

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**JULY 28, 2016**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

Members

Dan Dunmire  
Dave Pennebaker  
Kay Semler  
Neal Shawver  
Jim Spendiff  
Tom Lake

Other

Lauren Kershner, The Sentinel  
Lucas Parkes, The EADS Group  
Stephen Dunkle, Mifflin County Commissioner  
Lisa Nancollas, Mifflin County Commissioner  
Doug Wolfgang, PA Department of Agriculture  
Stephanie Zimmerman, PA Dept of Agriculture  
Laura Simonetti, GIS  
Donna Royer  
Ron Booher, Juniata Valley Land Surveying  
Bertha Harshbarger, Assessment  
Freda Hook  
Kathy Whitsel, Assessment  
Merry Bratton, Assessment

Staff

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

**Call to Order**

Dan Dunmire, Chair, called the meeting to order at 3:35 p.m.

**Record of Public Attendance**

Dan reminded everyone to sign the attendance sheet.

**Approval of Meeting Minutes**

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

**Clean and Green Act**

Doug Wolfgang, Director of the Pennsylvania Department of Agriculture, Bureau of Farmland Preservation provided a presentation on the Clean and Green Act.

Doug announced that the 5,000<sup>th</sup> ag preserve farm will be entering into the Clean and Green Program in August and they will celebrate this milestone. Clean and Green predates the Easement Purchase Program and is one of the earliest land preservation tools. This has resulted in a 50% reduction of the assessed value. In 1973-1974, taxes were so high that farmers, especially in southeastern Pennsylvania, could not afford the taxes and had to sell their ground. The Constitution was amended to allow preferential assessment. One year later, the Clean and Green law was created. There are 9.3 million acres statewide currently enrolled in the program.

To determine eligibility, the land must fall under one of three use categories. These include agricultural use, which has to be at least 10 acres or generating at least \$2,000 of income in the sale of agricultural commodity; agriculture reserve, which also has to be at least 10 acres and is open space that can be converted back to agricultural use, and has to be open for public access for passive recreational uses of which the owner may place reasonable restrictions on entry of the property; and forest reserve, which calls for 10

acres or more that has trees of any size. Land may be timbered in the forest reserve category. The application must be submitted to the County Assessment Office by June 1<sup>st</sup> of every year to be eligible for the next tax year. It is assumed that the property stays in the program until you notify the Assessment Office of any changes in writing. When you leave the program, there is a 7-year rollback period where taxes must be repaid with 6% simple interest charged per year.

By May 1<sup>st</sup> of every year, use values are provided to the county assessment offices. The foundation of the values is based on soil types, crop production, interest rates. As crop production has increased and interest rates have decreased, agriculture values have been increasing approximately 10% each year. With the most recent budget, a bill was passed which became Act 89 of 2016, which now requires the county assessment offices to lock in values unless there is a countywide reassessment. Forest values are determined by proof of timber types and are generated DCNR.

Bill Gomes questioned farmettes tied to the program that are only in the program because of the number of acres they have. Doug Wolfgang said that currently, if you have 10 acres and some trees, you can get into the program. They have discussed raising the acreage, but no action was taken. About 10 years ago the law was changed to allow the assessor to be able to add the base acre where the house or residence sits at fair market value.

Permitted uses of land in the clean and green program are allowed with limited rollback taxes applied. These include direct commercial sale of farm products, rural enterprise, oil and gas, commercial wind energy, small non-coal mining, recreational leasing, farm related entertainment, cellular communications towers on 0.5 acres and divisions/transfers. You may split off up to 2 acres per year, not exceeding 10% of the total acreage, and pay limited rollback taxes on the split off. If more than 2 acres is subdivided, the landowner must pay full rollback taxes on the acres split off. If a property is transferred, the new owner should update the clean and green application.

Bill Gomes questioned how trails crossing properties in clean and green affects those properties. Doug noted that clean and green does allow for passive recreation, which would allow for crossing, but not necessarily create a trail without the owner's permission.

Ron Booher of Juniata Valley Land Surveying asked if you had to allow people to walk across your property. Doug noted that property in ag reserve clean and green, you have to allow public access, but the landowner can place reasonable restrictions with the assessment such as no firearms or no motor vehicles.

Doug concluded his presentation by stating that ½ million acres statewide are in ag reserve, 3.5 million acres are in ag use, and 4.5 million acres are in forest reserve.

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

Jim Lettiere stated the Subdivision and Land Development Review Committee reviewed fourteen (14) applications. Twelve were under municipal ordinance (Jonas J. & Susan J. Pecht, *Brown Township*; Shy Bear Brewing, *Derry Township*; PHN Medical Office, *Derry Township*; Derry Heights-Burnham Properties, *Derry Township*; Sandra S. Ellinger, *Granville Township*; Anna M. Stewart, *Granville Township*; Sherry Hockenberry, *Lewistown Borough*; Mountain Road Structures, *Oliver Township*; Richard and Sherri Mendez, *Oliver Townshi*; Steven I. & Fannie E. Yoder, *Union Township*; Jeremy R. & Ashley Suydam, *Union Township*; and Gideon J. Peachey, *Union Township*). Two plans were under county ordinance, Geraldine E. Wentz, *Wayne Township* and Cherie A. Ranck, *Wayne Township*. Jim reviewed three plans.

The first plan reviewed was Shy Bear Brewing in Derry Township. This plan involves the development of a restaurant with all related infrastructure. After Jim reviewed the comments, Bill Gomes said there should be

a note in the plan if there will be no onsite catering as this would trigger further review. Catering would affect the parking facilities. Jim Spendiff stated that the comment on the traffic volume of 5,200 vehicles is not clear and needs to be clarified to indicate which road this traffic count pertains to. Tom Lake asked if the owners will need a license and it was noted that they will need a liquor license.

The second plan reviewed was Mountain Road Structures in Oliver Township. The plan proposes the addition of a hay shed. The history of the property created the need for a land development. There was no further discussion upon Jim's review of the comments.

Primary Health Network plans were resubmitted because Derry Township rejected the previously submitted plans. The biggest issue with this plan is the bonding and security. Derry Township, with coordination from the Planning and Development Department, submitted an Automated Red Light Enforcement (ARLE) grant application at the end of June to pay for the traffic light. Another issue is the infrastructure on the site. They are asking for Appalachian Regional Commission assistance, but if approved, funding will not occur for another year. Everyone is trying to make this plan work, but the owner of Derry Heights has not been responsive.

Neal Shawver motioned to accept the comments of the twelve plans under municipal. Dave Pennebaker seconded the motion. All members voted aye.

Neal Shawver motioned to conditionally approve the two plans under county ordinance, Geraldine E. Wentz and Cherie A. Ranck, both in Wayne Township. Jim Spendiff seconded the motion. All members voted aye.

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

**Name of Plan:** Peight, Jonas J. & Susan J.

**Plan Preparer:** Wright Land Surveying

**File Number:** 2016-07-002

**Tax Number:** 14-07-0104

### **Plan Summary:**

This plan proposes to add a second single-family residence to be served by on-lot sewage disposal and off-site water source.

### **Basic Plan Information**

All abutters should be shown on the plan, including tax map numbers. (Brown Township Subdivision and Land Development Ordinance, Section 7.302. A17.). Abutters Moses and Susan Hostetler (T.M. 14-07-0100D) is not shown as well as the Johnson property (T.M. 14-07-0105A).

### **Subdivision Information**

Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Brown Township Subdivision and Land Development Ordinance Sections 7.302. a5, A7 and A9) This parcel is under 20 acres and all of it should be displayed. The boundaries on the map plan appears to only have dimensions for a portion of the tract instead of the entire parcel.

### **Soils**

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

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

Based on the Brown Township Road Standards (Section 41), the Right-of-Way Width of Barrville Mountain Road is substandard.

### **Cartway Widths**

Based on the Brown Township Road Standards (Section 41), the Cartway Width of Barrville Mountain Road is substandard.

**PennDOT HOP / Municipal Driveway Permit**

Has provision for a driveway opening been reviewed by the Township Roadmaster?

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 7.302. A6 and 7.302. B7 of the Brown Township Subdivision and Land Development Ordinance.

\*The Wright Surveying representative stated there are no deed restrictions.

**DEP Sewage Planning Module**

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Brown Township Planning Commission.

**Water Service**

The water supply location should be noted on the plan as prescribed in the Brown Township Subdivision and Land Development Ordinance (Sections 4.211E and 7.302. A23). 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.

\*The Wright Surveying representative stated the water source is off site. It was suggested that a note be added to the plan about an easement for the water supply.

**Features**

According to the County GIS files, Bailey Gap Road crosses the parcel and should be shown on the main plan including the cartway and right-of-way widths. Currently, it is only sketched on the inset plan.

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. (Brown Township Subdivision and Land Development Ordinance, Section 7.302. A23)

**Derry Township (Municipal Ordinance)**

**Name of Plan:** Shy Bear Brewing/Rich Coast Corp.

**File Number:** 2016-07-012

**Plan Preparer:** PennTerra Engineering, Inc.

**Tax Number:** 14-07-0104

**Plan Summary:**

This project known as Shy Bear Brewing / Rich Coast Corporation involves the development of a restaurant with all related infrastructure. The NPDES permit boundary is 9.59 acres, with a total earth disturbance of approximately 1.36 acres. The site is located off of S.R. 522 North in Derry Township, Mifflin County. The Penn Terra Engineering representative provided written responses on July 20, 2016 and they are noted below each comment with an asterisk.

**Basic Plan Information**

The application lists tax parcel 16, 10-0104, however, it appears this parcel is not part of this development and only an abutter.

\*The Penn Terra Engineering representative stated although this parcel is not where the actual addition will take place, tax parcel 16,10-0104 is used for stormwater management for all the surrounding properties and the subject parcel. It also includes the planned stormwater management rain garden.

**Administrative**

The subdivision application form should be signed by the municipality.

\* The Penn Terra Engineering representative indicated that a separate submission was made to the Township. He added that he will ask that Mr. Treaster to sign also if we wish. The Township PC has this on their August 11<sup>th</sup> agenda.

