

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**THURSDAY, MARCH 22, 2012**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

**Members**

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

**Other**

Dain Davis, The EADS Group

**Staff**

Bill Gomes, Director  
Mark Colussy, Associate Planner

**Call to Order**

Susan Heimbach, Chair, called the meeting to order at 3:34 p.m.

**Record of Attendance**

Susan reminded everyone to sign the attendance sheet.

Susan introduced Tom Lake, the new Planning Commission Member and asked each member to introduce himself/herself to Tom.

**Approval of Meeting Minutes: February 23, 2012**

Susan asked for a motion to approve the minutes for February 23, 2012. A motion was made by Neal Shawver to accept the February minutes as written. The motion was seconded by Jim Spendiff and all voted aye.

**Subdivision and Land Development Review Committee Report**

Dan Dunmire reported that the Subdivision and Land Development Review Committee reviewed six plans. All six plans were under municipal ordinances for which the Planning Commission provides recommendations to the municipalities: Mark J. Waddell in Brown Township, Albert R. Fetters in Derry Township, Byler Campground – Steven R. & Juanita M. Byler in Granville Township, Evangel Baptist Church in Lewistown Borough, Daniel K. Peachey in Menno Township and McVeytown Athletic Fields in Oliver Township.

Mark discussed the Byler Campground land development. He said there will be eight camping sites developed on two acres of land. The Review Committee recommended a private drive agreement for the road to these sites in case the property would be sold in the future. It was also a concern that the private drive should have a wider shoulder.

Mark noted Mr. Metz submitted revised plans for the Byler Campground and the Evangel Baptist Church just prior to the Planning Commission Meeting.

The Evangel Baptist Church is adding a sizeable (around 12,000 sq. ft) building addition. Mark said one concern was if there would be a loading space. The other was the circulation system and driveway direction. Mark asked for approval to update the comments for the campground and church plans that were submitted by Mr. Metz.

The next land development plan Mark wanted to comment on was McVeytown Athletic Fields. This property is right outside the McVeytown Borough. Mark said Oliver Township just adopted the County's

model Stormwater Ordinance which raises a question of whether the stormwater plan was done according to the Stormwater Ordinance.

Dan Dunmire made a motion to approve the comments/recommendations of the review committee on the six municipal plans along with giving Mark the liberty to update the two plans submitted by Mr. Metz. The motion was seconded by Jim Spendiff and all voted aye.

Mark asked the commission what their direction would be in regards to people that have conditional approval under the county ordinance. Several are due or past due even with extensions. Mark asked if he should remind these people of their due date. It was decided that Mark will send an e-mail reminding them they have 30 days to request an extension.

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

Name of Plan: Waddell, Mark J.  
File Number: 2012-03-006  
Tax Map #: 14-03-900  
Municipality: Brown Township (Municipal Ordinance)  
Applicant Name: Waddell, Mark J.  
Land Owner Name: Waddell, Mark J.  
Plan Preparer: Wright Land Surveying

Action Taken:  
The County provides comments only.

Plan Summary:  
This plan proposes to create three lot additions from the Mark J. Waddell property to adjoining lands as shown. No new development is proposed.

Review Comments (List from Review Committee):

#### **Basic Plan Information**

The plan narrative should include more information on the project, such as stating which properties are receiving the three lot additions. (Brown Township Subdivision and Land Development Ordinance, Section 7.302.A.1)

#### **Floodplain / Wetlands**

Since the property does not lie within the Floodplain, the plan should indicate that it lies within Zone X. (See Sections 7.302.A.23 and 25 of the Mifflin County Subdivision and Land Development Ordinance)

#### **Soils**

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

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

Does the private portion of Sparkle Drive have a R/W associated with it? If so, it should be labeled on the plan.

#### **Cartway Widths**

The cartway width of the remainder of Sparkle Drive should be shown on the plan (Brown Township Subdivision and Land Development Ordinance, Section 7.202.A.11).

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

Does the Township portion of Sparkle Drive terminate at the end of Lot C? If it does, a private drive (maintenance) agreement may be required for the private portion since it appears two properties utilize the drive. (See section 4.204.B.1.c or 4.205.G.4.c of the Brown Township Subdivision and Land Development Ordinance)

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

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

#### **Water Service**

The public water line should be shown on the plan. See the Brown Township Subdivision and Land Development Ordinance (Section 7.302.A.20).

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

The new 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.

**Features**

Is there a sinkhole on Lot Addition A? If so, it should be labeled on the plan.

**Other Comments:**

1. Who owns the property with the cul-de-sac at the termination of Sparkle Drive? This should be labeled on the plan since it is an abutter. Could this property be considered part of the residual lot?
2. Though there is a driveway shown on the plan accessing Lot 1, formal access should be clearly indicated on the plan since it does not appear a formal R/W exists or is being proposed. It appears that this proposal's Lot Addition (Lot Addition A) is essentially removing any formal road frontage to Lot 1. (Refer to section 2.200 of the Brown Township Subdivision and Land Development Ordinance). Lots cannot be land-locked.

Name of Plan: Fetters, Albert R.

