contacted. It is suggested that some sort of a letter from the Conservation District be provided to the Township to highlight why an NPDES permit is not needed in this situation if it is indeed not required.

**Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Brown Township Supervisors, the signed plan must be recorded in the office of the Mifflin County Recorder of Deeds within 90 days of Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

**Derry Township (*Municipal Ordinance*)**

Name of Plan: Hostetler, David S.  
File Number: 2020-03-011  
Tax Map #: 16-05-0119BC  
Municipality: Derry Township  
Applicant Name: Hostetler, David S.  
Land Owner Name: Hostetler, David S.  
Plan Preparer: Wright Land Surveying

**Plan Summary:**

This plan proposes to change the use of this property include a single-family residence to be served by on-lot sewage disposal and private well.

**Start Notes**

\*The plan review letter has been edited based upon the Plan Review Committee Meeting on March 19, 2020.

**Administrative**

The surveyor should sign the plan application as the authorized agent.  
The subdivision application form should be signed by a representative of Derry Township.

**Basic Plan Information**

The registered surveyor responsible for the plan should sign plan, along with the registered professional's seal.

**Clean & Green**

The parcel is enrolled in the Clean and Green program, as mentioned in Note 7 on the plan.

**Floodplain / Wetlands**

As shown on the plan and according to County GIS information, the property lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future development in this area should be discouraged.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on a portion of the property.

**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 side setbacks listed on the plan is 235 - 245 feet combined, as prescribed in Section 215015.E of the Derry Township Zoning Ordinance. It should be clear that one setback is shown as 10 feet and the other as 235 feet to get the 245 combined feet. The Front Setback is 25 feet and the rear setback is 25 feet. All shown setbacks are in compliance with the Zoning Ordinance.

**Deed Restrictions and Easements**

According to the plan application, there are no known deed restrictions or easements associated with the property.

**DEP Sewage Planning Module**

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Mifflin County Planning Commission and the Derry Township Planning Commission.

**Sewage Service**

Depending on the distance of the proposed home to the existing sewer lateral, a public sewage connection is sometimes deemed necessary. The application should verify with the Township if the distance to far for public tap. In a conversation with the Sewage Enforcement Officer, the distance did not appear to be a concern.

**Water Service**

The plan shows the well isolation distance from the proposed septic system. This setback should be maintained during development.



**Zoning**

Zoning information is stated on the plan, listing the district as Medium Density Residential. The proposed home is a permitted land use in this district.

**Other Comments:**

The Subdivision and Land Development Ordinance does not define developing one property for one residential home that is currently undeveloped as a land development. However, since the property was previously subdivided it was done specifically with a non-building waiver, it needs to be reviewed as a land development plan. The Township may wish to consider updating the definition of a land development to accommodate such an occurrence.

**Derry Township (Municipal Ordinance)**

Name of Plan: Dollar General Subdivision  
File Number: 2020-03-006  
Tax Map #: 16-09-01051C  
Municipality: Derry Township  
Applicant Name: PTV 1040, LLC  
Land Owner Name: PTV 1040, LLC  
Plan Preparer: LIVIC Civil

**Plan Summary:**

PTV 104, LLC is proposing a minor subdivision of parcel #16-09-01051C,000. The subdivision will create two parcels, Lot 1 being 1.11 acres and the residual, being 3.89 acres.

**Start Notes**

\*The plan review letter has been edited based upon the Plan Review Committee Meeting on March 19, 2020. This Plan was reviewed in conjunction with a Land Development Plan for the Dollar General Store. Some comments are applicable to each plan.

**Subdivision Information**

The plan is sealed by the project engineer, yet not signed. Upon any final approval of this plan, the plan seal should be signed by the engineer, along with a statement of accuracy.

**Wetlands**

According to County GIS information, a significant portion of the property lies within a designated wetland, and wetland information should be delineated and labeled on the plan. Future development in this area should be discouraged.

**Topographic information**

Suitability considerations should be made for this property. It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site.

**Soils**

Soils information and any other significant natural features should be shown on the plan (Derry Township Subdivision and Land Development Ordinance, Section 186-16.B(9)).

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 should be shown on the plan.

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 setback lines are shown on the plan as required by the Derry Township Subdivision and Land Development Ordinance (Section 186-17.B(11)).

**Right-of-Way Widths**

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Maplewood Avenue should be shown on the plan (Section 186-16.B(11)).

**Cartway Widths**

The cartway width of Maplewood Avenue should be shown on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Section 186-16.B(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, as prescribed in section 215-37.A(10) of the Zoning Ordinance.