\*The Township provided the County a signed copy of the application.

**Topographic information**

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site mostly to the rear which do not impact this project and future development in these should be discouraged.

\*Noted

**Setback Lines**

Development Project Note 2.e.2. notes the developer is requesting a waiver from the Derry Township Zoning Ordinance (Section 209. B.2.) to allow joint parking facilities within the fifteen (15) foot off street parking setback. This needs to be clarified with the zoning officer.

\*The Penn Terra Engineering representative indicated this will be clarified with Mr. Treaster. He indicated he copied him with this same County review and Penn Terra's response. Response.

**PennDOT HOP / Municipal Driveway Permit**

A PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)). A copy of the permit should be provided to the Derry Township Planning Commission.

\*The Penn Terra Engineering representative agreed. This shall be submitted very soon. Awaiting the signed application/paperwork from Mr. Ufema (Lance). The 2 sheet HOP Plan set were provided to the County with submission.

**Private Street / Shared Driveway**

Does this plan involve any stream crossings or other floodway encroachments? The applicant should contact the Mifflin County Conservation District for more information.

\*The Penn Terra Engineering representative indicated no, not new. The crossing and drive are existing. A guardrail is being placed for vehicular safety and protection as they cross the existing drive.

It appears Meadow Brook Lane will be used by more than one party and 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."

\* The Penn Terra Engineering representative indicated there is an existing (by deed) "agreement" in place-giving Headings a right to use the drive. PTE will add the note with plan updates.

**DEP Sewage Planning Module**

If as a result of this development a tap into the public sewer with flows on a lot of two (2) equivalent dwelling units (EDU's), a DEP Component 3, or Exemption from Sewage Planning (Mailer), should be provided.

\* The Penn Terra Engineering representative indicated this needs prepared and submitted; the sewage Mailer, yet. Penn Terra will copy the County with this when submitted.

**Sewage Service**

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

\*The Penn Terra Engineering representative indicated this will be created, then a copy will be provided to the County and Township PC upon request.

**Water Service**

A letter from the municipal water authority acknowledging availability of public water should be submitted to the Derry Township Planning Commission.

\*The Penn Terra Engineering representative indicated they have a will serve e-mail from MABL, but will request a formal letter.

**E & S / Stormwater**

An NPDES Permit is required since 1.36 acres of disturbance will occur, as noted in the post construction management plan.

\*The Penn Terra Engineering representative indicated this needs to be submitted.

The stormwater plan should be reviewed by the Derry Township Engineer.

\*The Penn Terra Engineering representative acknowledged this comment and stated, a copy was given to the Derry Township Zoning Officer with submission and we are mailing Buchart-Horn the SW Report.

**Other Comments:**

1. Although the Derry Township Zoning Ordinance does not specifically provide when a traffic impact study is required, there is no analysis of how this project will impact existing traffic to and from State Route 522 North and the immediate area. In the review of the variance request we recommended a traffic analysis and it should be considered.

\*The Penn Terra Engineering representative submitted to the County a Traffic Impact Analysis in a letter dated March 30, 2016 to the Zoning Officer of Derry Township.

2. Development Project Note 9 mentions a new Low-Volume Highway Occupancy Permit must be obtained for the existing driveway for Meadow Brook Lane, however, there is no information or analysis of the average daily traffic (ADT) counts, AM and PM peak generator rates, or if the additional traffic generated based on the (ITE Manual) from the Shy Bear Brewery and Restaurant will require or necessitate any mitigation. There is already average daily traffic count of around 5,200 and 6% is truck traffic.

\*The PTE representative asked if the County was indicating the 5,200 traffic counts and 6% trucks for the State Road 522? If so that sounds appropriate.

3. It appears on Sheet 1 of 2 labeled construction plan, that the details of available and required sight distances at the intersection of State Route 522 and Meadow Brook Lane have been provided. Are the required sight distances based on PennDOT's standards?

\*The Penn Terra representative indicated yes.

4. Has the box culvert been inspected by the Township Engineer to determine if its condition would necessitate any modifications other than guardrails? If so, it may involve a Chapter 105 Permit from the PA-DEP.

\*The Penn Terra Engineering representative indicated no. This is a private drive and a box culvert rated for vehicular traffic. The Township Engineer has the right to inspect if he wants.

5. All conditions contained in the Zoning Hearing Board of Derry Township opinion and decision adapted April 20, 2016, shall remain in full force and effect.

\*The Penn Terra Engineering representative acknowledged this comment.

6. It is not clear to what extent the driveway for Meadow Brook Lane is to be widened and where the widening is to occur. Sheet 5 is not clear on the driveway width which varies.

\*The Penn Terra Engineering representative indicated Sheet 4 labels existing versus widening widths; for instance 33.14' widened past the "cross" intersection +29.78' wide across from the upper drive into the primary parking lot.  
7. What will the hours of operation be for the brewery and restaurant?

\*The Penn Terra Engineering representative said likely weekdays M-R 4PM-10PM, Friday and Saturday: 11:00AM-1:00AM and Sunday 10:00AM to 10:00PM

8. Will there be any off-site signage for the restaurant?

\*The Penn Terra Engineering representative indicated yes it will be combined with the sign for Rich Coast Coffee and Tea to be moved slightly off of the road.

9. In accordance with Section 510 of the Derry Township Subdivision and Land Development Ordinance, whenever possible trees shall not be removed unless they are located within the proposed street right-of-way within the proposed building area, or within utility locations and equipment access areas. There are six (6) areas where existing deciduous trees and evergreen trees are to be removed. Are all these areas either in utility or equipment access areas or in the proposed building or right-of-way area?

\*The Penn Terra representative stated they may request a waiver to this provision and indicated 'wherever possible'-the trees are being removed to the safe and efficient development of the private property.

10. A landscaping plan shall be provided for a commercial land development plan in accordance with Section 510.5 of the Derry Township Subdivision and Land Development Ordinance.

\*The Penn Terra Engineering representative believes that the existing trees, landscaping and plantings meet the design requirement of the Ordinance.

11. The project should be reviewed by the Township Engineer and any comments that need to be addressed should be adequately addressed prior to granting approval of the project.

\*The Penn Terra Engineering representative indicated they are currently coordinating with Alan Wrye.

12. Will there be catering events on site since there is intent shown? This additional use was originally to be accommodated on adjoining property. This needs to be clarified since this will affect parking.

\*The Penn Terra Engineering representative indicated none are planned. This area will be used as a band shell. (It should be noted on the plan that no catering will occur on site).

13. Parking spaces on site are not striped currently. Will this be accommodated with the new buildings? On Sheet 7 parking stalls are not dimensioned out and should be.

\*The Penn Terra Engineering representative indicated yes it will be paint striped with new plan. Typical spaces are dimensioned (10'x20') on Sheet 4.

14. Is there clear directional signage proposed to eliminate confusion from rental property entrance?

\*The Ufemas own and oversee the renter homes. The Penn Terra Engineering representative offered to clarify this on the plan.

15. The plan shows relocation of the existing sign and mailboxes. The plan should show the new location so that it can be verified that sufficient sight distance is provided in both directions for a vehicle waiting at the stop bar. The plan and review of site photography appears to show vegetation on the northwest corner that may impair sight distance to the west of the driveway, and the plan should identify if the vegetation will be removed to provide sufficient sight distance.

\*The Penn Terra representative explained there is no need to remove any existing trees and shrubs at this intersection because the stop bar will be very close to SR 522 North.

16. The plan should identify any improvements needed to meet the radii requirements for a low volume driveway accessing a roadway with a speed limit of 45 mph. We are looking for the applicant to provide a 15' to 25' turn radii. This should be noted within the HOP plan.

\*The Penn Terra Engineering representative indicated he will forward this comment to Penn Dot as part of the HOP permit.

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

Name of Plan: PHN Medical Office Complex

File Number: 2016-07-013

Tax Map #: 16-04-0105

Plan Preparer: Hawbaker Engineering, LLC

#### **Plan Summary:**

The Keystone Healthcare Development Service (Keystone) is acquiring 6.074 acres from Burnham Properties "Northern Tract" to construct a 3-story medical office building for the Primary Health Network (PHN) during the initial phase. Phase 2 is currently proposed as an additional 3-story educational building and necessary parking. This area was previously approved as the theatre lot in the Final Land Development Plan for Derry Heights - Phase 1. Keystone will utilize the existing access, utilities and stormwater facilities for their project. Access will be provided by Moraitis Boulevard and Pastor Drive.

The Engineer of record provided written responses dated MAY 2, 2016 and revised plans dated APRIL 11 and MAY 2, 2016 based on the County's final comments. These comments reflect those changes. Additionally, the Engineer of record provided written responses dated MAY 16, 2016 and revised plans dated April 4, and 11, 2016 and May 12, 2016.

The Derry Township Board of Supervisors denied the previous Land Development Plan on May 16, 2016. Therefore, the Engineer resubmitted another plan dated July 11, 2016 and takes into account the County's comments dated June 2, 2016. The updated comments are reflected with four (4) asterisks.

#### **Basic Plan Information**

All abutters should be shown on the plan, including tax map numbers in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Sections 402.2.0. and 403.2.5.). Since the eastern boundary abutting properties are numerous, an insert map listing the abutters by number, name and tax parcel number would be sufficient.

\*\*A new Sheet 2 has been added with the overall existing conditions plan, however, sheet 2 of 8 has an adjoining property owner table, but the parcels are not labeled to correspond to the table. The subdivision plan sheet 2 of 2

dated May 2, 2016 has the parcels labeled that correspond to the table. Based on this sheet that was part of the subdivision plan the following comments apply.

\*\*Abutter I based on the County's Assessment and GIS files is tax parcel 16,04-0105K, presently owned by Aldi Inc. Also the abutter having tax parcel number 16,04-0105I is presently owned by Mark and Debra Elsesser and this is not labeled on the parcel.

\*\*\*Abutter H and I have been identified correctly.