File Number: 2012-03-003

Tax Map #: 16-13-101C/16-13-101G

Municipality: Derry Township (Municipal Ordinance)

Applicant Name: Fetters, Albert R.

Land Owner Name: Fetters, Albert R.

Plan Preparer: Tuscarora Land Surveying

Action Taken:

The County provides comments only.

Plan Summary:

This plan proposes the creation of two (2) lot additions for proposed transfer from the lands of Albert R. Fetters to the lands of Diane F. Davis.

Review Comments (List from Review Committee):

**Basic Plan Information**

Plan applicant information should be provided on the plan and the plan application.

**Subdivision Information**

Although Note #4 lists what the total acreage of the lot with the lot additions, it would be helpful to include this information with the lot information on the property.

**Clean & Green / Agriculture**

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

**Right-of Way Widths**

It appears that the residual tract will not have adequate road frontage. The right-of-way of Fetters Lane may need to be extended to give adequate access to the residual lot.

\*According to the surveyor, the description of the R-O-W says "Up to 50' in width". Also, it might not be feasible to extend the R-O-W any further.

**Cartway Widths**

Based upon the Derry Township Subdivision and Land Development Ordinance, the cartway width of Fetters Lane is substandard (Section 504.2).

**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."

At a minimum, a note should be added to the plan that states the State, County, and Township are not responsible for the maintenance of Fetters Lane and is the responsibility of the landowners.

**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: Byler Campground-Steven R. & Juanita M. Byler

File Number: 2012-03-001

Tax Map #: 17-11-0106

Municipality: Granville Township (Municipal Ordinance)  
Applicant Name: Byler Campground-Steven R. & Juanita M. Byler  
Land Owner Name: Byler Campground-Steven R. & Juanita M. Byler  
Plan Preparer: Thomas H. Metz Engineering, Inc.

Action Taken:  
Preliminary Review Comments Only

Plan Summary:

This project involves the construction of a campground w/ approximately 10 campsites. The project shall consist of the construction of a 12' wide gravel drive to access the campsites (see plan for location), and water and electrical service. Water shall be supplied from existing well on site as well as underground electric to be supplied from existing meter (see plan for locations.)

Review Comments (List from Review Committee):

**Administrative**

The landowner's signature needs to be on the subdivision application form.  
The subdivision application form should be signed by the municipality.  
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 plans were submitted.

**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**

As noted in Note 2 on Plan Sheet Sil-1 and according to County GIS information, the property lies within the 100-year floodplain. Additionally, a portion of the property lies within the Floodway. Development in this area might not be permissible. The applicant should contact the Mifflin County Conservation District for more information.

**Soils**

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

**Right-of Way Widths**

The 50' R-O-W line type appears to be the same as the 5' Contour line. This should be considered to be changed to eliminate confusion on the plan.

**Cartway Widths**

The cartway width of the proposed drive does not meet the road provisions of the Granville Township Subdivision and Land Development Ordinance (Table 1). A 12' cartway is not sufficient for two-way travel. Considering that large motor homes will be using the site, this could potentially be a big problem. Also, since the edge of the shoulder will be filled with rocks for the stormwater runoff, this could be extra dangerous if a vehicle would accidentally drive into this area. Road improvements should be considered, including a wider cartway or at least a wider shoulder. 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**

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."

\*According to the Engineer, both lots are to remain under the same ownership. At a minimum, an agreement should be required if one of the lots gets sold to a different owner.

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

**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.

\*According to the Engineer, there are none.

**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.

**Water Service**

Is the drilled well adequate to supply water to all the proposed camp sites? Will a special permit be required from DEP, and if so, will they allow a community system to be installed?

\*According to the Engineer, the well will be tested. Also, there isn't enough water withdrawal to be classified as a community system by the DEP.

**Signature Blocks on Plan**

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

A Mifflin County Planning Commission Approval Signature Block should be removed from the plan.

**E & S / Stormwater**

Stormwater drainage provisions should be included with the plan submission. The stormwater plan should be reviewed by the Granville Township Engineer. Plan approval should be contingent upon receipt of approval. According to the Engineer, the E&S plan has been submitted to the Conservation District and is currently under review.

**Other Comments:**

1. Is there an emergency evacuation plan in place for the new campground. The applicant may want to contact the Mifflin County Emergency Services Department for more information.
2. Note 5 on the plan references a variance for the campground. Were there conditions of the variance being granted? If so, this information should be provided.

Name of Plan: Evangel Baptist Church-Sanctuary Addition

File Number: 2012-03-002

Tax Map #: 01-11-140/01-12-704

Municipality: Lewistown Borough (Municipal Ordinance)

Applicant Name: Evangel Baptist Church c/o Dale Wilburne

Land Owner Name: Evangel Baptist Church c/o Dale Wilburne

Plan Preparer: Thomas H. Metz Engineering, Inc.

Action Taken:

Preliminary Review Comments Only

Plan Summary:

This project involves the construction of nearly 12,438 square feet, single story, and sanctuary church addition over an existing impervious parking area. The new increase in imperviousness equates to 2,750 square feet for the proposed development. Underground utility service will be provided to the addition along with the tie in of stormwater facilities to the existing PennDOT facility.