Has access via Maplewood Avenue been considered? Section 215-37.A(6) of the Derry Township Zoning Ordinance states that street access shall be provided to the street of lesser classification when there is more than one street classification involved, thus access should be via Maplewood Ave.

If access via S.R. 22 is deemed to be allowable, even if it doesn't meet the Zoning Ordinance provisions, a PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)). Plan Note 8 on the General Notes sheet states the need for an Highway Occupancy Permit (HOP), as well as Note 7 on the cover sheet. A copy of the permit should be provided to the Derry Township Planning Commission prior, and plan approval is recommended to be contingent upon receipt of the permit.

**Street Names**

Maplewood Avenue should be also referenced as T-682 since it is an official township roadway.

**Deed Restrictions and Easements**

The plan application states that there are deed restriction and easements on the property, yet they aren't provided. Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Derry Township Subdivision and Land Development Ordinance. (Sections 186-16.B(12) and 186-16.G)

**DEP Sewage Planning Module**

Since 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 Derry Township Sanitary Sewer Authority acknowledging availability of public sewer should be submitted to the Derry Township Planning Commission.

**Water Service**

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

**Signature Blocks on Plan**

A signature block should be on the plan acknowledging the approval of the Derry Township Supervisors, and the Derry Township Planning Commission signature block should be edited to either state recommended or reviewed by instead of approved by.

**Plan Signatures**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that after any official approval of this proposal by Derry Township Supervisors, the signed plan must be recorded in the office of the Mifflin County Recorder of Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initialed.

**Derry Township (*Municipal Ordinance*)**

Name of Plan: Dollar General Land Development  
File Number: 2020-03-007  
Tax Map #: 16-09-01051C  
Municipality: Derry Township  
Applicant Name: PTV 1040, LLC  
Land Owner Name: PTV 1040, LLC  
Plan Preparer: LIVIC Civil

**Plan Summary:**

PTV 1040, LLC is proposing to construct a 9,100 square foot retail building. The project will include construction of bituminous parking areas and driveway with stormwater management facilities and other site features. Also, as a part of this project, a minor subdivision of parcel 16-09-01051C,000 is being proposed.

**Start Notes**

The following Plan Review comments have been revised based upon the Plan Review Committee meeting on

March 19, 2020. Edits to the comments will be shown with an \*asterisk.  
This Plan was reviewed in conjunction with Subdivision Plan for PTV 1040, LLC. Some comments are applicable to each plan.

#### **Basic Plan Information**

Parcel numbers labeled on the plan are not in the standard format (i.e. 16,09-0105IC,000), and should be corrected.

#### **Subdivision Information**

The plan is sealed by the project engineer, yet not signed. Upon any final approval of this plan, the plan seal should be signed by the engineer, along with a statement of accuracy.

#### **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. However, the proposed development does not appear to occur in these areas.

#### **Soils**

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 should be shown on the plan.

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 Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Maplewood Avenue should be shown on the plan (Section 186-16.B(11)).

#### **Cartway Widths**

The cartway width of Maplewood Avenue should be shown on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Section 186-16.B(11)).

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

If access via S.R. 22 is deemed to be allowable, even if it doesn't meet the Zoning Ordinance provisions, a Penn DOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)). Plan Note 8 on the General Notes sheet states the need for an Highway Occupancy Permit (HOP), as well as Note 7 on the cover sheet. According to the engineer, the plans were already sent to PennDOT for review. A copy of the permit should be provided to the Derry Township Planning Commission prior, and plan approval is recommended to be contingent upon receipt of the permit.

A Clear Sight Triangle and Sight Distances should be shown on the plan for any new access onto a State Route, as prescribed in section 215-37.A(10) of the Zoning Ordinance.

If a traffic study was conducted, the information should be supplied.

\*According to the Engineer, a traffic study was not required.

Left hand turns onto the site and off the site are concerning, especially with so many roads in close proximity to the proposed driveway. Has access via Maplewood Avenue been considered? Though additional zoning comments are provided below, it should be noted that the purpose of the General Commercial Zone is to allow for certain design incentives intended to reduce traffic congestion by shared access. Additionally, per section 215-37.A(6), street access shall be provided to the street of lesser classification when there is more than one street classification involved, thus access should be via Maplewood Ave. It is highly recommended that this ordinance provision be upheld in this specific circumstance.

The township may require additional improvements to Maplewood Drive to accommodate additional Average Daily Traffic (ADT) and any improvements may require a developers agreement. It is suggested that the Township Solicitor provide his opinion on if financial security will be required and in what form.

#### **Street Names**

Maplewood Avenue should be also referenced as T-682 since it is an official township roadway.

