

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, FEBRUARY 25, 2010
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM A – 3:30 P.M.

ATTENDANCE

Members

Jim Spendiff, Chairman
Dan Dunmire, Vice Chairman
Susan Heimbach
Brent Miller
Neal Shawver
Christian Aumiller

Other

Marlin Boaz, Bratton Township
Stanley Collins, Bratton Township

Staff

Bill Gomes, Director
Jan McDonald, CDBG Administrator
Millie Sunderland, Office Manager/Grants Manager
Mark Colussy, Associate Planner

Item #1 – Call to Order

Jim Spendiff, Chairman, called the meeting to order at 3:30 p.m.

Item #2 – Record of Public Attendance

Jim reminded everyone to sign the attendance sheet.

Item #3 – Approval of Meeting Minutes

Jim asked the members present if they had any changes or corrections to the minutes of the January 28, 2010 meeting. With no changes or corrections, Jim said the minutes would stand approved as written.

Item #4 – CDBG Update and Committee Report

Jim turned the meeting over to Jan McDonald for a report. Jan mentioned HOME Program funding will be applied for housing rehabilitation. He continued that the review of the 2010 projects has been completed. The following projects have been recommended to the Commissioners for approval: Mifflin County Dental Clinic, Wayne Township Water Authority, SEDA-COG Housing Development, Newton Wayne Joint Municipal Authority and Housing Rehabilitation.

Jan said they started reaching out to non- CDBG community projects, such as the We Care Organics project. In order to facilitate the project, letters of interest have been sent to the sewer authorities in Mifflin and Juniata Counties, and are waiting for a response. If there is a good response, We Care is prepared to sign the contract and move forward. Jan continued by naming other projects he has been asked to help find funding for: Granville Liquid Septage Project, Granville Vermiculture Equipment Sale, Area Agency on Aging-Equipment upgrade and purchase of a van, Menno Township/Whitehall Water Authority and the Milroy Ball Park.

Item #5 – Chesapeake Bay TMDL Update

Dan Dunmire gave an update on the Chesapeake Bay/Total Maximum Daily Load (TMDL) requirements. He gave some background information stating that the main clean water regulation in the country is the 1972 Clean Water Act. That Act says that people have the right to clean water defined as water that is actually fishable and swimmable. This Act required that states have water quality standards for all surface water in the United States. The states also had to assess every body of water. When a body of water does not meet the standards, the Clean Water Act says that a pollution limit, whatever the pollutant is that is keeping it from meeting those standards, there will be established a TMDL. That is how much the maximum amount of pollutant that water bodies can absorb before it becomes impaired. The Chesapeake Bay has been impaired since the early 1980's. At that time, the six states and the District of Columbia, which are part of the watershed, got together and tried to avoid the TMDL by proving they could bring the Bay back on their own. Since that time they have been setting ten-year milestones for reducing the pollutants that are impairing the Bay. Those pollutants are nutrients and sediments. The main sources of those nutrients are agriculture, sewage treatment plants, stormwater runoff and atmospheric deposition. For the last 25 years, the states have been trying to avoid the TMDL on the Bay by trying to eliminate the problem. After 25 years, it is only about half way to the target in reduction. In May, President Obama issued an executive order saying that the Federal Government is taking over the restoration of the Bay. One of the things they have done is establish a TMDL for the Bay that is going to be finalized by December of 2010. This will

involve 64,000 square miles with an area of 17 million people. This will affect sewage treatment plants as well as farms. It will affect everyone directly or indirectly. Instead of ten-year milestones, the Federal Government is going to require two-year milestones. Every state has to submit a watershed implementation plan saying how they are going to meet their particular part of the milestone for nutrient and sediment reduction. EPA will be enforcing these regulations and there will be ramifications for the states that do not comply. They expect the restoration to be complete by the year 2025. The public comment period is August 2010 to October 2010 to voice concerns.

Item #6 – Subdivision and Land Development Review Committee Report

Dan reported there were 8 subdivision plans, 7 municipal and one under County Ordinance. The Subdivision Review Committee recommended approval of the comments and recommendations for the following plans: Dick Gentzel in Armagh Township, Kyle Myers in Armagh Township, John M. Keefer in Burnham Borough, Gary L. & Susan C. Heimbach in Derry Township, William V. & Carolyn F. Lundvall in Granville Township, Jeremiah D. Ruth in Oliver Township, Jerry E. Dyer in Oliver Township and Rex B. Fagan in Wayne Township.