\*\* The tax parcel labeled as 16,1-113A is labeled incorrectly as it should be labeled as 16,01-0113A and the current owner of record is Burnham Properties not David and Norita Rowery.

\*\*\*The abutters identified as ZZ is tax parcel number 16,01-0113A not 16, 01-0113B.

\*\* The adjoining tax parcel numbers are not labeled correctly. They are missing the zero digit before the third number and a zero digit before the last 3 to 4 numbers or letters.

\*\*\*The abutting tax parcel numbers have been corrected.

#### **Floodplain / Wetlands**

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.I. and Section 403.2.M.).

\*\*A note has been added to the plan.

#### **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 development in these should be discouraged. The steep slopes are not part of Lot 5, only part of the residual.

\*\* The Engineer responded that steep slopes do not exist on proposed lot 5 or within the access and utility easements. He also referred to "final land development plan for Derry Heights-Phase I".

#### **Soils**

According to the County GIS files, some portion of the residual 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.

\*\*Soil type Efc as identified on the plan is not considered a hydric soil. The hydric soils contained on parts of the residual are Ma-Melvin Silt Loam and At-Atkins Silt Loam and these should be labeled on the plan.

\*\*\*The hydric soils have been identified in the plan; however, Melvin and Atkins soils do exist on the residual based on the County's GIS files. The Engineer of record disagrees with this.

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

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Ferguson Valley Road is substandard in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 5 Section 504.2.)

\*\*\*According to the Engineer, a portion of the residual has been dedicated to Derry Township to improve the right-of-way width of Ferguson Valley Road. A portion of the Rowe Tract is also being dedicated. According to the Township, this has not been dedicated.

\*\*\*A representative from Hawbaker Engineering indicated information for an 8.5 wide strip of land (Rowe Tract) along Ferguson Valley Road has been prepared to allow the proper documentation to be created for dedication.

Moraitis Boulevard and Pastor Drive are not public right-of-ways. The location of Pastor Drive is not identified on the plan.

\*\*\* According to the Engineer, easements will be recorded for access. A new sheet (3 of 9) has been added to help clarify the location of Pastor Drive, Moraitis Boulevard and Ferguson Valley Road.

\*\*The location of Pastor Drive has been added to the plan. Sheet 2 now shows an additional right-of-way is proposed for Ferguson Valley Road.

#### **Cartway Widths**

The cartway width of Ferguson Valley Road should be shown on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.K. and Section 403.2.G.).



\*\*\*According to the Engineer, cartway widths for Ferguson Valley Road, Moraitis Boulevard and Pastor Drive are now shown on the plan. However, it appears the cartway width of Ferguson Valley Road is not identified. The cartway widths of Moraitis Boulevard and Pastor Drive are substandard in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 5 Section 504.2.) According to Section 504 of the Township's Subdivision Regulations, the minimum cartway width should be 30 feet not 28 feet. Please confirm.

\*\*\*The Engineer indicated the cartway widths were established as part of the final Land Development Plan for Derry Heights Phase I.

**PennDOT HOP / Municipal Driveway Permit**

Unless municipal driveway permits were issued, a municipal driveway permit is required for access onto Ferguson Valley Road, and a copy should be provided to the Derry Planning Commission.

\*\*Please see attached for the municipal driveway permits. The attachments show driveway permit applications to the Township Road Master for Moraitis Boulevard and Pastor Drive.

**Private Street / Shared Driveway**

If a private street is proposed, the following note shall be included on the plan: "The owners of lots \_\_\_\_\_ agree and understand that " \_\_\_\_\_ Road" is a private road and as such are responsible for the maintenance, care, improvements, and snow removal at their own diligence and expense. Further, if at any time in the future, the property owners adjacent to this road desire to dedicate said road to Municipal ownership, then such owners shall be required at their own expense to improve said road to meet the public road and street specifications of the Municipality in case at such time. The maintenance and use of said private road shall be in accordance with the private road maintenance and use agreement recorded in Deed Book \_\_\_\_ Page \_\_\_\_ of the Mifflin County Recorder of Deeds Office."

\*\*Although a private driveway note was placed on the plan, it should have a private street statement listed on the plan as shown above. This is consistent with the Derry Heights Subdivision Plan.

\*\*\*The Engineer stated we will discuss with PHN and Burnham Properties concerning the "Access and Maintenance Agreement."

\*\*\*The Access and Maintenance Agreement has not been provided.

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

\*\*\*A copy of the plans have been provided to the Engineer. The Township Engineer provided comments in the a letter dated May 27, 2016 attached with this re-submission.

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

\*\*According to the Engineer, road geometry profiles are found on the "Final Land Development Plan for Derry Heights-Phase1". Although road geometry and profiles may be part of the final land development plan for Derry Heights Phase 1, they are a part of the land development plan. Also, the Township Engineer is satisfied with this arrangement.

\*\*\*According to the Engineer, attached are sheets 10, 12 and 23 of 39 from the "Final Land Development Plan for Derry Heights Phase I." The existing roadway (Moraitis Boulevard) was constructed from profile 23 of 39. There is still a question about missing road profiles for the access easement. The representative from Hawbaker Engineering stated they provided the profiles from the Derry Heights Plan Set.

\*\*\*These have been provided.

**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.

\*\*Road names for Moraitis Boulevard and Pastor Drive were previously approved by the Mifflin County GIS Department.

\*\*A letter dated May 2, 2016 from the County's GIS Department verifies these road names have been approved.

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Part 4 Section 403 2.L. and M.) of the Derry Township Subdivision and Land Development Ordinance. Although access and utility easement legal descriptions have been provided with the subdivision application, they should be part of the land development plan to show access. No deed restrictions or other encumbrances that may be associated with the property are shown or noted.

\*\*\*According to the Engineer, easements are shown on the plan. The cover sheet notes have been updated to include the easements as well.

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

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

\*\*This has not been addressed.

\*\*\*According to the Engineer, a sewage planning module exemption was completed for the theatre and it has been determined that the PHN Phase facility will require less EDU's than the theatre was projected to use. A new mailer will not be necessary. This is acknowledged, however, there is not a copy of the original exemption demonstrating the estimated EDU's for the theatre from PA-DEP.

#### **Water Service**

The water supply location should be noted on the plan as prescribed in the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.J.) 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.

\*\*The water supply location has been added to the plans.

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

\*\*The May 2, 2016 written response indicates a revised letter requesting water service for the PHN facilities has been mailed to the MABL. The letter from MABL will be provided once received. The water main was constructed within the access and utility easement but has not been turned over to the MABL.

\*\*\*A letter from the MABL has been provided.

#### **Sewage Service**

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

\*\*The May 2, 2016 written response indicates a revised letter requesting sewer service for the PHN facilities has been mailed to the Derry Township Sewer Authority. The letter from the Authority will be provided once received.

\*\*\*A letter from the Derry Township Sanitary Sewer authority has been provided.

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

The Mifflin County review certificate is not accurate. There should be one line for plan tracking number and one line for Chairman or designated representative.

\*\*The Mifflin County review certificate has been revised and is accurate.

#### **Land Development**

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

\*\*The May 2, 2016 response did not provide a comment regarding this.

\*\*\*Based on the Engineer's response, a new hydrant is being proposed near the entrance to the PHN Complex. In addition, each building will be providing sprinklers for fire protection. A plan will be sent to the fire marshal for his review. We spoke with Jim Treaster at the Derry Township Planning Commission Meeting on May 5th. The only ongoing comment is the access around the Phase 2 building which we are removing from the current land development plans. However, Sheet 3 of 9 shows Phase 2 of the medical office building.

\*\*\*\*The July 11, 2016 submission indicates that although this is correct, the sheet indicates not be recorded. The word future development should be labeled on the building footprint of the plan not to be recorded. A traffic circulation diagram should be included with this plan submission to verify adequate site circulation.

\*\*Traffic arrows are shown on the plan.

This plan proposal may require a traffic study, since the last one was in 2009. The traffic study should be updated and take into consideration a change of use from a movie theater to a medical facility. At a minimum the AM and PM peak trips should be provided using the latest edition of the Institute of Transportation Engineers Trip Generation Manual.

\*\*The May 2, 2016 response and revised plans do not address these comments.

\*\*\*According to the Engineer, our client has been informed of the request for a revised traffic study and we will provide an update once received.

\*\*\*The County has not received an updated traffic study with the latest submission. What is the status of this?

The variance granted by the township on September 22, 2009 for a reduction of the parking stall length was based on a different use. Although a variance runs with the land, it would appear that this approval would not by default apply to the use for a medical and educational facilities. The parking space sizes as shown do not meet the requirements of the Derry Township Zoning Ordinance.

\*\*The applicant has agreed to meet standard size parking space requirements.

\*\*\*The Engineer indicates we have revised the two rows of parking that utilize the shortened parking stall length. We will not propose a variance to alter the required parking stall depth. All other parking stalls conform to the Derry Township Zoning Ordinance.

What is the driveway width beyond the entrance?

\*\*Sheet 4 of 8 shows a twenty-four (24') foot driveway width at the entrance onto Moraitis Boulevard.

The rear of the parking lot only has a 22 foot travel lane for two-way traffic. Is this adequate, since every where else it is 24 feet? Also the travel lane between buildings is only 20 feet.

\*Emergency access for the proposed building is not shown. If this cannot accommodate it should it remain on the plan?

\*\*\*According to the Engineer, the emergency access around the Phase I building is shown on the plans. Phase 2 is being removed from the current land development operation. However Sheet 3 of 9 still shows Phase 2 of the medical office building. (education building)

\*\*\*The July 11, 2016 submission indicates that although this is correct, the sheet indicates not to be recorded.

There should be the words future development on the building footprint for Phase 2. The question regarding whether the 22 foot travel lane is adequate for two-way traffic has not been addressed.

#### Landscaping

In accordance with the Derry Township Zoning Ordinance Section 312 5. A.2. , when a parking lot is located in a yard which abuts a street, a landscape strip shall be provided on the property along the entire street line. With over 250 parking spaces provided, a 25' landscape strip is required along the frontage of Moraitis Boulevard.