#### **Deed Restrictions and Easements**

The plan application states that there are deed restriction and easements on the property, yet they aren't provided. Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Derry Township Subdivision and Land Development Ordinance. (Sections 186-16.B(12) and 186-16.G)

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

Since 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 Derry Township Sanitary Sewer Authority acknowledging availability of public sewer should be

submitted to the Derry Township Planning Commission.

### **Water Service**

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

### **Signature Blocks on Plan**

A signature block should be on the plan acknowledging the approval of the Derry Township Supervisors.

### **Zoning**

All applicable Zoning information should be stated on the plan, such as setbacks, lot size maximum lot coverage, parking requirements, etc. It is recommended this be provided in a table or list format, especially notating any changed by variance for this particular parcel/proposal.

The subject property is located within the General Commercial District, as depicted on the Derry Township Zoning Map. The proposed land use, retail sale of goods, is allowable in this district as a permitted use.

### **Land Development**

Provisions for Street Lighting may be required and should be included with the plan submission, per section 186-40.D of the SALDO. The applicant could contact the Township Engineer for more information. Shielded downforce lighting to limit off-site light pollution is highly encouraged.

The applicant should consult the local Fire Marshall/Chief to see if new fire hydrants will be required and included with the plan submission. It appears that this property would be served by the East Derry Fire Dept. The General Notes Sheet (C002) highlights hydrants in the legend, yet there are none on the plan.

Parking provisions should be indicated on the plan. Section 215-38.C(2)(h) of the Derry Township Zoning Ordinance indicates that retail stores require one space per 200 square feet of gross floor area and 1 per each employee on the two largest shifts. Considering that the plans do not state how many employees are to be on the largest shift, nor any information regarding how much of the 9,100 sq.ft. facility is to be display/sales area, it is impossible to determine if the 29 spaces outlined on the plan are adequate. If you assumed 8000 sq.ft. was sales area (40 spaces alone) plus at least four workers, it appears there isn't nearly enough parking spaces provided.

\*According to the Engineer, parking space requirement alleviation was one of the variances requested. All variances should be clearly shown on the plan set. It does not appear that this particular development would need more parking spaces than what is provided based upon other similar land-use types across the area. A traffic circulation diagram is recommended to be included with this plan submission to verify adequate site circulation and turning movements of all expected vehicular access including but not limited to larger vehicles such delivery trucks, garbage trucks, and first responders.

The plan depicts a pylon sign (by others) on the Layout Plan (C201), yet there is no specific detail of the sign. The sign will need to comply with section 215-41 - Outdoor Signs of the Zoning Ordinance. There is no way to determine if the sign will meet these requirements as presented.

\*According to the project engineer, a separate vendor is being used to design and install the sign. This information about the details of the exact sign specifications is highly recommended to be acquired by the plan preparer and submitted with the current submission. At a minimum, a note should be added to the plan that states that any sign installed on the site will need to comply with the local ordinance provisions.

The plan does not include a separate Landscape Plan Sheet, as required in Section 186-28.E of the SALDO. While shrub and tree planting details are provided on the Details Sheet (C802) and notes are provided on the Design notes sheet (C804), it is not clear on where plantings are to occur. Section 2015-18.M and 215-40 of the Zoning Ordinance outlines Landscaping and screening requirements. The plan does not appear to meet these requirements.

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

The Flared End Section for the stormwater outflow calls for a rock apron outlet on the Details Sheet (C803). The plan on the Grading & Stormwater Plan sheet (C301) shows an area called out for stone, yet no details are provided. Considering the soils conditions and proximity to the wetland, the design should minimize significant ongoing erosion.

It should be noted that the plan does include a stormwater management access easement on the cover sheet of the plan set. This provision, and any other possible required improvements requiring financial security is recommended to be reviewed by the Township Solicitor.

The stormwater plan should be reviewed by the Derry Township Engineer. According to the ARM Group Letter, the site does not have sufficient suitable depths or quality for stormwater infiltration. Two waivers were submitted, documenting no infiltration being proposed and utilizing a Type D Soil in the pre-runoff calculations. We are recommending consideration of the approval of the waivers be contingent upon the Engineer's review. Since the proposal exceeds 5,000 sq. ft. of earth disturbance, Erosion and Sedimentation (E & S) provisions should included with the plan submission and be on-hand on the site when development would occur. The applicant should contact the Mifflin County Conservation District for coordination and more information.

### **Plan Signatures**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that after any official approval of this proposal by Derry Township Supervisors, the signed plan must be

recorded in the office of the Mifflin County Recorder of Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initialed.