Mark Colussy said the Lundvall plan from Granville came in after the deadline for submission. This plan proposes to subdivide two lots off of the farm. The plan was submitted in 2007 and has not been updated. Mark went over some of the comments that need to be addressed for the plan to meet the requirements of the Granville Subdivision Ordinance as well as the Township's Zoning Ordinance.

The next plan Mark mentioned was the Jerry E. Dyer plan in Oliver Township. This plan is to subdivide a two-acre property with the intent to develop a single-family home. Mark pointed out that the driveway to this property is much longer than normal standards due to the parcel's steepness and the property owner wanting to eliminate stormwater run-off along the township road. Since the property owner is not developing the rest of the property, the Planning Commission is suggesting that he add the residual property as a lot addition to eliminate the two properties. A shared driveway agreement would be needed in order for the owner to get to the residual property. Mark said the owner said there was no reason for him to get to that area, but since there is a separate deed, Mark said there is no guarantee that he is going to keep this property. Suggesting the lot addition would rectify the issue. Mark said anytime a private drive is established, a shared driveway agreement should be put in place with a maintenance agreement saying who is going to take care of it and that there is shared access. Mark said the decision is up to the Township.

Dan Dunmire made a motion to approve the recommendations and comments of the Subdivision Review Committee for the plans under municipal ordinances. Neal Shawver seconded the motion and all members voted aye. Susan Heimbach abstained from the vote on her plan.

Dan made a motion to conditionally approve the Rex Fagan plan in Wayne Township. Neal seconded the motion and all members voted aye.

The Subdivision Review Committee Report:

Name of Plan: Gentzel, Dick

Tax Map #: 12-2-107A

Applicant Name: Gentzel, Dick

Plan Preparer: Sarge Engineering and Surveying

Action Taken: *The County provides comments only.*

Plan Summary: *The "Subdivision Plan for Dick Gentzel," dated December 18, 1998 and recorded in Mifflin County Plan Book 20 page 258, created 11 small lots for retirement homes. The purpose of this plan is to adjust the lot lines for Lots 6 to 11, on the Northeastern side of Lehland Drive. Lot 11 has been eliminated. Lot 6 has been conveyed to Jerry L. and Delores A. Wagner and Lot A will be an addition to Lot 6. The lot lines before and after this adjustment are shown on the Property Plan.*

Review Comments (List from Review Committee):

Subdivision Information - The acreage of Lots 4 and 5 should be shown on the plan since they are part of the entire parcel. Property boundary information should be shown for the entire property, including the residual property. Property boundary information has not been provided for Lots 4 & 5. 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, & 12)

Topographic information - Topographical contours at vertical intervals should be displayed on the plan (Armagh Township Subdivision and Land Development Ordinance, Section 6.202.a.7).

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. (BrA)

Setback Lines - Plan Note 4 mentions a waiver for setbacks, but does not state specifics. What was the request waived to be? The setback lines should be shown on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Section 6.302.a.10). *According to the surveyor, a general waiver had been approved by the township with no specific setback requirements.

Private Street / Shared Driveway - Is a private street agreement in place for Leland Drive and Fayler Way? If so, the plan should reference the agreement. If not, an agreement should be put in place and a note such as the following should 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."

*The surveyor thought the roads were Township Roads. He will check to see if they are private or not.

Deed Restrictions and Easements - Plan note 6 references deed restrictions. All protective covenants should be provided with the plan submission. (See Armagh Township Subdivision and Land Development Ordinance, Section 6.302.b.7) Easements associated with the property, if any, should be provided in accordance with Section 6.302.a.6 of the Armagh Township Subdivision and Land Development Ordinance.

DEP Sewage Planning Module - Have Lots 4 through 10 already been approved by DEP for sewage planning? If so, a copy of the approval letter should be submitted to the Armagh Township Supervisors. *According to the surveyor, all the lots were approved for sewage in 1998.

