

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**THURSDAY, JANUARY 26, 2012**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

**Members**

Susan Heimbach, Chair  
Dan Dunmire, Vice Chair  
Jim Spendiff  
Neal Shawver  
Brent Miller  
Michele Bair

**Other**

Lucas Parkes, The EADS GROUP  
Patty Carry  
Monique Drew, The Sentinel  
**Staff**  
Bill Gomes, Director  
Mark Colussy, Associate Planner  
Millie Sunderland, Officer Manager/Grants Mgr.

**Call to Order**

Susan Heimbach, Chair, called the meeting to order at 3:32 p.m.

**Record of Public Attendance**

Susan reminded everyone to sign the attendance sheet.

**Reorganization – Election of Officers**

Bill Gomes opened the meeting with election of officers. He asked for a nomination for Chairman of the Planning Commission. Jim Spendiff nominated Susan Heimbach. Brent Shawver seconded the motion and everyone voted aye. Susan Heimbach nominated Dan Dunmire for the position of Vice Chairman. Michele Bair seconded the motion. All in favor voted aye. Jim Spendiff nominated Neal Shawver for the position of Secretary. Susan Heimbach seconded the motion. Neal declined and made a motion to nominate John Pannizzo. Jim withdrew his nomination and seconded the motion to nominate John Pannizzo as Secretary. All voted aye.

Bill turned the meeting back to Susan.

**Approval of Meeting Minutes: December 22, 2011**

Susan asked for a motion to approve the minutes for December 22, 2011. A motion was made by Neal Shawver to accept the December minutes as written. The motion was seconded by Jim Spendiff and all voted aye.

**Subdivision and Land Development Review Committee Report**

Mark Colussy reported that the Subdivision and Land Development Review Committee reviewed ten plans. There was one plan under the Mifflin County Subdivision and Land Development Ordinance for which the Planning Commission is responsible for the approval: Daniel M. Stoltzfus in Wayne Township. There were nine plans under municipal ordinances for which the Planning Commission provides recommendations to the municipalities: Michael J. Hostetler and John D. Zook in Armagh Township, Gary D. & Ruth A. Glick, AutoZone Store #4650 – Lot Addition and AutoZone Store #4650-Land Development in Granville Township, Nittany Minit Mart-Lewistown in Lewistown Borough, Thomas D. & Ruth A. Swarey in Menno Township and Stanley E. & Evelyn McKee in Oliver Township.

Mark said there are two Land Development Plans. One is Nittany Minit Mart going into West Fourth Street in Lewistown. He pointed out they plan to tear down the existing Minit Mart and build a larger one. In order to do this they are adding more land via the lot addition. They will develop a much larger building as a convenience store much like a Sheetz. He discussed how they plan to manage the

stormwater to fit the guidelines of the new Stormwater Ordinance. Mark said the main concern was there was no loading zone indicated on the plan.

The other Land Development plan is the AutoZone Store in Granville Township. Mark said this will be an auto parts store. The project also involves a lot consolidation. There will be a right-in, right-out driveway to the facility. There was some discussion that a HOP is in the process of being submitted. Also, Mark mentioned a concern for signature blocks on the plan.

The next plan mentioned was Stanley McKee in Oliver Township. Mark said they are subdividing ten acres out of the Ag Conservation Easement. There was some discussion concerning the right-of-way, the need for a private drive agreement and lack of road frontage. Mark said comment #1 will be removed. Dan Dunmire mentioned there is a stream but they went around it.

There was a brief discussion on the Stoltzfus plan in Wayne Township. The property is in Clean and Greene. Waivers were requested for substandard cartway, right-of-way and frontage. Dan Dunmire motioned to grant waivers with a note added to the plan stating if any future development is to occur, Vaunholm Road will need to meet the private road standards of the Subdivision and Land Development Ordinance. Michele seconded the motion and all voted aye.

Dan made a motion to conditionally approve the Daniel M. Stoltzfus plan in Wayne Township. Jim Spendiff seconded the motion and all voted aye.

Dan made a motion to approve the comments/recommendations of the review committee on the nine municipal plans with updates. Neal Shawver seconded the motion and all voted aye.

### **The Subdivision Review Committee Report:**

Name of Plan: Hostetler, Michael J.  
File Number: 2012-01-004  
Tax Map #: 12-01-120  
Municipality: Armagh Township (Municipal Ordinance)  
Applicant Name: Hostetler, Michael J.  
Land Owner Name: Hostetler, Michael J.  
Plan Preparer: Wright Land Surveying

Action Taken:  
The County provides comments only.

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. Lot 1, the residual tract, has the existing farmhouse with no development proposed.