**Other Comments**

As shown on the plan, there is an existing delineated wetland. Section 186-28.A of the SALDO requires that in order to promote the highest environmental quality possible, salient natural features shall be preserved to protect the existing natural features, which includes watercourses. Considering that the outflow of the underground stormwater retention basin flows directly into this area, there is a concern that contaminants from the parking area could damage the wetland. Additional information and provisions should be outlined to ensure that the wetland is being promoted to the highest environmental quality possible.

**Oliver Township (*Municipal Ordinance*)**

Name of Plan: Fur and Fowl Barn, LLC  
File Number: 2020-03-001  
Tax Map #: 19-02-0114; 19-02-0105A  
Municipality: Oliver Township  
Applicant Name: Capouillez, William A.  
Land Owner Name: Capouillez, William A.  
Plan Preparer: DAWOOD Associates, Inc.

**Plan Summary:**

The purpose of this Lot Addition/Subdivision Plan is to create Lot Addition "A" from lands of Steven & Yvonne Boozel (TM 19-02-105A). Lot addition "A" is to be added to lands of Fur and Fowl Barn, LLC (TM 19-02-0114) thereby increasing the acreage from 156.54 to 182.66 and will not be sold for any other purpose.

**Start Notes**

The Surveyor for the project, Joab (Jody) Carter, has presented a revised plan and draft plan review letter response on March 19, 2020. The majority of the comments have either been addressed or noted with a few exceptions. Please see the revised notations with an \*asterisk below.

\*Please note that the revised plan sheet does not appear to show a revision date anywhere on the plan acknowledging the revisions made. It is urged that there is an area on the plan that lists all revision dates on the plan.

**Administrative**

The landowner's signature must be on the subdivision application form, both grantee and grantor at the time of submission.

The subdivision application form must be signed by the municipality to ensure simultaneous submission to the Township and the County.

\*As of 3/24/20, the signed plan application has not been received. To avoid this in the future, all plan application signatures will need to be executed on the plan application at the time of submission.

**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. (Oliver Township Subdivision and Land Development Ordinance, Section 402.A.3.i)

\*This has been addressed on the revised plan sent on 3/19/20.

**Subdivision Information**

Prior to recordation, the professional land surveyors seal must be affixed to the plan with a signature, along with the signed statement of accuracy.

**Clean & Green**

The parcel is enrolled in the Clean and Green program. Though not anticipated for this proposal, the applicant and/or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions. The landowner/applicant should contact the Mifflin County Assessment Office for more information.

\*A note regarding Clean & Green has been added to the revised plan sent on 3/19/20.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site. Though no development is proposed, development in these development in these areas in the future should be

discouraged.

### **Soils**

According to the County GIS files, some portion of this property appears to have prime farmland soils. However, no development is proposed, and thus the soils should not be impacted.

### **Setback Lines**

Though setbacks are required to be shown on the plan (see section 402.A.6.d of the Oliver Township Subdivision and Land Development Ordinance), Survey Notes 9,10 and 11 indicate no development is proposed. The requirements could possibly be asked to be waived, and the township should consider this waiver request as opposed to approving the plan without this requirement being met or not set a poor precedent.

\*Setback requirements have been noted on the revised plan sent on 3/19/20.

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

Based upon Section 402.A.4.2 of the Oliver Township Subdivision and Land Development Ordinance (SALDO), the right-of-way width should be shown on the plan for Pine Drive, the main access to the grantee property.

### **Municipal Driveway Permit**

Though Survey Note 10 states that the properties are to be served by existing driveways, the plan should reference shared driveway agreement. 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.

Please note that there are two notes labeled as Plan Note 10 on the plan.

\*This has been addressed on the revised plan sent on 3/19/20.

### **Deed Restrictions and Easements**

According to the surveyor, via Note 4 on the plan, there are no known deed restrictions associated with the property.

Easements associated with the property, if any, should be provided in accordance with the Oliver Township Subdivision and Land Development Ordinance.

\*According to the Surveyor, a new easement has been agreed to by the landowners for ingress/egress through the Boozel tract for fence maintenance. This easement has been added to the plan dated 3/19/20.

### **DEP Sewage Planning Module**

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided, as well as a Non-Building Declaration placed on the plan itself.

\*This has been addressed on the revised plan sent on 3/19/20.

### **Sewage and Water Service**

No new sewage disposal or water supply is proposed with this plan submission, based on the Survey Note 10 on the plan.

Please note that even if no sewage planning is requested for the proposal, the Oliver Township Sewage Enforcement Officer will likely require back-up sewage testing for the residual lot (Boozel - T.M. 19-02-0105A).

### **Signature Blocks on Plan**

There should be an Owners Statement of Intent or Certificate of Ownership on the plan for both property owners, which should be notarized.

\*This has been addressed on the revised plan sent on 3/19/20.