Sewage Service - A letter from the municipality acknowledging availability of public sewer should be submitted to the Armagh Township Supervisors. *According to the surveyor, the Supervisors already have a letter on file.

Water Service - A letter from the municipal water authority acknowledging availability of public water should be submitted to the Armagh Township Supervisors. *According to the surveyor, the Supervisors already have a letter on file.

Other Comments:

1. Lot 11 should be shown on the main plan and shown as being consolidated with Lot 10.
2. The property plan shows lot lines being moved for Lots 7 through 9, but this is not shown on the main plan. A dashed line showing the old boundary lines should be shown on the plan. There should also be a listing on the plan as to the old lot sizes versus the new lot sizes. *According to the surveyor, he purposely left the old boundary lines off of the main plan so it wouldn't be cluttered. A proposed acreage table should be placed on the plan in place of the lines to avoid confusion of too many lines on the plan.

Name of Plan: Myers, Kyle

Tax Map #: 12-15-109

Applicant Name: Havice, Ted R.

Plan Preparer: Taptich Engineering and Surveying

File Number: 2010-02-007

Municipality: Armagh Township (Municipal Ordinance)

Land Owner Name: Myers, Kyle

Action Taken: The County provides comments only.

Plan Summary: This project involves the subdivision of one (1) lot from the lands of Kyle H. and Nancy Myers (TM 12-15-109). Lot #1 is to be a lot addition to lands of Ted R. Havice (TM 12-15-123). Lot #1 is presently vacant and is proposed as a Non-Building Lot Addition to the lands of Ted R. Havice. The Residue lands of Myers presently house a recreational structure and associated outbuildings. The existing lands of Havice likewise contains a recreational structure and associated outbuildings. No improvements are proposed on the lands of Havice or Myers at this time. Because the existing access to the lands of Ted R. Havice presently cross the adjacent lands of David F. and Mary J. Havice (TM 12-15-109A), a proposed 25' Right-of-way (Private) has been proposed to include the existing gravel drive.

Review Comments (List from Review Committee):

Administrative - The plan lists the plan name as David F. Havice, yet the landowner is Kyle and Nancy Myers. The plan title should be changed to be the subdivider. Also, this is particularly curious since David is not even the applicant, and which Ted is the applicant.

Basic Plan Information - Property owner and/or applicant information should be provided on the plan. (Armagh Township Subdivision and Land Development Ordinance, Section 6.302.a.3)

Soils - Soil information is not on the plan. Since the plan involves a lot addition/merger, the applicant should request a waiver from the subdivision ordinance.

Setback Lines - The setback lines should be listed on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Section 6.302.a.10).

Right-of Way Widths - The right-of-way width of Havice Valley Road does not meet the road provisions of the Armagh 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. Also, based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way width is substandard for the proposed

private right-of-way (Table 1). Considering this is a proposed right of way, the right-of-way should meet the ordinance requirements.

Cartway Widths - The cartway width of Havice Valley Road does not meet the road provisions of the Armagh 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 cartway should be provided by the applicant as a condition if there is future development along this road.

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

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

Deed Restrictions and Easements - 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.

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

Name of Plan: Keefer, John M.

Tax Map #: 8-22-116

Applicant Name: Keefer, John M.

Plan Preparer: Tuscarora Land Surveying

Action Taken: The County provides comments only.

Plan Summary: This subdivision proposes a lot addition from the lands of John M. Keefer to the lands of John E. Knepp. The proposed addition has no structures on it and is a yard and wooded area.

Review Comments (List from Review Committee):

Administrative - The landowner's signature needs to be on the subdivision application form.

Soils - Soil information is not on the plan. Since the plan involves a lot addition/merger, the applicant should request a waiver from the subdivision ordinance.

Setback Lines - The setback lines should be shown on the plan as prescribed in the Burnham Borough Subdivision and Land Development Ordinance (Section 402.3.H).

Private Street / Shared Driveway - All private drives that are used by more than one party shall have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan. The agreement should include the following: Is the abutting Ginger Breon property accessed via a shared driveway? If so, is a shared driveway agreement in place? If there is no agreement in place, one should be considered. An agreement should include the following: "The owners of lots ____, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold."

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.