\*\*\*The latest plans dated May 12 and the written letter dated May 16, 2016 do not address these comments.

\*\*\*The July 11, 2016 submission from Hawbaker Engineering stated they are requesting to defer the landscape planting requirement until Phase 2 of the plan project is proposed. The 46 KV utility poles will need to be relocated to allow the completion of Moraitis Boulevard and will require earth work to be completed. Once this work is completed the landscape strip can be planted.

In accordance with the Derry Township Zoning Ordinance Section 314.2.F., each five hundred (500) square feet of required area for landscape strips one (1) shade/ornamental tree shall be provided. All required landscape strips shall have landscaping materials distributed along the entire length of the lot line abutting the yard.

\*\*\*A portion of the tree plantings were installed along Moraitis Boulevard as part of the Derry Heights Phase 1 plan. Bioretention facility B2, Bioretention swale B2 facility C are currently planted as well. Trees have been added to Stormwater facility B2 where possible due to the overhead utility lines. Grass cover will be maintained within all of these areas.

\*\*\*The latest plans dated May 12 and the written letter dated May 16, 2016 does not address this comment.

Has the lighting provisions been checked by the Township Engineer?

\*\*\*The latest plans dated May 12 and the written letter dated May 16, 2016 does not address this comment.

\*\*\*The submission dated July 11, 2016 does not address this comment.

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

What is the status of the existing NPDES permit?

\*\*The Mifflin County Conservation District, District Manager indicated the receiving waters designation has changed to a wild trout stream and this may impact the existing NPDES permit.

\*\*\*According to the Engineer, the current NPDES Permit is active until September 18, 2018.

\*\*\*\*A letter dated September 18, 2013 corroborates the expiration date of the NPDES Permit.

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

\*\*The May 2, 2016 response and revised plans do not address these comments.

\*\*\*Based on the Engineer's comments, the PHN Complex will utilize the existing drainage features as previously designed and installed for the theatre. The proposed PHN Complex is proposing less impervious surface than the theatre concept. Please refer to the reviewed and approved stormwater report for Derry Heights Phase I.

\*\*\*\*The July 11, 2016 submission states the previously proposed theatre had 4.05 acres of impervious area. The PHN complex, including Phase 2, is 3.13 acres of impervious area. In addition, Basin C was designed for additional volume beyond the theatre to allow for future development.

Since this project involves earth disturbance greater than 5,000 square feet, an Erosion and Sedimentation Control Plan is required. What is the status of this?

\*This has not been addressed.

\*\*\*\*The July 11, 2016 submission states Erosion and Sedimentation (E&OS) controls are still in place for the theatre and Sheet 6 of 9 shows the same E & S features as approved under the current and active NPDES Permit.

**Other Comments:**

1. Although there are proposed easements for access to this lot, what assurance will there be that these easements will be constructed.

\*This has not been addressed.

\*\*\*The Engineer indicated the easements will be recorded along with the lot consolidation plan. The subdivision plan and associated easements are being reviewed concurrently with this plan. PHN will be included in the developer's agreement.

\*\*\*\*The July 11, 2016 submission states the subdivision plan and associated easements are being reviewed concurrently with this plan. PHN will be involved in the developers agreement.

2. Is there a developer's agreement with the township in accordance with the Derry Township Subdivision and Land Development Ordinance Section 612., entitled Completion of improvements or guarantee thereof prerequisite to final plan approval.

\*\*According to the engineer, the Developers agreement has or will be negotiated between Derry Township and Burnham Properties. The Developers agreement should be in place prior to approval of the land development plan. However, there are still some outstanding concerns on this issue from the original plan development.

\*\*\*According to the Engineer, the developers agreement has been or will be negotiated between Derry Township and Burnham Properties. This is a fundamental concern that needs to be addressed before the project can move forward.

3. On earlier plans there was a proposed traffic light to be installed at the corner of Ferguson Valley Road and Freedom Avenue. Where does this stand in relation to this project?

\*\*According to the engineer, they will consult with Burnham Properties concerning the status of this light. However, this still needs to be resolved.

\*\*\*The Engineer indicated we have no update at this time.

\*\*\*\*The Township has applied for assistance for this.

4. One of the earlier plans called for the widening of Ferguson Valley Road. Where does this stand?

\*\*According to the engineer, they will consult with Burnham Properties concerning the widening of Ferguson Valley Road. However, this still needs to be resolved.

\*\*\*The Engineer indicated we have no update at this time.

5. There are high voltage overhead wires above a large area of this lot. Has the utility company been contacted to make sure there is no issue with the parking lot and the high tension lines and their distance to the building?

\*\*According to the engineer, Penelec is aware of the PHN project. The proposed buildings are not within the three-hundred and ninety foot (390') wide easement for the overhead lines. However, based on further review, both buildings are less than three-hundred and ninety feet (390') from the power line. The 390' easement boundary needs to be clearly articulated and identified since this is not clear.

\*\*\*According to the Engineer, the 390' wide Penelec easement is shown and labeled on all plan sheets. No building structure is being proposed within the existing Penelec easement. A copy of the plans were sent to Penelec for their review.

6. The project narrative calls for a 3 story building and the project notes list 35 feet. It appears that there may be a discrepancy, since 3 stories will likely exceed the 35 feet maximum height allowed. Please clarify this.

\*\*According to the engineer, the proposed building height request is now forty-four (44) feet, which exceeds the maximum height limit of thirty-five (35') feet in the Light Industrial Zone (LI), so that a variance is required.

The variance request should be processed prior to the approval of the land development plan. According to the engineer, a variance request has been filed.

\*\*\*The Engineer stated we are requesting a variance for building height. The proposed structure height is 43' but since the height is determined from the average ground elevation around the structure, we are requesting a height of 44'. The variance hearing has not been scheduled by the date of this letter. Again, this should be resolved prior to the land development being approved.

\*\*\*The Zoning Hearing Board granted the variance on June 21, 2016 and this should be noted on the plan.

7. Although the Light Industrial Zone does not specifically allow for health care facilities, it does allow for offices. In terms of the proposed educational facility, it will need to go through a conditional use hearing. Will the educational building use be brought back as another land development plan?

\*\*\*According to the Engineer, we will consult with Derry Township concerning a conditional use. The educational facility has been removed from this plan. Sheet 3 of 9, however, still shows Phase 2 of this project on the plan.

8. There is concern by the Code Officer regarding fire equipment accessibility to the rear of the building. Please clarify.

\*\*\*The Engineer indicated access has been extended to the rear of the Phase I building. The buildings will also have sprinklers installed for fire suppression.

\*\*\*According to the Engineer, the emergency access has been extended behind the Phase I building. The Phase 2 building has been removed from the current land development plan. However, Sheet 3 of 9 still shows the Phase 2 building.

9. Have Moraitis Boulevard and Pastor Drive been improved to meet township standards as provided with the Derry Township Subdivision and Land Development Ordinance. (Part 5 Section 503.4.) This should be verified by the Township Road Master prior to the approval of the land development plan.

\*\*\*According to the Engineer, at this time, Moraitis Boulevard and Pastor Drive are to remain private. However, Moraitis Boulevard and Pastor Drive were designed and constructed to Derry Township standards in the event the roadways are dedicated to the Township in the future.

\*\*\*The Hawbaker Engineering representative noted that Moraitis Boulevard and Pastor Drive are proposed to be dedicated to the Township. Before they were to remain private.

10. It is not clear whether building No 2 is part of this development or will be part of a future land development proposal.

\*\*\*The Phase 2 building has been removed from the current Land Development Plan. However, on page 3 of 9 the Phase 2 building is depicted on the plan. According to the Engineer, a master plan has been developed which shows both Phase 1 and 2. This plan will not be recorded and is being provided for informational purposes only.

\*\*\*Based on the July 11, 2016 submission sheet 3 of 9 is a master plan for the site. The sheet is also labeled "Not to be recorded." There should be a note on the building footprint for building 2 that this is future development.

Under Note 1 - Conditional Use

1. Note #1, please confirm with this waiver on the cul-de-sac is still valid since the project has changed. Also the dimensions of the cul-de-sac should be provided as well as confirmation if this is a temporary or permanent facility.

\*\*\*According to the Engineer, the roadway networks and cul-de-sac are still part of the Derry Heights Phase I development. Dimensions have been added to the cul-de-sac.

Under General Note

1. Under Note #1, the traffic study is mentioned that was completed in 2009 but it is not clear how or whether the improvements will be accommodated.

Also, as mentioned earlier, an updated traffic impact study will be needed for this project.

\*\*\*The Engineer indicated they will consult with Burnham Properties concerning the status of an updated traffic study.

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

Name of Plan: Derry Heights-Burnham Properties LP

File Number: 2016-07-014

Tax Map #: 16-04-0105

Plan Preparer: Hawbaker Engineering, LLC

#### **Plan Summary:**

This plan subdivides Lot 5 from the residue of the northern tract (16-04-0105). Lots 1 through 4 were previously subdivided out of the northern tract on September 27, 2007. See plan entitled "Final Subdivision plan for Burnham Heights, Phase 1, as recorded in Map Book 25, Page 6. The Engineer of record provided written responses dated MAY 2, 2016 and revised plans dated APRIL 11 and MAY 2, 2016 based on the County's final comments. These comments reflect those changes. Additionally, the Engineer of record provided written responses dated MAY 16, 2016. These comments reflect those changes and are delineated with three asterisks. The Derry Township Board of Supervisors denied the previous Land Development Plan on May 16, 2016. Therefore, the Engineer resubmitted another plan dated July 11, 2016 which takes into account the County's comments dated June 2, 2016. The updated comments are reflected with four (4) asterisks.

#### **Basic Plan Information**

All abutters should be shown on the plan, including tax map numbers. Derry Township Subdivision and Land Development Ordinance. (Part 4 Sections 402.2.0. and 403.2.5.) Since the eastern boundary abutting properties are numerous, an insert map listing the abutters by number, name and tax parcel number would be sufficient. The following tax parcels are not listed as abutters and they should: 16,04-0099 and 16,04-0113A. A new Sheet 2 has been added with the overall existing conditions plan.