### **Lot Addition**

The plan includes a lot addition statement. Whoever prepares the deeds will need to take special note to the preparation of the appropriate deeds transferring proposed Lot A from Boozel and to Fur and Fowl Barn, LLC.

### **Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Oliver Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval.

Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

## **Oliver Township (*Municipal Ordinance*)**

Name of Plan: Yoder, David W. & Sara A. and Yoder, Marlin J.

File Number: 2020-03-004

Tax Map #: 19-04-0100C; 19-04-0100  
Municipality: Oliver Township  
Applicant Name: Yoder, David W., et.al  
Land Owner Name: Yoder, David W., et.al  
Plan Preparer: Wright Land Surveying

**Plan Summary:**

This plan proposes to create Lot Addition A. Lot addition A is to be added onto Lot A and become an integral part thereof. The residual tract, Lot 2, is to remain agricultural use with no development proposed.

**Start Notes**

\*The plan review letter has been edited based upon the Plan Review Committee Meeting on March 19, 2020,

**Basic Plan Information**

The registered surveyor should sign the plan with the registered professional's seal.

**Subdivision Information**

It should be noted that while T.M. 19-04-0100C is shown for both Lot 1 and Lot 2, each lot has its own deed and deed booking page number reference.

**Clean & Green / Agriculture**

As mentioned in Note 6 on the plan, 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 mentioned in Note 5 on the plan and according to County GIS information, the property lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future development in this area should be discouraged.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and 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. Soil information is not on the plan. Since the plan involves a lot addition/merger, the applicant could request a waiver from the subdivision ordinance.

**Cartway Widths**

Based upon the Oliver Township Subdivision and Land Development Ordinance (Section 186-16.B(11)), the cartway width of the existing Woods Road is substandard.

**Municipal Driveway Permit**

As mentioned in Note 3 on the plan, a municipal driveway permit is required for any new access on the Township road.

**Shared Driveway**

All private drives that are used by more than one party shall have a shared driveway agreement in place. The plan notes a maintenance agreement on the plan.

**Street Names**

If multiple parties are to use a private drive, the roadway will need to be named. Street names are to be coordinated with the County GIS (Mapping) Department. There is a fee associated with the street naming.

**Deed Restrictions and Easements**

According to the plan application, 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. The plan does have a non-building waiver on the plan.

**Lot Addition**

A lot addition statement is noted on the plan.

**Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Oliver Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

**Oliver Township (Municipal Ordinance)**

Name of Plan: Phoenix, Frank W. & Kathy E.

File Number: 2020-03-005

Tax Map #: 19-06-0112A

Municipality: Oliver Township

Applicant Name: Phoenix, Frank W. & Kathy E.

Land Owner Name: Phoenix, Frank W. & Kathy E.

Plan Preparer: Wright Land Surveying

**Plan Summary:**

This plan proposes to create Lot 2 for existing residential use. Lot 2 has an existing residence served by on-lot sewage disposal and a private well. The residual tract, Lot 1, is vacant farmland and woodland. No new development is being proposed by this plan.

**Start Notes**

\*The plan review letter has been edited based upon the Plan Review Committee Meeting on March 19, 2020.

**Basic Plan Information**

The registered surveyor responsible for the plan should sign the plan, along with the, registered professional's seal.

**Clean & Green**

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 shown on the plan and according to County GIS information, the property lies within the 100-year floodplain. Future development in this area should be discouraged.

The plan shows wetland PSS1E on Lot 1. No development should occur in this area.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on a portion of the property and development in this area should be discouraged.

**Soils**

According to the County GIS files, some portion of this property appears to have prime farmland soils. AS mentioned in Note 3 on the plan and according to the County GIS files, some portion of this property appears to have hydric soils. Hydric soils can indicate the presence of wetlands. Soils information should be shown on the plan. (Oliver Township Subdivision Ordinance).

**Right-of-Way Widths**

The plan proposes a 50 foot right-of way across Lot 1 to access proposed Lot 2. The right-of way connects to the existing right-of way associated with Whitetail Lane. It should be verified that the existing right-of way and associated agreement prohibits or allows additional properties to access off of it. Otherwise, Caleb Mann will need to sign-off on the proposal. This should be a condition of any approval considered.

**Cartway Widths**

Based upon the Oliver Township Subdivision and Land Development Ordinance (Section 186-16.B(11)), the cartway width of Whitetail Lane is substandard. Since no development is occurring at this time, this should not be an issue. However, if additional development is to occur, the roadway may need to be upgraded.



**PennDOT HOP**

The plan mentions useful information regarding altering an existing PennDOT Highway Occupancy Permit (HOP) in Note 6. All future owners of Lots 1 and 2 should be aware of this information.