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

Water and Sewage Service - Existing water and sewage service information for the properties should be shown on the plan (See section 403.1.E and J of the Burnham Borough Subdivision and Land Development Ordinance). Also, a note should be put on the plan stating that the properties are already on existing systems.

Lot Addition - The proposed combined acreage of the John E. Knepp property and proposed Lot Addition 1 should be provided on the plan. (See section 402.3.G of the Burnham Borough Subdivision and Land Development Ordinance) A lot addition plan should include an inset map. An inset map is a general location map of sufficient size and detail for the Commission to readily determine geographically where the subdivision, or lot addition, is proposed.

Name of Plan: Heimbach, Gary & Susan C.

Tax Map #: 16-11-618/16-11-619

Applicant Name: Heimbach, Gary L. & Susan C.

Plan Preparer: Sarge Engineering and Surveying

Action Taken: The County provides comments only.

Plan Summary: The purpose of this plan is to consolidate two adjoining lots owned by Gary L. and Susan C. Heimbach. Lot 18, Tax Parcel 16-11-618 of 0.963 acres, will be joined with Lot 19, Tax Parcel 16-11-619 of 0.876 acres. The new combined Parcel will contain 1.839 acres.

Review Comments (List from Review Committee):

File Number: 2010-02-004

Municipality: Burnham Borough (Municipal Ordinance)

Land Owner Name: Keefer, John M.

File Number: 2010-02-001

Municipality: Derry Township (Municipal Ordinance)

Land Owner Name: Heimbach, Gary L. & Susan C.

Basic Plan Information - The tax parcel number is not shown on the plan for Lot 12, owned by David Nelson. According to County Tax Assessment records, the parcel is T.M. 16-11-612. This information should be listed on the plan.

Soils - As opposed to what is stated in the Soils Legend, 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. (At)

Cartway Widths - Based upon the Derry Township Subdivision and Land Development Ordinance, the cartway widths of Oakridge Road and Walnut Road are substandard (Section 504.2).

Deed Restrictions and Easements - Plan Note 5 references deed restrictions. If a list of the deed restrictions is not to be provided, a copy of the restrictions should supplement the plan submission. (See section 403.7 of the Derry Township Subdivision and Land Development Ordinance). Easements associated with the property, if any, should be provided in accordance with Section 403.2.G of the Derry Township Subdivision and Land Development Ordinance.

*Sewage Service - This proposal was discussed with DEP and there are no requirements of the applicant. *According to the surveyor, he already requested a waiver from DEP and it is pending.*

Name of Plan: Lundvall, William V. & Carolyn F.

Tax Map #: 17-02-107

Applicant Name: Lundvall, William V. & Carolyn F.

Plan Preparer: Taptich Engineering and Surveying

Action Taken: The County provides comments only.

Plan Summary: The project proposes the creation of two (2) lots intended for single family residential or agricultural use.

Lot #1 presently contains an existing farm house and associated outbuildings. Access to this parcel will be via the existing driveway developed from Ferguson Valley Road. This parcel presently houses an on-lot sewage disposal system and private well. Lot #2 likewise contains an existing single family dwelling with existing on-lot sewage disposal system and a private well. Both of these facilities will be developed by the future lot owner. Access to this parcel will be from either of the adjacent public roads. The residue (~190 Acres) has had a suitable sewage disposal area identified thereon. This residue will house a future single family structure served with a private well. Access to the residue will be via the adjacent public roads.

Review Comments (List from Review Committee):

Start Notes - This plan was previously reviewed by the Mifflin County Planning Commission on March 22, 2007.

Basic Plan Information - A graphic scale bar should be shown on the plan. (See section 6.302.a.2 of the Granville Township Subdivision and Land Development Ordinance)

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. The property is in an Agricultural Security Area and should be noted on the plan.

Floodplain / Wetlands - According to County GIS information, a portion of the property lies within the 100-year floodplain. Future development in this area should be discouraged.

Topographic information - Topographical contours at vertical intervals should be displayed on the plan (Granville Township Subdivision and Land Development Ordinance, Section 6.202.a.7).

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. (Ma) According to the County GIS files, some portion of this property appears to have prime farmland soils. (EdB, MrB)

Setback Lines - The setback lines should be shown on the plan as prescribed in the Granville Township Subdivision and Land Development Ordinance (Section 6.302.a.10). The setback information listed in Note 7 on the plan should be updated. It appears this information is incorrect, based upon the Granville Township Zoning Ordinance (Section 4.404).