\*\*Abutter I based on the County's Assessment and GIS files is tax parcel 16,04-0105K, presently owned by Aldi Inc. Also the abutter having tax parcel number 16,04-0105I is presently owned by Mark and Debra Elsesser.

\*\*\*Abutters H and I have been identified correctly.

\*\*The tax parcel labeled as 16,1-113A is labeled incorrectly as it should be labeled as 16,01-0113A and the current owner of record is Burnham Properties.

\*\*\*\*This has been corrected based on the July 11, 2016 submission.

\*\*\*The abutters identified as ZZ is tax parcel number 16,01-0113A not 16,01-0113B.

\*\*The adjoining tax parcel numbers are not labeled correctly. They are missing the zero digit before the third number and a zero digit before the last 3 to 4 numbers or letters.

\*\*\*The abutting tax parcel numbers have been corrected.

#### **Subdivision Information**

Property boundary information should be shown for the entire property, including the residual property in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 403.2. G., H. and J). All of the property was fully surveyed in 2007/2008 and should be provided with this updated subdivision plan, particularly since the layout appears to have changed.

\*\*\*\*The July 11, 2016 response states the entire tract boundary is now included.

\*\* On sheet 2 of 2 it appears based on the Pennsylvania Engineer, Land Surveyor and Geologist Registration Law Act of May 23, 1945 P.L. 913 No. 367 CL 63 Section 2. Definitions (d) (e) and (j) that a professional Engineer may not practice land surveying unless licensed and registered as a professional land surveyor.

\*\*\*Sheet 2 has a professional land surveyors seal.

Based on the County GIS files , the extension of Moraitis Boulevard appears to be a paper street and is not a public-right-of-way. This has created concern that the subdivision of Lot 5 will create a land locked parcel, which is prohibited in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 5 Section 503.4) However, based on a site visit on April 20,2016, a roughed in gravel road has been developed that has not been approved by Derry Township. In fact, based on a review of County Assessment records, it is questionable if the entire road system was ever approved since there is no plan recorded.

\*\*\* According to the Engineer, Moraitis Boulevard and Pastor Drive were to remain private and a 50' access and utility easement will provide the legal access required for lot 5.

\*\*\*\*The July 11, 2016 submission states the Engineer is now proposing to dedicate 50' wide right-of-ways to Derry Township.

Although there are proposed easements for access to this lot, what assurance will there be that these easements will be constructed to Township standards. Will the easements be public rights-of-ways and if so, will they be dedicated and accepted by the Township? Have the existing base coated roads (still lacking a final coat) been approved by the Township, and will they be built to be dedicated to the Township?

\*\*\*According to the Engineer, the access and utility easements will be recorded along with the subdivision plan.

The roads and easements are to remain private. According to the Engineer, both Moraitis Boulevard and Pastor Drive were designed and constructed to Derry Township standards in the event the roadways are dedicated to the Township in the future.

\*\* The May 2, 2015 response letter indicates the access and utility easements will be recorded along with the subdivision plan. The roads and easements are to remain private. Both Moraitis Boulevard and Pastor Drive were designed and constructed to Derry Township standards in the event the roadways are dedicated to the Township in the future.

\*\*\*\*The July 11, 2016 submission indicates the Engineer is now proposing to dedicate 50' wide right-of-ways to Derry Township. The roadways were inspected during construction by Derry Township's Engineer.

\*\*It is not clear on whether an authorization by the Township to develop the access utility easement that accesses Lot 5 was given.

\*\*\*No response has been provided regarding this comment.

\*\*\*\*The July 11, 2016 submission indicates they are unclear about what type of response is needed to address this comment. (Is there verification that the easements have been dedicated to the Township?)

Is there a sufficient developer's agreement for this extension and other work done to date?

\*\*According to the engineer, the developer's agreement has been or will be negotiated between Derry Township and Burnham Properties.

\*\*\*This is a fundamental concern that needs to be addressed before the project can move forward.

\*\*\*\*The Engineer has no update at this time.

#### **Floodplain / Wetlands**

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.I. and Section 403.2.M.)

\*\*A note has been added to the plan.

#### **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 development in these should be discouraged. The steep slopes are not part of Lot 5.

\*\*\*Steep slopes do not exist on the proposed lot 5 or within the access and utility easements. The Engineer makes reference to "Final Land Development Plan for Derry Heights-Phase I ", Topographical contours at vertical intervals should be displayed on the plan in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.G)

\*\* Contours have been added to the plan.

## **Soils**

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

\*\*Soil type Efc as noted on the plan is not considered a hydric soil. The hydric soils contained on parts of the residual are Ma-Melvin Silt Loam and At-Atkins Silt Loam and these should be labeled and the plan. According to the engineer, this is only on the Ridens Tract.

\*\*\*The hydric soils have been identified in the plan; however, Melvin and Atkins soils do exist on the residual portion of the site based on the County's GIS files.

\*\*\*\*The July 11, 2016 submission indicates a soil map was previously provided showing the residual tracts as well as the Rowe and Riden tracts. Melvin and Atkins soils are not located on these parcels of land. Melvin is located around Buck Run and Atkins is located near the completed Sheetz Store. Please provide some evidence if we are incorrect. The soil map provided does not depict the residual portion of tax parcel 16, 04-0105. The hydric soils are contained on the residual lands only.

## **Right-of Way Widths**

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Ferguson Valley Road is substandard in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 5 Section 504. 2.)

Only a small section of Ferguson Valley Road is proposed for enlargement by 8 1/2 feet. A Deed of Dedication is pending. Who and when will improvement be made?

\*\*\*According to the Engineer, a portion of the residual tract has already been dedicated to Derry Township to improve the right-of-way width of Ferguson Valley Road. A portion of the Rowe tract is also being dedicated to Derry Township to increase the right-of-way width.

## **Cartway Widths**

The cartway widths of Ferguson Valley Road should be shown on the plan in accordance with Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.K. and Section 403.2.G.).

\*\*\*The cartway width of Ferguson Valley Road is not labeled on the plan. Please clarify where on the plan the cartway width is labeled.

\*\*\*\*The cartway width is now labeled, see "Ferguson Valley Road" label.

The cartway widths of Moraitis Boulevard and Pastor Drive are substandard in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 5 Section 504.2.)

The cartway width for Moraitis Boulevard is 28 feet, which does not meet the Township standard of 30' (Section 504.2 of the Derry Township Subdivision and Land Development Ordinance)

\*\*\*According to the Engineer, the cartway widths were established as part of the Final Land Development Plan for Derry Heights Phase I.

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

Since a portion of Ferguson Valley Road is considered a state road and 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.

\*\* A statement was placed on the plan.

A municipal driveway permit is required for access onto Ferguson Valley Road, and a copy should be provided to the Derry Township Planning Commission. The ingress and egress will intersect with the municipal portion of Ferguson Valley Road.

\*\*The PennDOT note has been added to the plan. Please see attached for the municipal driveway permits.

Where does Ferguson Valley Road change from a state to a local road?

\*\* Where does Ferguson Valley Road change from a state to a local road?

\*\*\*\*The July 11, 2016 submission indicates the change is near the on/off ramp to SR 322.



**Private Street / Shared Driveway**

If a private street is proposed, the following note shall be included on the plan: "The owners of lots \_\_\_\_\_ agree and understand that " \_\_\_\_\_ Road" is a private road and as such are responsible for the maintenance, care, improvements, and snow removal at their own diligence and expense. Further, if at any time in the future, the property owners adjacent to this road desire to dedicate said road to Municipal ownership, then such owners shall be required at their own expense to improve said road to meet the public road and street specifications of the Municipality in case at such time. The maintenance and use of said private road shall be in accordance with the private road maintenance and use agreement recorded in Deed Book \_\_\_\_\_ Page \_\_\_\_\_ of the Mifflin County Recorder of Deeds Office."

\*\*A note has been added to the plan. Roadways are being constructed to Derry Township's standards.

**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.

\*\*Road names for Moraitis Boulevard and Pastor Drive were previously approved by Mifflin County GIS Department. Please see attached.

**Deed Restrictions and Easements**

Deed Restrictions should be noted on the plan as well as any encumbrances in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 403 2.L. and M.)

\*\*\*The July 11, 2016 submission depicts the easements.

**DEP Sewage Planning Module**

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

\*\*The May 2, 2016 written response indicates a non-building declaration note has been added to the plan, however, it appears based on the revised plans that it has been noted but we do not have a copy of the waiver form.

\*\*\*Please see project note #10 on page 1 of 2.

**Sewage Service**

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

\*\*The May 2, 2016 written response indicates a revised letter requesting sewer service for the PHN facilities has been mailed to the Derry Township Sanitary Sewer Authority. The letter from the authority will be provided once received.

\*\*\*A letter from the Derry Township Sanitary Sewer Authority has been provided.

**Water Service**

A letter from the municipal water authority acknowledging availability of public water should be submitted to the Derry Township Planning Commission.

\*\*The May 2, 2016 written response indicates a revised letter requesting water service for the PHN facilities has been mailed to the MABL. The letter from MABL will be provided once received. The water main was constructed within the access and utility easement but has not been turned over to the MABL.

The water supply location should be noted on the plan as prescribed in the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.J. and 403.2.X)). 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.

\*\*The water supply location has been added to the plan.

\*\*\*A letter from the MABL has been provided.

**Signature Blocks on Plan**

The Mifflin County Review Certificate is not accurate. There should be one line for the plan tracking number and one line for Chairman or designated representative.

\*\*The Mifflin County review certificate has been revised and is accurate.

**Zoning**

Zoning information should be stated on the plan.

\*\*Zoning information has been added.

**Other Comments:**

The Township Engineer should review this subdivision to comment on the access easement versus creating a public right-of-way in accordance to the Township Road Standards.

There should be road profiles as part of this subdivision for the Township Engineer to review.

\*\*A copy of the current submission was submitted to Derry Township's Engineer. In regard to the road profile question, Hawbaker suggests to please refer to "Final Land Development Plan for Derry Heights-Phase I" for road profiles. There is still a question about missing road profiles for the access easement.