**Private Street / Shared Driveway**

The plan notates a shared driveway agreement. A maintenance agreement should be part of the new deeds for Lots 1 and 2.

**Street Names**

The applicant should verify with the County GIS (Mapping) Department if the extension of the driveway off of Whitetail Lane will also be named Whitetail Lane and if the County Mapping Records will need updated.

**Deed Restrictions and Easements**

According to the plan application, there are no known deed restrictions 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.

**Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Oliver Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

**UnionTownship (*Municipal Ordinance*)**

Name of Plan: Peachey, Amos D.  
File Number: 2020-03-010  
Tax Map #: 20-07-0120F  
Municipality: Union Township  
Applicant Name: Rushmore Properties, LLC  
Land Owner Name: Rushmore Properties, LLC  
Plan Preparer: The EADS Group, Inc.-Lucas Parkes

**Plan Summary:**

AQ Masonry is proposing to construct a new building and gravel parking lot located off Front Mountain Road in Union Township. The building will be a 60'X100' building with garage doors on the northern side of the building with a restroom and office space. A new access driveway will be installed to serve the proposed site and adjacent property for future development. The parking lot will be gravel and contains 1 ADA parking space and four standard parking spaces. Stormwater management for the new improvements will be achieved with the construction of an infiltration basin. The infiltration basin will collect overland flow from the building and parking lot. The infiltration basin will act to detain the additional runoff from the parking lot and promote infiltration.

**Start Notes**

The following Plan Review comments have been revised based upon the Plan Review Committee meeting on March 19, 2020. Edits to the comments will be shown with an \*asterisk.

**Soils**

According to the County GIS files, some portion of this property appears to have prime farmland soils.

**Setback Lines**

The setback lines should be shown on the plan as prescribed in the Union Township Subdivision and Land Development Ordinance (Section 402.2.g). The specific setbacks required are noted in the Zoning comment below.

**Right-of-Way Widths**

Based upon the Union Township Subdivision and Land Development Ordinance, the right-of-way width should be

shown on the plan. (Section 402.2.b)

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

A municipal driveway permit may be required for access onto Front Mountain road.

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

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."

#### **Street Names**

If multiple parties are to use a private drive, the roadway will need to be named. Street names are to be coordinated with the County GIS (Mapping) Department. There is a fee associated with the street naming.

#### **Deed Restrictions and Easements**

According to the plan application, there are no known deed restrictions or easements associated with the property.

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

Since this 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 Union Township Supervisors.

#### **Water Service**

A letter from the municipal water authority acknowledging availability of public water should be submitted to the Union Township Supervisors.

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

There should be an Owners Statement of Intent or Certificate of Ownership on the plan, which should be notarized.

#### **Zoning**

Based on the General Notes on sheet C-0.01 and the Zoning Map shows this property in the Industrial District. The Plan Narrative does not provide enough detail to fully understand the specific land use. The PCMS plans' site data indicates the future land use to be a parking lot and garage. It is unclear if the proposed is a permitted use in this district. The land use may be allowable as conditional use, needing to comply with Article XII of the Zoning Ordinance.

\*According to the project engineer, the proposal is simply a building to store Mr. Peachey's commercial business trucks. Based on this information, which should be outlined in much more detail on the plan set, this land use could be considered as a Conditional Use under Section 1100.2.A of the Union Township Zoning Ordinance as a Commercial Use that is permitted in the Commercial District. Note that in this scenario, Article XII will need to be followed to get a conditional use approval by the Supervisors. Although the ordinance outlines a recommendation by the Township Planning Commission, which doesn't exist, a specific requires must be made. Furthermore, Section 1001.16 appears to be the closest land-use type as an automobile garage. This section requires controls set forth in Article IX, Section 902 to be in place for this particular land-use. Although Section 1101.2.A states that there are no yard widths or minimums established in the Industrial District, Section 902.2 (as cited by Section 1001.16) requires a setback fuel and oil to be 25 feet from any street or lot line. Unless the Zoning Officer provides further clarification, the more stringent requirement shall take effect, similar to that stated in Section 302.4 of the Ordinance.

#### **Land Development**

Provisions for Street Lighting may be required and should be included with the plan submission. The applicant should contact Union Township for more information.

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

Parking provisions should be indicated on the plan, and the calculation used was based off the Zoning Ordinance requests.

A traffic circulation diagram should be included with this plan submission to verify adequate site circulation. Since the access drive appears to be used by more than on party, the plan should be reviewed by the Union Township Engineer.

The plan set does not include a landscape plan, which will be required by Section 1202.2.i of the Zoning Ordinance. All planted areas and screens should be shown on the landscape plan. Landscaping features are highly recommended.