Right-of-Way Widths - The right-of-way width of T-710, Strodes Run Road, 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 T-710, Strodes Run Road, 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 cartway should be provided by the applicant as a condition if there is future development along this road.

PennDOT HOP / Municipal Driveway Permit - If a driveway opening is created off of Strodes Run Road, a municipal driveway permit will be required, and a copy should be provided to the Granville Township Planning Commission. The proposed driveway location for Lot 2 should be shown on the plan. (See section 6.202.a.15 of the Granville Township Subdivision and Land Development Ordinance) 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.

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

Water Service - The well isolation distance should be shown on the plan around the proposed well on Lot 2. (See section 3.213 of the Granville Township Subdivision and Land Development Ordinance)

Signature Blocks on Plan - The Mifflin County Review Certificate should be on the plan. If a copy of the certificate is required, one can be obtained from the Mifflin County Planning and Development Department.

Zoning - Zoning information should be updated on the plan. This property is Zoned Agricultural-Residential, according to Granville Township Zoning.

Other Comments:

- 1. The plan narrative states that there is an existing house on Lot 2, yet the plan indicates the house as being proposed. These should be consistent.*
- 2. The date on the plan appears it may need to be updated. Both the date created and the modified date reflect 2007 dates. Considering this plan has been submitted for review in 2010, the date on the plan may need to be revised.*
- 3. The plan scale on the plan is listed at 1 inch equals 200 feet. According to the Granville Township Zoning Ordinance, the plan shall not be at a scale more than 100 feet to the inch (Section 6.201.a). If this requirement cannot be met due to the size of the property, a waiver should be requested.*

Name of Plan: Ruth, Jeremiah D.

Tax Map #: 19-07-105J

Applicant Name: Ruth, Jeremiah D.

Plan Preparer: Wright Land Surveying

File Number: 2010-02-005

Municipality: Oliver Township (Municipal Ordinance)

Land Owner Name: Ruth, Jeremiah D.

Action Taken: *The County provides comments only.*

Plan Summary: *This plan proposes to divide the Ruth property into two parcels. Lot 12 is being created for a single-family residence to be served by on-lot sewage disposal and private well. Lot 1, the residual tract, is currently farmland and has had soils testing for a single-family house. All survey data has been taken from previous surveys and has not been verified for accuracy. This plan is only for planning purposes to divide the property into two parcels.*

Review Comments (List from Review Committee):

Basic Plan Information - All abutters should be shown on the plan, including tax map numbers. (Oliver Township Subdivision and Land Development Ordinance, Section 6.302.a.16)

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

Clean & Green / Agriculture - The property is in an Agricultural Security Area and should be noted on the plan. The parcel is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

Floodplain / Wetlands - The plan should note whether or not the site lies within a 100 year floodplain or designated wetland. (See Section 6.202.a.14 of the Oliver Township Subdivision and Land Development Ordinance)

Soils - According to the County GIS files, some portion of this property appears to have prime farmland soils. (EdB, HaB)

Right-of-Way Widths - Based upon the Oliver Township Subdivision and Land Development Ordinance, the right-of-way width for S.R. 22 should be shown on the plan. (Section 6.302.a.6). The right-of-way width of Old State Road, T-803, does not meet the road provisions of the Oliver 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 should be shown on the plan for S.R. 22 (Oliver Township Subdivision and Land Development Ordinance, Section 6.202.A.11). The cartway width of Old State Road, T-803, does not meet the road provisions of the Oliver 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 cartway should be provided by the applicant as a condition if there is future development along this road.

PennDOT HOP / Municipal Driveway Permit - The proposed driveway location should be shown on the plan. (See section 6.202.a.15 of the Oliver Township Subdivision and Land Development Ordinance) If the driveway accessing the proposed house is to be off of Old State Road, then a municipal driveway permit is required, and a copy should be provided to the Oliver Township Planning Commission. Otherwise, if access is going to be off of S.R. 22, then a PennDOT HOP will be required. In either case, the driveway appears to need to be at least 1500 feet in length. Is this the intention? However, according to County GIS information, there is a private drive, Idle Acres, that is adjacent to the property. Access off of this drive should be discouraged as this drive does not meet private road standards. Regardless, the private drive, Idle Acres, should be shown on the plan.