\*\*\*\*The July 11, 2016 submission states attached are sheets 10, 12 and 23 of 39 from the "Final Land Development Plan" for Derry Heights Phase I. The existing roadway (Moraitis Boulevard) was constructed from Profile Sheet 23 of 39.

\*\*A plan note should be added about road profiles. Also, the cul-de-sac connecting Moraitis Boulevard should have dimensions labeled on it as well as whether it is temporary or permanent.

\*\*\*The Engineer of Record submitted sheets 10, 12 & 23 of 39 from the Final Land Development Plan for Derry Heights Phase I. The existing roadway (Moraitis Boulevard) was constructed from Profile Sheet 23 of 39. There is still a question about missing road profiles for the access easement.

\*\*\*\*The July 11, 2016 submission states the plan sheets from the Derry Heights Plan sheets were provided because they contain the profile information for Moraitis Boulevard.

***Granville Township (Municipal Ordinance)***

Name of Plan: Ellinger, Sandra S.

File Number: 2016-07-008

Tax Map #: 17, 13-0101

Plan Preparer: Sarge Engineering and Surveying

**Plan Summary:**

The purpose of this plan is to create Lot 2, of 2.00 acres, from the property of Sandra S. Ellinger, Mifflin County Tax Parcel 17, 13-0101. Lot 2 contains an existing single-family residence and is connected to public water with on-lot sewage disposal. The residual tract, Lot 1 of +/-86 acres, is used for agriculture.

**Basic Plan Information**

Lot 1 abuts a railroad right-of-way.

**Clean & Green / Agriculture**

According to 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.

According to Note #5, the property is in an Agricultural Security Area and should be noted on the plan.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that indicates in note 5. the property is located in an Agricultural Security Area.

**Floodplain / Wetlands**

According to Note #2, part of Lot 1 and all of Lot 2 lie in the 100 year floodplain.

**Soils**

According to the County GIS files, some portion of this property appears to have prime farmland soils. There is no soil information on the plan.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that indicates the soil types.

**Right-of Way Widths**

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

**Cartway Widths**

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

**Deed Restrictions and Easements**

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

**DEP Sewage Planning Module**

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form has been provided.

**Features**

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. (Granville Township Subdivision and Land Development Ordinance, Section 6.202. a10)

**Other Comments:**

There are two plan notes labeled as "Note #4", so one needs to be Note #5.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that corrected the numbering sequence.

**Granville Township (Municipal Ordinance)**

Name of Plan: Stewart, Anna M.

File Number: 2016-07-009

Tax Map #: 17, 25-0150

Plan Preparer: Sarge Engineering and Surveying

**Plan Summary:**

The purpose of this plan is to create Lot 2 and Lot 3 from the property of Anna M. Stewart, Mifflin County Tax Parcel 17, 25-0150. These new Lots will be for single-family residential use and will be connected to the public sewer, with on-lot well water. The residual tract, Lot 1, is used for existing single-family residential use.

**Basic Plan Information**

One of the abutters, Michael and Shirley Hostetler, T.M. 17-14-0105A, should be labeled on the plan.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that labels this abutter.

**Soils**

There is no soil information on the plan.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that lists the soil types.

**Right-of Way Widths**

Sisters Lane is a private street that appears to cross the front of lots 1, 2 and 3. The dashed line appears to show the road is not straight and winds, but the plan shows a straight line across the lots. Please confirm. Also, how does this tie in with the identified "existing unopened" right-of-way?

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

**Cartway Widths**

Can the existing cartway handle emergency vehicles?

The cartway width for Sisters Lane should be shown on the plan. (Granville Township Subdivision and Land Development Ordinance, Section 6.202. a.11.) It is also likely that the cartway width is substandard.

\*The Sarge Surveying and Engineering representative submitted revised plans dated July 21, 2016 that shows the cartway width.

**Private Street / Shared Driveway**

Plan Note #5 lists a shared driveway agreement serving 3 lots. Will this be recorded? Are there any provisions in Granville about allowing more than two dwellings on a private street or shared driveway?

**Deed Restrictions and Easements**

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

**DEP Sewage Planning Module**

A DEP Component 3 for sewage planning has been provided.

**Features**

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. (Granville Township Subdivision and Land Development Ordinance, Section 6.202 a.10.)

**Zoning**

The property is zoned Agricultural Residential.

## Lewistown Borough (Municipal Ordinance)

**Name of Plan:** Hockenberry, Sherry L.

**File Number:** 2016-07-007

**Plan Preparer:** Juniata Valley Land Surveying

**Tax Number:** 07-03-0411/0409

**Plan Summary:**

The purpose of this plan is a lot addition from T.M. 07, 03-0411 of Lot 280 to T.M. # 07, 03-0409 being Lot 281. The residue will consist of Lots 278 & 279 plotted for Lewistown Housing and Development in Plan Book 1 Page 86. The lot addition Lot 280 and Lot 281 will be combined on one deed.

**Basic Plan Information**

The County Assessment and GIS records list the owner as Sherry L. Fultz, while the plan notes Sherry L. Hockenberry. Please clarify if there has been a recent name change.

\*The Juniata Valley Land Surveying representative indicated her legal last name is Hockenberry.

**Administrative**

The subdivision application form should be signed by the municipality.

**Floodplain / Wetlands**

According to County GIS information, the entire area of Lots 278-281 lie within the 100-year floodplain. Plan Note 5 states only portions are in the 100 year floodplain.

\*The Juniata Valley Land Surveying representative indicated he will list the elevation certificate for the first floor on the plan.

**Setback Lines**

It appears both dwelling units are within the side yard setbacks. Therefore, these structures are existing nonconforming structures.

\*The Juniata Valley Land Surveying representative indicated the building is compliant with the setback, but the garage and steps are within the setbacks.

**PennDOT HOP / Municipal Driveway Permit**

The driveway locations for each structure should be labeled on the plan in accordance with the Borough of Lewistown Subdivision and Land Development Ordinance (Part 7 Section 7.302. A.23.).

**Deed Restrictions and Easements**

According to the surveyor, based on General Note 6 there are no known deed restrictions or easements associated with the property.

**DEP Sewage Planning Module**

Since this is a side yard lot addition a "DEP Request for Planning Waiver and Non-building Declaration Form" is not required pursuant to the PA DEP Form.

**Lot Addition**

The lot addition statement on the plan is inconsistent with the Borough's Subdivision and Land Development Ordinance. The following statement should be on the plan:

"Lot # \_\_\_ consisting of \_\_\_ acres is to be added onto land owned by \_\_\_\_\_. Lot # \_\_\_ is a lot addition and shall become an integral part of the property owned by \_\_\_\_\_. Lot # \_\_\_ is not a building lot and cannot be maintained or developed as a separate individual lot," in accordance with the Borough of Lewistown Subdivision and Land Development Ordinance (Part 7 Section 7.302. A.25.).

### **Zoning**

In accordance with the Borough of Lewistown Zoning Ordinance (Part 4 Section 4 Section 407.1) for a singlefamily home one off-street parking space shall be provided. These should be depicted on the plan.

\*The Juniata Valley Land Surveyor indicated there is a stone driveway for Lot A and no driveway for Lot B, but a garage to the rear for off-street parking.

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

**Name of Plan:** Mountain Road Structures/John & Josiah Lapp

**File Number:** 2016-07-001

**Plan Preparer:** Thomas H. Metz Engineering

**Tax Number:** 19-02-0117

### **Plan Summary:**

Mountain Road Structures, owned by John and Josiah Lapp, are proposing the addition of a 48 x 80 (3,840 s.f.) hay shed on the recently developed parcel #19,02-0117 -000 as indicated on the plan entitled "Proposed Layout Plan" bearing their same name as prepared by Thomas H. Metz Engineering, Inc. (dated June 15, 2016). The proposed structure will be situated in the northeasterly section of the above mentioned parcel adjacent to an identical, framed structure. The total area of the tract contains, 146,795.0058 s.f. (3.37 acres). Currently (1.2258 acres) are "Meadow" in good condition, 6,657.3002 (0.15828 s.f.) of "Woods/Forest" in good condition, and the remaining 86,745.3840 s.f. (1.9914 acres) are "Impervious Gravel: in good condition. For the purpose of this analysis, the building area of 3,840 s.f. (0.0882 acres) will be made impervious from the current Meadow area of 53,396.0058 s.f. (1.2258 acres) leaving 49,556.0058 s.f. (1.1376 acres) as meadow. Access to this building is via an existing impervious gravel drive. As required by the governing stormwater ordinance, all gravel and drive areas are assumed to be impervious for the purpose of this analysis. All drives and parking areas are currently shale covered for stabilization. The Planning and Development Department's records show prior subdivision and land development activity for this site in 2008, 2010 and 2011.

### **Basic Plan Information**

The plan summary in the Stormwater Management Narrative appears to have inaccurate square footage and acreage information. In particular, in part it indicates the total tract contains 53,396.0058 S.F. of land which is not equal to 3.37 acres. Further, the next sentence beginning with "Currently" is not accurate. These figures need to be corrected so that the square footages and acreages match.

\*The Metz Surveying representative provided written responses dated July 21, 2016 to the County's preliminary comments and corrections to the plan narrative have been made and are accurate.

The tax parcel labels on the plan are missing the zero digit before the last three numbers. Please add these digits to the tax parcel numbers. The absence of the zeros creates inaccuracies within our plan tracking software.

\*The July 21, 2016 revised plans includes the zero digit before the last three digits except for tax parcel 19-02-0117H.

A plan narrative should be placed on the plan and there should be a brief description stating the purpose of the project. The narrative in the Stormwater Management Plan can be used for this purpose.

\*The July 21, 2016 letter and revised plans includes a narrative on Sheet Si-1 in note 13.