Review Comments (List from Review Committee):

#### **Basic Plan Information**

Deed Book and Page Number information as well as the parcel's Tax Map number should be provided on the plan. (Armagh Township Subdivision and Land Development Ordinance, Section 6.302.a.3)

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

As noted on the plan (Note 5), 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. The property is in an Agricultural Security Area and should be noted on the plan.

#### **Soils**

According to the County GIS files, a small portion of this property appears to have prime farmland soils. (Soil: BuB)

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Armagh Township Subdivision and Land Development Ordinance.

\*According to the surveyor, there were none.

**Right-of Way Widths**

If Pear Tree Lane has an existing 50' Right-of-Way, why is the proposed Right-of-Way extended to Lot 2 40' and not 50', for consistency's sake?

\*According to the surveyor, a 50' R-O-W would not fit between the existing barn and the shed. Also, the existing landowner was intending that no future development would occur to elicit the need for a 50' R-O-W.

**Cartway Widths**

The cartway width of Pear Tree Lane is listed as being 12'. Is the entire length of the lane 12'? If so, it does not meet the road provisions of the Armagh Township Subdivision and Land Development Ordinance (Table 1). If multiple properties are to have access to this proposed private road, 12' is not adequate for two-way or emergency vehicle traffic. Since the parcel has the potential for future development, road improvements should be considered prior to further development. The cartway to the barn on Lot 1 should at least be expanded at this time. At a minimum additional cartway should be provided by the applicant as a condition if there is future development along this road.

\*According to the surveyor, the lane to the existing house is wide enough for two way traffic. If this is the case, the revised cartway width should be shown on the plan.

**Private Street / Shared Driveway**

All private drives that are used by more than one party should have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan stating: "The owners of lots \_\_\_\_, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold."

**Deed Restrictions and Easements**

There are none known.

**DEP Sewage Planning Module**

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Armagh Township Supervisors. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

According to the surveyor, a self-contained privy will be installed on the site, which will not require a stream study to be conducted.

**Water Service**

The plan should indicate the well site locations for Lot 1. (Armagh Township Subdivision and Land Development Ordinance, Section 6.302.a.11)

\*According to the surveyor, Lot 1 is served by mountain water. This should be noted on the plan.

**Other Comments:**

- 1. Lot 1 should be labeled on the plan.
- 2. This proposal does not meet the direct road frontage requirement of the Armagh Township Subdivision and Land Development Ordinance.
- 3. Does Pear Tree Lane require a stream crossing permit to access Lot 2? If so, this should be a condition of approval.

Name of Plan: Zook, John D.

File Number: 2012-01-005

Tax Map #: 12-09-109

Municipality: Armagh Township (Municipal Ordinance)

Applicant Name: Zook, John D.

Land Owner Name: Zook, John D.

Plan Preparer: Wright Land Surveying

Action Taken:

The County provides comments only.

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. The residual tract, Lot 1, has an existing farmhouse with no other development proposed.

Review Comments (List from Review Committee):

**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. (Armagh Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9, and 12)

**Clean & Green / Agriculture**

As noted on the plan (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.

**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.

**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. (Soil: AoB, BrA)

**Right-of Way Widths**

Based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way width of Havice Valley Road and Treaster/Havice Valley Cross Road is substandard (Table 1).

**Cartway Widths**

Based upon the Armagh Township Subdivision and Land Development Ordinance, the cartway width of Havice Valley Road and Treaster/Havice Valley Cross Road is substandard (Table 1).

**PennDOT HOP / Municipal Driveway Permit**

A municipal driveway permit is required, and a copy should be provided to the Armagh Township Supervisors.

**DEP Sewage Planning Module**

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Mifflin County Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

There is a High Quality Stream in the area. A Stream Study may be required.

\*According to the surveyor, since a contained privy will be installed on the site, a stream study is not required since nutrients will not be entering the water supply.

**Features**

It appears that Lot 1 may be developed. All significant man-made features, including buildings, wells, water and sewer lines, electric poles, telephone lines, etc. should be shown on the plan. (Armagh Township Subdivision and Land Development Ordinance, Section 6.202.a.10)

**Other Comments:**

1. There appears to be an existing lane off Havice Valley Road, which serves a shop. The cartway width of this lane should be provided on the plan. Is there an active business in the shop? If so, this could trigger a land development plan since this lot is proposed to be further developed.

\*According to the surveyor, the shop is simply a family sawmill and not used for commercial purposes.

2. The plan doesn't seem to match tax assessment records. Was there a previous subdivision plan done in which lots were never deeded? If so, the plan should reference the previous subdivision plan and all tracts.

\*According to the surveyor, the tax map records in this area are incorrect and the property shown is the way it is described in the deed.

Name of Plan: Glick, Gary D. and Ruth A.

File Number: 2012-01-002

Tax Map #: 17-15-103B

Municipality: Granville Township (Municipal Ordinance)

Applicant Name: Glick, Gary D. & Ruth A.