Private Street / Shared Driveway - The plan references Map Book 22-26 for an existing 33' Right-of-Way. Is there a maintenance agreement in place? 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." Also, if more than one party is to use the private road, the road will need to be named.

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 Oliver Township Subdivision and Land Development Ordinance.

**According to the surveyor, there are no known deed restrictions or easements other than what is shown on the plan.*

DEP Sewage Planning Module - A subdivision proposing more than 10 lots from the parent parcel is considered a major subdivision. A DEP Component 2 Form should be provided. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form. Also, this area is in a High Quality Watershed. A HQ Stream Study may be required with the DEP application.

Name of Plan: Dyer, Jerry E.

Tax Map #: 19-10-100A

Applicant Name: Dyer, Jerry E.

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, is vacant woodland with no development proposed. Access to Lot 2 is by a proposed private 50' right-of-way.*

Review Comments (List from Review Committee):

Subdivision Information - The acreage of the tract owned by Jerry Dyer under Deed Book 281-329 should be shown on the plan. (See section 6.202.a.5 of the Oliver Township Subdivision and Land Development Ordinance) 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. (Oliver Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9 & 12)

Clean & Green / Agriculture - The property is in an Agricultural Security Area and should be noted on the plan. The parcel is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

Soils - According to the County GIS files, some portion of this property appears to have prime farmland soils. (KrB)

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. (AnB)

Right-of-Way Widths - The right-of-way width of Country Lane, T-397, does not meet the road provisions of the Oliver 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 Country Lane, T-397, does not meet the road provisions of the Oliver 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 cartway should be provided by the applicant as a condition if there is future development along this road.

PennDOT HOP / Municipal Driveway Permit - A municipal driveway permit is required, and a copy should be provided to the Oliver Township Planning Commission.

*Private Street / Shared Driveway - Is the proposed private Right-of-Way to be shared? 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." Additional information for the private drive, Dyer Straits, should be provided on the plan including Right-of-Way and Cartway widths. (See section 6.302.a.6 of the Oliver Township Subdivision and Land Development Ordinance) *According to the surveyor, there is no right-of-way easement associated with Dyer Straits. Since this driveway crosses two deeds, the applicant may want to consider establishing a right-of-way easement at this time. The cartway width of the drive should still be listed on the plan.*

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

Deed Restrictions and Easements - 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 Oliver Township Subdivision and Land Development Ordinance.

**According to the surveyor, there are no known deed restrictions or easements.*

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.

Other Comments:

1. Is there any reason why the lot is being placed at the Eastern end of the tract? If there are plans for future development, this layout will make it difficult to undertake further subdivision. This proposed right-of-way is over 700 feet in length and creates the potential for 2 triangle shaped lots with may or may not meet township standards if the tract is further developed. *According to the surveyor, the location of the proposed lot is located where it is because it is the flattest area of the property and the most suitable for development. Also, the landowner established the right-of-way where he did because that would give the least grade for a driveway to avoid stormwater runoff. Also, according to the surveyor, the landowner doesn't plan on developing the rest of the property. In this case, the applicant should consider adding the residual lot as a lot addition to Jerry Dyer's other property (DB: 281, PG: 329) at this time, especially considering they are already combined for Clean and Green purposes.

Name of Plan: Fagan, Rex B.

Tax Map #: 21-014 108FF

Applicant Name: Fagan, Rex. B.

Plan Preparer: Tuscarora Land Surveying

File Number: 2010-02-003

Municipality: Wayne Township (County Ordinance)

Land Owner Name: Fagan, Rex. B.

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

Plan Summary: This subdivision proposes the subdivision of one (1) lot from the lands of Rex B. Fagan. This Lot 2 is composed of a portion of the property conveyed to Rex B. Fagan in Mifflin County Deed Book 379 page 1448 and a portion of the property conveyed to Rex B. Fagan in Deed Book 379 page 1452. Appropriate sewage testing has been done and the lot will contain one residence with on-lot sewage disposal and an individual well. The residue is private recreational use.