### **Subdivision Information**

General Note 1. indicates the perimeter information shown is based on the plan of subdivision, prepared by Taptich Engineering and Surveying as recorded in the Office of Mifflin County Register and Recorder ( Instrument number 0524 - 3547). This instrument number based on the Recorder of Deeds and Assessment Records is a deed for Tax Parcel 19, 02-0119. The metes and bounds information for the northern and eastern property lines match

the recorded subdivision boundaries for Tax Parcel 19, 02-0117 HA. This is the parcel directly northeast of the subject parcel. There are no metes and bounds information for the western and southern property lines for the subject property.

\*The July 21, 2016 letter and revised plans state Instrument Number is correct on drawing per Taptich and Surveying note. Same number as recorded on several previous submitted plans.

Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map in accordance with the Oliver Township Subdivision and Land Development Ordinance (Article 6 Sections 6.2020 a.5. and 6.302 a.5. and a.7.).

\*The July 21, 2016 letter and revised plans indicates submitted drawings meet requirements of Article 6 Section 6.2020 a.5 "Tract Boundaries with bearings and distances and total number of acres being subdivided". Submitted Drawings meet requirements of Article 6 Section 6.302 a.5 "Boundaries of the tract". Submitted drawings meet requirements of Article 6 Section 6.2020 a.6 "Street lines lot lines, right-of-way, easements and areas dedicated or proposed to be dedicated to public use". The Mifflin County Planning and Development Department does not concur that adequate tract boundaries have been provided for tax parcel 19,-02-0117-000.

\*The July 21, 2016 letter states All proposed work is confined solely to the parcel 19-02-0117 as indicated on he plans and noted. Boundaries of the adjoining tract in which no work is being proposed has been previously inserted on an insert map on the cover sheet. Scaling of the drawing to incorporate the adjoining property to which no work is proposed would reduce legibility of the proposed 48 feet by 80 feet shed to a dot.

#### **Floodplain / Wetlands**

As noted in general Note 11, the property is not located in the one-hundred (100) year flood plain.

#### **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 at the rear of the parcel and development in these should be discouraged. This is particularly important because the proposed lumber/hay shed is situated to the rear of the parcel.

\*The July 21, 2016 letter states "suitability considerations have been made. As shown via contour mapping on the plan, runoff is amply diverted via natural contours away from the proposed building. Additionally, the proposed sight is currently being utilized as a hay field which is part of the consideration given due to the stability of the location".

#### **Soils**

Soil type HTF (Hazleton De Kalb) is contained on the rear portion of the site and should be listed as a soil type.

\*The July 21, 2016 letter states "repositioned the drawing to make the HTF delineation within the print area and added the notation to note #3 on the Land Development Notes.

#### **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.

\*The July 21, 2016 letter states not applicable to this plan.

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 rightof-way or highway facilities. Approval of this plan neither implies nor guarantees permit approval by PennDOT.

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

As noted in general Note 14., according to the surveyor, there are no known deed restrictions or easements associated with the property.

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

Will this project generate any additional sewage? If so, what Sewage Planning Module is required?

\*The Metz Engineering representative indicated there is no sewage service and no sewage will be generated.

#### **Features**

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 Oliver Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.10.). There are numerous buildings on tax parcel 19,02-0117 that should be shown on the plan.

\*The July 21, 2016 letter states: All of the above have been met to the best of my knowledge.

\*Produced Revision 1 (July 13,2016) to incorporate an additional 3 existing structures on the property.

Remainder of the structures are structures being produced, relocated and sold on a daily basis.

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

\*The July 21, 2016 letter indicates all of the above have been met to the best of my knowledge.

#### **Land Development**

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

What are the parking regulations for this type of use and the proposed addition?

\*The July 21, 2016 letter states 3.202.f. "...off-street parking as appropriate to the use proposed. "3.209.b..."provide satisfactory space for off-street parking and unloading for the intended use". 3.216.e..."parking and loading per the intended use..." Therefore no parking is required.

What are the dimensions for the on-site parking spaces?

The July 21, 2016 letter states no parking.

A traffic circulation diagram for tax parcel 19,-02-0117 should be shown.

\*Added an additional traffic circulation arrow to the proposed building.

Provisions for street lighting may be required and should be included with the plan submission. Land Development Note 9. refers to site lighting, however, it does not appear to be labeled on Sheet Si-1.

\*The July 21, 2016 letter indicates no additional sight lighting is currently required nor is being proposed. The note is provided to assist the owner with any future considerations.

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

If this project disturbs 5,000 square feet to one (1) acre of land, an Erosion and Sedimentation Contour Plan will be required.

Does this plan propose over an acre of earth disturbance? If so, an NPDES Permit is required. The applicant should contact the Mifflin County Conservation District.

\*The July 21, 2016 letter states Limits of Disturbance are less than 1 acre.

The stormwater plan should be reviewed by the Oliver Township Engineer.

#### **Other Comments:**

1. Will there be any landscaping as part of this addition?

\*The July 21, 2016 letter states no.

2. Has the Township required a Developers Agreement for the project?

The July 21, 106 letter indicates no.

3. The application only lists tax parcel 19,-02-0117 yet it appears to include tax parcel 19-02-0117HA. The primary activity for the land development is to be on tax parcel 19,02-0117 yet most of the information reflects information on tax parcel 19,-02-0117HA. If the primary purpose of this is to present land development activity on tax parcel 19,02-0117 how is the lot accessed? If it is coming from the adjoining property as a shared driveway then it should be shown on the plan and a shared driveway agreement should be established.

\*The July 21, 2016 letter indicates the lot is accessed via the existing driveway on parcel 19-02-0117HA which same persons own both properties. The plan does show this via dotted gravel area. Incorporated an additional circulation arrow to indicate path to proposed structure. I have been unable to locate a "Shared Driveway Agreement" requirement in Oliver Township Subdivision and Land Development Ordinance as it pertains to adjoining properties owned by same individual. The Mifflin County Planning and Development Department believes consideration for a shared driveway agreement is a valid comment, since the properties can change ownership.

4. There is no clear evidence of how tax parcel 19,02-0117 as it stands now was created. It appears to be the residual of a larger tract, yet boundary dimensions for the entire tract have not been laid out. This parcel needs to be surveyed by a licensed surveyor to accurately portray what we have and to insure the parcel records are correct.

5. It appears the sewer line to the existing septic tank traverses over two property lines. There should be a cross access utility easement agreement in place. Will water serve the site of the proposed addition?

\*The July 21, 2016 letter states "removed the non-existing septic tank and associated piping from the drawings on revision 1. There will be no water service to the proposed structure.

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

**Name of Plan:** Mendez, Richard E. & Sherri L.

**File Number:** 2016-07-006

**Plan Preparer:** Sarge Engineering and Surveying

**Tax Number:** 19-19-0210

### **Plan Summary:**

The purpose of this plan is to create Lot 2, of 0.500 acres, for single-family residential use. Lot 1, the 0.671 acre remainder, contains an existing single-family residence.

### **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 development in these should be discouraged.

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

Based upon the Oliver Township Subdivision and Land Development Ordinance, the right-of-way width of the private right-of-way named Peaceful View Lane is substandard (Table 1). It should also be noted on the plan.

### **Cartway Widths**

In accordance with the Oliver Township Subdivision and Land Development Ordinance (Article 3 Section 3.207 b.), all lots shall front a public street. Although a lot can front on a private street where such private street is permitted as set forth in Table 1 and (Article III Section 3.204 F.).

Based on note number 4 lot 2 will not front on a public or private street but rather a private shared driveway.

Will this meet the intent of the Ordinance?

The cartway width of the private right-of-way named Peaceful View Lane should be shown on the plan in accordance with the Oliver Township Subdivision and Land Development Ordinance, (Table 1).

\*The Sarge Surveying and Engineering representative submitted revised plans date July 21, 2016 that show the cartway width of Peaceful View Drive.

### **Deed Restrictions and Easements**

According to the surveyor, as noted in Note 5, there are no known deed restrictions or easements associated with the property.

### **DEP Sewage Planning Module**

It appears this project will not require any type of a DEP Sewage Module since only one (EDU) is proposed for connection to a municipal sewer system. Please confirm.

## **Union Township (Municipal Ordinance)**

**Name of Plan:** Yoder, Steven I. & Fannie E.

**File Number:** 2016-07-004

**Plan Preparer:** Wright Land Surveying

**Tax Number:** 20-07-0131/20-06-0112D

### **Plan Summary:**



This plan proposes to create Lot Addition A to be added onto Lot A. The residual tract, Lot 1, is agricultural with no new development proposed.

**Administrative**

The plan states Steven and Fannie Yoder yet the GIS files list the property of T.M. 20-07-0131 as owned by Donald and Donna Garrett. Please confirm since the application was signed by the Yoders.

\*The Wright Surveying representative stated the previous owner was Garrett but recently Frannie and Steven Yoder purchased it.

**Subdivision Information**

Property boundary information should be shown for the entire property, including the residual property (Lot 1). If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Union Township Subdivision and Land Development Ordinance Section 402. 1.a )

**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.

**Floodplain / Wetlands**

According to County GIS information, a portion of Lot 1 (residue) lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future 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. 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.

**Right-of Way Widths**

Garrett Lane and Kish Creek Lane cross the residue and should be noted on the inset map. Based upon the Union Township Subdivision and Land Development Ordinance, the right-of-way width for South Dryhouse Road is substandard (Section 501.2).

**Cartway Widths**

Based upon the Union Township Subdivision and Land Development Ordinance, the cartway width for South Dryhouse Road is substandard (Section 501.2).

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Section 402. 2 of the Union Township Subdivision and Land Development Ordinance.

\*The Wright Surveying representative stated there are none.

**DEP Sewage Planning Module**

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

**Water and Sewage Service**

On-site water and sewer service for the residue should be noted on the inset plan. (See Section 402. 2c of the Union Township Subdivision and Land Development Ordinance)

\*The Wright Surveying representative stated there are no buildings on the land it is only farm land and there is no water or sewer on the residue.

**Features**

All significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan. (Union Township Subdivision and Land Development Ordinance, Section 402. 1e)

There is a stream shown on the inset map but is not labeled.

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. (Union Township Subdivision and Land Development Ordinance, Section 402. 1d ) If there are buildings on the residue, they should be noted on the inset plan.