Land Owner Name: Glick, Gary D. & Ruth A.

Plan Preparer: Sarge Engineering and Surveying

Action Taken:

The County provides comments only.

Plan Summary:

The purpose of this plan is to create Lot 2, of 10.000 acres, from the mountain land of Gary D. and Ruth A. Glick, Mifflin County Tax Parcel 17-15-0103B. Lot 2 will be for existing silvicultural and existing seasonal residential use. The residual tract, Lot 1 of +/- 90.71 acres, will remain in silvicultural use.

Review Comments (List from Review Committee):

**Basic Plan Information**

The plan labels the abutter to the South for Lot 1 as Lot 1. This should be revised.

**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**

The right-of-way width of Blue Mountain Drive does not meet the road provisions of the Granville Township Subdivision and Land Development Ordinance (Table 1). Since the parcel has the potential for future development, road improvements should be considered prior to further development. At a minimum additional right of way should be provided by the applicant as a condition if there is future development along this road.

**Cartway Widths**

The cartway width of Blue Mountain Drive does not meet the road provisions of the Granville Township Subdivision and Land Development Ordinance (Table 1). The current cartway width is only 12 feet, which is inadequate for two-way or emergency vehicle access. Since the parcel has the potential for future development, road improvements should be considered prior to further development. At a minimum additional cartway should be provided by the applicant as a condition if there is future development along this road.

**Private Street / Shared Driveway**

Does the Township Maintain Blue Mountain Drive. According to county 911 records, Blue Mountain Drive is a private drive. In this case, there should be a maintenance 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**

Easements associated with the property, if any, should be provided in accordance with Section 6.302.a.6 of the Granville Township Subdivision and Land Development Ordinance.

**DEP Sewage Planning Module**

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" has been provided. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

**Features**

Based on County GIS information, there is a stream on part of Lot 2. All significant natural features, including trees, water courses, etc. should be shown on the plan. (Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.9)

Name of Plan: AutoZone Store #4650

File Number: 2012-01-009

Tax Map #: 17-11-0104E/0104F

Municipality: Granville Township (Municipal Ordinance)

Applicant Name: AutoZone, Inc., Kevin Murphy

Land Owner Name: Lewistown Shopping Center Partners, LLC

Plan Preparer: McIlvried, DiDiano & Mox, LLC

Action Taken:

The County provides comments only.

Plan Summary:

The purpose of this plan is to consolidate two pieces of property bearing Tax Parcel Nos. 17,11-0104E & 17, 11-0104F into one parcel of land and then subdivide the resulting parcel into two lots, Lot 1 and Lot 2 as shown on this plan.

Review Comments (List from Review Committee):

**Administrative**

An appropriate amount of plans should be submitted for review. The Mifflin County Planning Commission requests at least three (3) plans be submitted for review. Only two were provided.

**Subdivision Information**

Property boundary information should be shown for the entire property, including T.M. 17-11-104E. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Granville Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9 and 12)

The total amount of acreage being subdivided should be shown on the plan including the acreage of the property that is being "consolidated" (T.M. 17-11-104E). See Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.5.

**Right-of Way Widths**

The road name lists 50' after it. It is assumed this references the right-of-way width. However, this should be made more clear on the plan.

**Cartway Widths**

The cartway width of SR 522 should be shown on the plan (Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.11).

**Street Names**

The plan lists the main road as U.S. Route 22. This should actually be U.S. Highway 522 South (SR 3002). Please confirm.

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Granville Township Subdivision and Land Development Ordinance.

**Lot Addition**

We would classify this plan as a Lot Addition, not a Lot Consolidation and Re-Subdivision since there are currently two properties and there will ultimately be two properties after this subdivision takes place. The plan is essentially "adding" part of one property to another property. We recommend referring to the plan as a lot addition plan.

Subsequently, a lot addition statement should be noted on the plan stating the following on the plan:

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

**Features**

All significant man-made features, including buildings (Tractor Supply), signs (the campground sign), water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, fence lines, culverts, etc. should be shown on the plan for the entire property. (See Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.10)

All significant natural features, including swales, ditches, trees, water courses, etc. should be shown on the plan. (Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.9)

Name of Plan: AutoZone Store #4650

File Number: 2012-01-010

Tax Map #: 17,11-0104E/0104F

Municipality: Granville Township (Municipal Ordinance) Action Taken:

Applicant Name: AutoZone, Inc., Kevin Murphy

Land Owner Name: Lewistown Shopping Center Partners, LLC

Plan Preparer: McIlvried, DiDiano & Mox, LLC

Action Taken:

The County provides comments only.

Plan Summary:

No Narrative Provided

Review Comments (List from Review Committee):

**Administrative**

An appropriate amount of plans should be submitted for review. The Mifflin County Planning Commission requests at least three (3) plans be submitted for review. Only two were provided.