**E & S / Stormwater**

If this plan propose over an acre of earth disturbance, this proposal may require a NPDES Permit. An Erosion and Sedimentation (E & S) plan is included with the plan submission. The applicant should contact the Mifflin County Conservation District and any proposal should be contingent upon NPDES Permit approval. Stormwater drainage provisions, via a separate PCSM report is included with the plan submission. The stormwater plan should be reviewed by the Union Township Engineer.

**Plan Recording and Execution**

All required signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Union Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

**Other Comments:**

1. It should be commented that an access drive is proposed to serve not only the subject proposed, but for the neighboring property for future development as well. However, it must be clear as to how maintenance and ownership will work. No details, right-of way information or maintenance agreement is provided.
2. Plan Sheet C1.00 appears to directly show the Horizon, LLC & JGL Logging, Inc. Subdivision plan by Bill Wright, that was reviewed by Mifflin County Planning Commission on June 26, 2019. The plan set should be clear as to what it is showing. Also, it appears that Lot 2, the subject parcel for the current plan, has not been deeded yet. If it has recently been done, this may need to be noted on the plan.
3. There are a few notes on the plan, such as on Sheet C-0.01 that does not appear to be applicable for the current proposal. Please verify.

**Wayne Township (County Ordinance)**

Name of Plan: Boozel, Ellen G.  
 File Number: 2020-03-003  
 Tax Map #: 21-14-0103I; 21-14-0103B  
 Municipality: Wayne Township  
 Applicant Name: Boozel, Ellen G.  
 Land Owner Name: Boozel, Ellen G.  
 Plan Preparer: Wright Land Surveying

**Plan Summary:**

This plan proposes to create Lot Addition A to be taken from Lot 1 and added onto Lot A to become an integral part thereof. All properties are owned by Ellen G. Boozel. Lot 1 was created in 1977 and has been a standalone lot owned by Ellen Boozel since then. The residual parcel of Lot 1 has had soils testing completed to ensure that this lot will still qualify for an on lot system. Lot A was first created in 1969 as an 85' by 200' lot as depicted on the plan around the existing house. Lot A, as shown, was approved as a lot addition in 1997 and recorded in Map Book 16-68. A lot consolidation deed was never recorded. After this plan approval, Lot A will get a new lot consolidation deed comprised of Deed Books 186-252, 452-1405, and Lot Addition A has an existing residence served by on-lot sewage disposal and a private well. No new lots are being created by this plan.

**Action Taken:**

The County approved the plan conditionally based on meeting the following conditions within the next 90 days. If these requirements are not completed within 90 days, the approval is void. If necessary, extensions can be requested by the applicant before the end of the 90 days.

**Start Notes**

\*The plan review letter has been edited based upon the Plan Review Committee Meeting on March 19, 2020, as well as a revised plan dated 3/23/20.

**Basic Plan Information**

The plan labels Lot A with two sets of deed book and page numbers. This should be explained.

\*The plan narrative has been edited to include an explanation of this information and expanded purpose of the

plan submission on the revised plan dated 3/23/20. The Plan Summary above has been revised to reflect the latest Plan Narrative.

The registered surveyor responsible for the plan should sign the plan with the registered professional's seal.

**Clean & Green / Agriculture**

As mentioned in Note 5 on the plan, 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.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and 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.

**Setback Lines**

The setback lines are shown on the plan as prescribed in the Mifflin County Subdivision and Land Development Ordinance (Section 7.302. A10).

**Cartway Widths**

The cartway width of Crystal Lane, 14 feet, does not meet the road provisions of the Mifflin County Subdivision and Land Development Ordinance (Sections 4.204.B.1.a and 4.204.F.1), which required a minimum of 20 feet in width. Since the parcel has the potential for future development, road improvements will need to be considered prior to further development. Although the current plan is not proposing any additional development at this time, Lot 1 has been tested for on-lot sewage disposal, yet there was already the understanding of a building lot along Crystal Lane previously. At a minimum, additional cartway shall be provided by the applicant as a condition if there is future development along this road.

**Private Street / Shared Driveway**

The plan provides a maintenance statement on the plan outlining maintenance responsibilities going forward. Such maintenance agreement language shall be part of the deeds as they are recorded.

**Deed Restrictions and Easements**

According to the plan application, there are no known deed restrictions associated with the property.

**DEP Sewage Planning Module**

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form has been to be provided. This will need signed-off by the SEO and submitted to DEP.

**Sewage Service**

The plan depicts soil testing has been conducted for Lot 1. As mentioned in Note 8 on the plan, any future development of Lot 1 will require a future plan be submitted.