Review Comments (List from Review Committee):

Administrative - The landowner's signature needs to be on the subdivision application form.

Floodplain / Wetlands - According to County GIS information, the property lies within the 100-year floodplain. Future development in this area is discouraged.

Soils - According to the County GIS files, some portion of this property appears to have prime farmland soils. (AbB)

Setback Lines - Though setback lines are shown on the plan, the setback requirements should be listed on the plan as prescribed in the Mifflin County Subdivision and Land Development Ordinance (Section 7.302. A10).

Cartway Widths - Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway width of 10' is substandard (Section 4.204 F) unless strictly used as a private driveway. The plan should be clear as to who has access to the driveway. Otherwise, the cartway will have to be brought up to private road standards. *According to the surveyor, the right-of-way is only for a private driveway and not for a shared drive.

PennDOT HOP / Municipal Driveway Permit - A notation about the requirement stating: Any access via a State Highway to lots shown on this subdivision plan will require the issuance of a PennDOT Highway Occupancy Permit (HOP). PennDOT regulations provide that a Highway Occupancy Permit is required prior to constructing, altering or exceeding the permitted capacity for any access connected onto a State Highway. A Highway Occupancy Permit is also required prior to altering the existing pattern or flow of surface drainage or directing additional surface drainage onto or into the highway right-of-way or highway facilities. Approval of this plan neither implies nor guarantees permit approval by PennDOT. Is there already an existing PennDOT Highway Occupancy Permit (HOP) in place for access onto S.R. 103? If so, the permit number should be listed on the plan. If not, the applicant should contact PennDOT to see if a permit will be required.

Private Street / Shared Driveway - All private drives that are used by more than one party shall have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan. The agreement should include the following: "The owners of lots __, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold." (See Mifflin County Subdivision and Land Development Ordinance, Section 4.205.G.4.c)

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 is contingent upon receiving an approval from DEP following the filing of this form.

Signature Blocks on Plan - A signature block for the township should be changed from "Approved" to "Reviewed."

Other Comments:

1. The plan states that the residue is for recreational purposes, but the plan should be clear as to the property cannot be sold as a building lot without proper sewage testing.

2. Access to Lot 2 should be clear on the plan. Is Lot 2 to have a new access off of S.R. 103? Will the proposed private drive be the sole access means? Clarification should be made on the plan. *According to the surveyor, access to Lot 2 will be solely from the existing drive across Lot 1 that follows the proposed right-of-way. The reason for this was that the road frontage along Lot 2 has limited sight distance. The narrative should be modified to clearly indicate access means to Lot 2.

Item #7 – Public Comment

A question was asked by a Supervisor from Bratton Township concerning whether the Chesapeake Bay requirements would affect his property in Mattawana. Dan responded he could not say for sure, but he did not know of anything at this time.

Item #8 – Other Business or Comments

- Jim Spendiff said Don Kauffman has resigned as a Planning Commission member due to health reasons. Jim recommended sending a letter of thanks and recognition for the time he served. Bill Gomes said Don has been on the Planning Commission for fifteen years and was very dedicated. Jim mentioned a replacement. Bill said there was one person who served on the Brown Township Planning Commission who expressed interest in becoming a member if a vacancy occurred.
- Jim asked Bill if he could give an update on what was in the paper about the Ardes Ridge Project. Bill said the Lewistown Borough Codes Enforcement Officer had indicated the only difference now is that the ordinance was changed to allow a project to go in by right as opposed to special exception. In addition, Lewistown Borough adopted a subdivision/land development ordinance similar to the County's, which should help. There are concerns that grading 19 feet off the ridge will create problems.
- Bill said the Annual Dinner Meeting will be held on April 1, 2010. He stated that he is pleased to have John Hines as the speaker.
- Bill gave an update on the County Engineer selection process. He said there were 22 proposals received, and the committee will recommend a firm once the review is complete.
- The draft Stormwater Model Ordinance has been sent to all the municipalities and municipal engineers for review. A Watershed Plan Advisory Committee meeting with the municipal engineers is scheduled for March 11, 2010.

The meeting was adjourned at 4:50 p.m. upon a motion by Brent Miller that was seconded by Susan Heimbach.

dpb