**Other Comments:**

This property was last subdivided in April and July of 2015.

**Union Township (Municipal Ordinance)**

**Name of Plan:** Suydam, Jeremy R. & Ashley R.

**File Number:** 2016-07-005

**Plan Preparer:** Wright Land Surveying

**Tax Number:** 20-15-0111/20-07-0118A

**Plan Summary:**

This plan proposes to create Lot Addition A to be added onto Lot A. The residual tract, Lot 1, has an existing residence with no new development proposed.

**Basic Plan Information**

The tax parcel numbers for the Joseph L. Sharp and Neil C. Himes properties on the plan are missing the zero digit before the last three numbers. Please add these digits to the tax parcel numbers. The absence of the zeros creates inaccuracies within our plan tracking software.

**Right-of Way Widths**

Based upon the Union Township Subdivision and Land Development Ordinance, the right-of-way width of South Kishacoquillas Street should be shown on the plan (Article IV Section 402 2.a.). It should also be labeled on the plan.

**Cartway Widths**

The cartway width of South Kishacoquillas Street should be shown on the plan in accordance with the Union Township Subdivision and Land Development Ordinance, (Article IV Section 402 2.a.).

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Article IV Section 402. 2.b.) of the Union Township Subdivision and Land Development Ordinance.

\*The Wright Surveying representative stated there are none.

**DEP Sewage Planning Module**

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

**Features**

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 Union Township Subdivision and Land Development Ordinance, (Article IV Section 402. e.).

**Other Comments:**

1. It appears the existing house on Lot A is within the front yard building setback and is an existing nonconforming structure.

## **Union Township (Municipal Ordinance)**

**Name of Plan:** Peachey, Gideon J.

**File Number:** 2016-07-010

**Plan Preparer:** Taptich Engineering and Surveying

**Tax Number:** 20-02-0126

**Plan Summary:**

This project involves the subdivision of one (1) lot from the lands of Gideon J. and Linda M. Peachey (TM 20-02-0126). Lot #1 is intended to be a stand alone lot that is currently served with an on-lot sewage disposal system and a public water source. Access to Lot #1 will be via the existing paved drive (Old Mechanic Street) off of Mechanic Street as well as the Proposed 50' Private Right-of-Way off of S.R. 305. The Residue currently houses a single-family residential home and associated agricultural outbuildings. There are no improvements proposed to the Residue at this time.

**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**

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 only on the residual lands and development in these areas should be discouraged.

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

Based upon the Union Township Subdivision and Land Development Ordinance, the right-of-way widths of Old Mechanic Street and the existing gravel drive running north and south should be shown on the plan. (Article IV Section 402. 2.a).

There is a private drive serving the residual. Thompson Lane should be labeled on the plan.

#### **Cartway Widths**

The cartway widths of Old Mechanic Street, the existing gravel drive running north and south and the 50' private right-of-way should be shown on the plan in accordance with the Union Township Subdivision and Land Development Ordinance, (Article IV Section 402. 2.a).

What is the cartway width of Thompson Lane?

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

If the existing gravel drive will be used by more than one party there should be 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 Union Township Subdivision and Land Development Ordinance (Article IV Section 402. 2.b.).

#### **Water Service**

The water supply location should be noted on the plan as prescribed in the Union Township Subdivision and Land Development Ordinance (Article IV Section 402. 2.c.). 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**

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 Union Township Subdivision and Land Development Ordinance, (Article IV Section 402. 1.e.).

All significant man made features should be included on the plan in accordance with the Union Township Subdivision and Land Development Ordinance (Article IV Section 402. 1.e.).

#### **Other Comments:**

1. Proposed lot 1 does not have direct access to the public road system but only by the way of a private road and private gravel drive. What is the frontage for this lot?
2. The private gravel drive for lot 1 appears to connect with a fifty (50) foot private right-of-way (and gravel drive) that appears to be Thompson Lane. As laid out, this could become an access way for further development based on the available acreage associated with the residual.
4. Sewer information for the residual should be provided.

## **Wayne Township (County Ordinance)**

**Name of Plan:** Wentz, Geraldine E.

**Plan Preparer:** Wright Land Surveying

**File Number:** 2016-07-003

#### **Plan Summary:**

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

#### **Basic Plan Information**

The abutter directly north of tax parcel 11-02-0066 should be identified and labeled in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302 A.17.).

\*The Wright Surveying representative stated this is owned by the Conrail Rail Line.

#### **Soils**

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

#### **Setback Lines**

It is not clear if the existing house for Geraldine E. Wentz, tax parcel 21-09-0132, is within the setbacks for Lot 1 the residual. Please clarify.

\*The Wright Surveying representative indicated this house is existing non-conforming structure.

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

According to the County GIS maps and PennDOT's Type 5 map for Wayne Township, Ferguson Valley Road is Township Road 328 a Municipal right-of-way. Ferguson Valley Road becomes a State right-of-way starting in Oliver Township.

The right-of-way widths of Norton Road and Front Street should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, (Article 7 Section 7.302. A.6.)). They should also be labeled on the plan.

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

#### **Cartway Widths**

The cartway widths of Norton Road and Front Street should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, (Article 7 Section 7.202.A.11)).

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway width of Ferguson Valley Road is substandard (Article 4 Section 4.204 F).

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

Since it appears this portion of Ferguson Valley Road is a Township right-of-way, Township Road 328, a PennDOT HOP is not required as noted in Note 4.

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

Where is the driveway location for the existing house on the residual Lot 1? This should be depicted on the plan.

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

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

\*The Wright Surveying representative indicated there are none.

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

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

#### **Features**

All significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan. (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A.26)

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

If this proposal disturbs 5,000 square feet to one (1) acre of land, an Erosion and Sedimentation Control Plan is required.

#### **Other Comments:**

1. Plan note number 5 mentions property is in the one-hundred (100) year flood-plain yet it only affects a small portion of proposed lot 2 and none of lot A.

2. Should lot 2 be tied to the sanitary sewer as the other two lots?

\*The Wright Surveying representative stated there is no mandate based on distance to connect and it is an existing on lot septic system.

## **Wayne Township (County Ordinance)**

**Name of Plan:** Ranck, Cherie A.

**File Number:** 2016-07-011  
**Plan Preparer:** George R. Campbell  
**Tax Number:** 21-04-0318

**Plan Summary:**

This plan proposes a lot addition (LOT ADDITION 1) from the lands of Cherie A. Ranck to lands of HERBERT J. VAUGHN. This addition makes no changes as to sewage disposal or water supply.

**Administrative**

The recipients, Herbert and Sharron Vaughn's signatures are required as part of a lot-addition subdivision. This requirement was sent to all local surveyors and engineers on or around September 2015, which included a revised application.

\*On July 25, 2016 the Tuscarora Land Surveyor representative provided a signed copy of page 2 of the application that includes the recipients signature.

**Soils**

According to the County GIS files and as a note under soil types on the plan, 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.

**Right-of Way Widths**

The right-of-way widths of Blue River Lane and East Juniata Drive should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, (Section 7.302. A.6.).

\*The Tuscarora Land Surveying representative provided revised plans dated July 26, 2016 that show the right-ofway widths of Blue River Lane and East Juniata Drive.

**Cartway Widths**

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway widths of Blue River Lane and East Juniata Drive are substandard (Section 4.204 F).

The cartway widths of Blue River Lane and East Juniata Drive should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, (Section 7.202.A.11.).

\*The Tuscarora Land Survey representative submitted revised plans dated July 26, 2016 that show the cartway widths of Blue River Lane and East Juniata Drive.

**Sewage Service**

It appears both parcels (tax parcel 21-04-0317 and 21-04-0318) are served by on-lot septic systems. The locations should be shown on the plan in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 302. A.20.)

\*The July 26, 2016 revised plans shows the septic system locations for tax parcels (21-04-0317 and 21-04-0318).

**Water Service**

The water supply location for (tax parcel 21-04-0317 and 21-04-0318) should be noted on the plan as prescribed in the Mifflin County Subdivision and Land Development Ordinance (Section 7.302. A.20.). 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.

\*The July 26, 2016 revised plans shows the water supply locations for tax parcels (21-04-0317 and 21-04-0318).

**Signature Blocks on Plan**

The County's signature block has a spelling error for the word County.

**Public Comment**

None

### **Other Business or Comments**

Jim Lettiere shared that the Planning and Development Department was awarded \$500,000 through the HOME program. He is moving forward on the Environmental Review. The program will be focused in Kistler, Juniata Terrace and Lewistown Borough. He also noted that the 2016 application cycle is underway for CDBG. The first public hearing will be held at the August 25<sup>th</sup> Planning Commission meeting.

Bill Gomes stated that the boat launch is underway.

Bill also noted that a meeting was held Wednesday, July 27<sup>th</sup> regarding broadband internet service in Mifflin County. Kay Semler represented the Planning Commission. She shared that the meeting had a lot of enthusiasm as well as a good mix of businesses and internet providers. Internet is now a fourth infrastructure. Kay also learned that the medical profession relies heavily on the internet and that internet service impacts development. She stated that had FoxPro not been able to have fiber optics, they would have moved. Jim Baker from SEDA-COG had also indicated that internet could not likely be taken care of by large government. Bill stated that as a result of the meeting, 25 people volunteered to help in some fashion. Lauren Kershner of the Sentinel also attended the internet meeting and felt the attendees were engaged. She personally relies on the internet, but does not have it where she lives because she does not like her options. Kay Semler also said that there is no reliable mapping to indicate where internet service is located. Nittany Media is willing to work with Bill to develop a map and Comcast is willing to share their information. Bill would like to survey the county as well. The next steps will be to set up a committee after talking to the Commissioners. He needs a core group as an advisory committee and then will develop subcommittees.

Bill will be attending the Lewistown Borough committee meeting on Thursday, July 28<sup>th</sup> to discuss the Juniata River Trail project.

### **Adjournment**

Upon no further discussion, the meeting adjourned at 4:57 p.m. upon a motion by Neal Shawver.