**Signature Blocks on Plan**

The signature block for the owners statement of intent should clarify that Ellen G. Boozel owns both properties involved in the proposal.

\*The owners statement of intent has been revised on the plan dated 3/23/20.

**Lot Addition**

A lot addition statement is on the plan.

**Plan Recording and Execution**

All signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Mifflin County Planning Commission, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Planning Commission null and void and the approval process will have to be re-initiated.

**Public Comment**

None

**Project Updates**

Mark Colussy noted that he typed supplemental notes related to the interests and concerns of the members from the February meeting and shared them with the Planning Commission.

One of the first projects Mark inherited when he first started was the Hazard Mitigation Plan. This was a joint project with Emergency Management Services. The plan had been sent to PEMA and FEMA for approval and was approved in January pending adoption. Since that time, the County, Armagh, Brown and Wayne townships, and Juniata Terrace Borough have adopted the plan via resolution. FEMA acknowledged the plan as approved effective March 24, 2020. Mark will continue to work with the remaining municipalities for full adoption. The department is also in the process of printing hard copies for each municipality. Electronic copies have been provided to each municipality and it has been posted on the county web page.

Mark Colussy also provided an update to the Juniata River Trail. Phase II was designed by The EADS Group and DCED has already awarded a grant towards the project. DCNR did not award a grant due to the easement across the Fire Academy property not being approved. The easement is now approved by Lewistown Borough and the Mifflin County Commissioners. The Parks and Recreation Council recommended in light of extending a round of Act 13 awards this year that the money be placed into the trail project. The Commissioners approved this recommendation. This will allow for the 50/50 match requirement for the DCNR grant. Mark will apply for the DCNR grant again. Phase II will extend the trail through the Fire Academy property to the edge of the Lewistown Borough near Lowe's. A trailhead and improved parking lot at the Fire Academy property will be included. Mark has made several attempts to schedule a call with DCNR, which is required to submit a grant, and is expecting the call soon. There is an April 22<sup>nd</sup> deadline for the grant application.

With the CDBG program, we are trying to meet with entitlement communities, but DCED has mandated all public hearings must be postponed. This puts the CDBG program in a holding pattern. Construction companies are considered nonlife sustaining; therefore, CDBG projects are at a standstill at this moment.

Mark appreciated the Planning Commission making the accommodations to hold this meeting remotely since it was important to take action on the plans submitted for March.

### **Next Month**

Mark Colussy does not expect any plans to be submitted for April since the surveyors and engineers are on hiatus and asked the Commission to cancel the April meeting at a minimum if restrictions are still in place due to the Coronavirus. He also noted that the bylaws do not state anything specific to electronic or telephone voting and he would like authority to propose a draft addendum for consideration when meetings resume. Kay Semler made a motion to cancel the April meeting if the restrictions continue based on the governor's instructions. Jim Spendiff seconded the motion and all members voted aye. Kay Semler also added that it makes sense to revise the bylaws in regards to electronic or telephone voting with the technology that we have. It is logical and in the best interest of the Commission. There was a general consensus to allow Mark Colussy to draft an addendum to the bylaws. Dun Dunmire noted that he also has to deal with the Sunshine Act for public meetings and our obligation under this act. He received word from the state office of open records that they will be hosting a webinar via Skype on March 31<sup>st</sup>.

### **Other Business**

Neal Shawver asked for a status update of the Internet Committee as he is impacted while struggling to work from home along with two college students. He wondered if additional towers could help. Kay Semler has been talking to Bill Gomes, but there has been no activity at this point. She looked at the stimulus bill going through Congress currently and saw broadband is addressed with an expiration date. Telemedicine is huge right now, so hopefully this will push the need for broadband. Neal Shawver acknowledged that unless projects are ground ready, they probably won't get funded. Kay Semler also shared that SEDA-COG implemented an ARC loan, but no providers have stepped forward to use it. Chastity Fultz added that the Coronavirus pandemic and work from home orders may bring the broadband issues to the front burner. She

also suggested Neal contact Atlantic Broadband as a possible provider. Kay also added that providers also run into issues with costs related to pole attachment fees.

Dan Dunmire questioned if Jim Lettiere has been replaced. Mark Colussy announced that Chastity Fultz has been approved as the new Community Development Administrator. The Assistant Director portion, which included subdivisions, has been removed from the job description. Mark is currently doing 100% of the subdivision process. He also announced that in concept, Tiffany Brought has been approved to replace the Grants Fiscal Manager position left open by Chastity Fultz's promotion. He has been given authority to replace the Planning Clerk position.

**Adjournment**

Dan Dunmire motioned to adjourn the meeting, while Kay Semler seconded the motion. Tom Lake adjourned the meeting at 4:35 p.m.