**Basic Plan Information**

A plan narrative should be placed on the plan and should be a brief description stating the purpose of the project. Considering the Land Development Plan lists Auto Zone Inc. as the owner, is the Subdivision Plan intended to be recorded prior to this plan being approved? If not, Lewistown Shopping Center Partners, LLC should be listed.

**Right-of Way Widths**

The road name lists 50' after it. It is assumed this references the right-of-way width. However, this should be made more clear on the plan.

\*According to the project Engineer, the 50' represents the R-O-W width. This should be accompanied with a label.

**Cartway Widths**

It appears the cartway width has been dimensioned on the plan for the East-bound lane, but it is not clearly labeled. The total cartway, or pavement width, should be clearly labeled on the plan.

**PennDOT HOP / Municipal Driveway Permit**

As mentioned on sheet C1.0, 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 Granville Township Planning Commission.

**Private Street / Shared Driveway**

It appears that all West-bound access will be via the signalized entrance accessing the Tractor Supply site. Considering access to the AutoZone site will be across a separate property and be used by more than one party, 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." At a minimum, a note should be added to the plan stating that it is not the responsibility of the state, county, nor township for maintenance of any private drives.

**Street Names**

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

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Granville Township Subdivision and Land Development Ordinance.

**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. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

**Sewage Service**

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

**Water Service**

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

**Signature Blocks on Plan**

A signature block should be on the plan acknowledging the approval of the municipality.

A signature block should be on the plan acknowledging the review of for the municipal Planning Commission.

\*The above signature blocks are the same blocks that have been provided on the Subdivision plan, which the land development plan should be the same.

**Land Development**

A Developers Agreement may be required by Granville Township for stormwater infrastructure and road enhancements. This should be coordinated with the Township Solicitor.

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

A traffic circulation diagram should be included with this plan submission to verify adequate site circulation. This will help to clarify circulation through the existing shopping center parking lot and onto and off the site. Further, will painted directional arrows be considered to direct traffic to the most desirable access driveway (to the Southwest), and not the access to the Northeast?

Why is grass to be the only landscaping installed, and no trees or bushes? Trees and bushes could help enhance the separation of the proposed site and the existing broken asphalt area and limit a free for all approach to accessing the store.

The plan circulation and access should be reviewed by the Granville Township Engineer.

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

The stormwater drainage provisions should be reviewed by the Granville Township Engineer. Plan approval should be contingent on receiving receipt of approval.

The Erosion and Sedimentation (E & S) provisions included with the plan submission should be submitted and reviewed by the Mifflin County Conservation District. Plan approval should be contingent on receiving receipt of approval.

#### **Subdivision and Land Development Plan Signatures Policy**

Mark discussed the recent issue with the County Recorders Office requiring original signatures for at least one copy of all plans being recorded, including one from the County Planning Commission. Until recently, the Chairman's signature was placed with a rubber stamp. The Mifflin County Subdivision and Land Development Ordinance states in Section 7.302.A19, there needs to be two signatures on the plan in order for the plan to be recorded so that would cover both County approval and County Review. Mark reviewed the proposed new policy for signatures that includes a listing of the project number. The signature block will be changed to require two signatures for plans under County approval and one signature for plans under Municipal approval. After some discussion, Brent made a motion to adopt the policy with the new signature plan. Jim seconded the motion and all voted aye. A second motion for the review certificate changes was made by Brent and seconded by Michele. All members voted aye. A copy of the signature blocks has been added to the County website.

#### **Quality of Life Survey Results**

Mark went over the results of the survey for public input for the Comprehensive Plan. He compared this survey to the one conducted in 1998 and pointed out some of the main concerns of the people surveyed. It was mentioned that there was a good response from the varied municipalities.

#### **Public Comment**

Patty Carry presented a petition of signatures from Bratton Township in reference to the Summer Hill Farms development into a trailer park. She asked that this petition be kept on file. She also asked when petitions are taken into consideration. Bill explained that in order to turn down a subdivision, there would have to be a violation of the ordinance. Patty said she solved the issue by purchasing the property but would still like the petition to be kept on record.

#### **Other Business or Comments**

Susan presented a request for an extension for The Living Springs School in Bratton Township. Mark said an MPDES approval is pending with DEP. Brent made a motion to approve a 90-day extension. Neal seconded the motion and all voted aye.

Susan said a resignation letter was received from Chris Aumiller. He stated time is the issue. Bill said there are four candidates on file. He asked for suggestions of anyone the members may know who may be interested.

Bill said the public hearing for CDBG is next month. The meeting will be in meeting room A.

#### **Adjournment**

Jim Spendiff made a motion to adjourn the meeting. Dan Dunmire seconded the motion. All members voted aye. The meeting adjourned at 5:12 p.m.

db