Review Comments (List from Review Committee):

**Right-of Way Widths**

Based upon the Borough of Lewistown Subdivision and Land Development Ordinance, the right-of-way width of Franklin Avenue is substandard (Section 4.204.F).

**Deed Restrictions and Easements**

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

\*According to the Engineer, there are none.

**Sewage Service**

Will additional EDU's be required? A letter from the Borough might be required. The plan states that sewage shall conform with the ordinance but does not list what sewage is being proposed. This should be clear on the plan.

**Water Service**

Will additional capacity be required? If so, a letter from the municipal water authority with the intent to serve may be needed and provided to the Lewistown Borough Planning Commission.

**Land Development**

Provisions for Street Lighting should be included with the plan submission. (See section 4.203.I of the Borough of Lewistown Subdivision and Land Development Ordinance)

\*According to the Engineer, there will be building lighting. This should be shown and described on the plan.

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

\*According to the Engineer, a sprinkler system is being installed in the addition, and there is a hydrant within the vicinity of this building. The hydrant should be shown on the plan.

Parking provisions should be indicated on the plan, including the number of existing vs. required spaces. Parking is mentioned in Note 7 on sheet Sil-2 of the plan (155 spaces), but the spaces are not actually shown. Also, the plan does not seem to clearly address if the parking numbers accounts for the loss of parking due to the building addition. This should all be clear on the plan. The parking could be shown on a new sheet, similar to the existing conditions plan.

A circulation diagram should be included with the plan set. The travel lane width should be clearly indicated on the plan, which could be shown on a circulation diagram. Also, painted directional arrows are recommended should be considered on the site.

A loading zone should be shown on the plan.

\*According to the Engineer, there will be one additional loading zone to go with an existing zone. These should be labeled on the plan.

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

Stormwater drainage provisions should be reviewed by the Lewistown Borough Engineer.

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 receipt of approval.

### **Other Comments:**

1. Note 12 on Sheet Sil-2 of the plan references the Oliver Township and the Mifflin County SALDO. This should appropriately reference the Borough of Lewistown SALDO.

2. Where is the gym in relation to the church building? Will the connection of the new building addition be tied to the church or the gym?

\*According to the Engineer, the building addition will mostly be a new Sanctuary. The old sanctuary will actually be converted into office and classroom space.

Name of Plan: Peachey, Daniel K.

File Number: 2012-03-005

Tax Map #: 18-04-128

Municipality: Menno Township (Municipal Ordinance)

Applicant Name: Peachey, Daniel K.

Land Owner Name: Peachey, Daniel K.

Plan Preparer: Wright Land Surveying

Action Taken:

The County provides comments only.

Plan Summary:

This plan proposes to create Lot Addition A to be transferred from Daniel K. Peachey to Darrell Erb, Sr..

No development is proposed. These properties are accessed by the existing Eleven Springs Trail.

Review Comments (List from Review Committee):

### **Administrative**

The subdivision application form should be signed by the municipality.

### **Basic Plan Information**

Why does the deed (DB: 417 PG: 571-572) have two tracts and two parcels?

The plan shows the Jonathan L. Swarey property (T.M. 18-04-141) to the West and South of the property. Is the property to the South not Jean Stroyan (T.M. 18-04-152) as depicted on the tax map?

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

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

### **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.

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

The plan references no recorded R/W width for Eleven Springs Trail. An official R/W may want to be considered to be established with the other landowners along the trail.

**Cartway Widths**

The cartway width of Eleven Springs Trail does not meet the road provisions of the Menno 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**

Since Eleven Springs Trail is a private drive, 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.”

**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.

**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 & Sewage Service**

The plan should reference if Lot 1 and Lot Addition A are vacant.

Name of Plan: McVeytown Athletic Fields

File Number: 2012-03-004

Tax Map #: 19-07-01061

Municipality: Oliver Township (

Applicant Name: Capouillez, William A.

Land Owner Name: Capouillez, William A.

Plan Preparer: Appian Associates, LLC

Action Taken:

The County provides comments only.

Plan Summary:

The purpose of this plan is to develop the site for use as recreational fields, a multipurpose building and associated parking facilities and access drive. This plan also provides for the future construction of up to a 12,000 square foot building and associated parking facilities. Prior to the construction of this future building, the owner of the lot will be required to secure NPDES approval and erosion and sedimentation control plan approval for said improvements.

Review Comments (List from Review Committee):

**Administrative**

The subdivision application form should be signed by the municipality.

**Basic Plan Information**

A plan narrative should be on the plan. It appears General Note 1 can serve this purpose. If so, it should be labeled as the narrative.

The plan lists the owner as McVeytown Community Local Mission Service Foundation. The plan also lists William A. & Tracey S. Capouillez as the deed owner. This should be consistent.

**Soils**

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

According to the County GIS files, some small portion of the property that is not being developed appears to have prime farmland soils. (Soil: HuB)

**Right-of Way Widths** Based upon the Oliver Township Subdivision and Land Development Ordinance, the right-of-way width of U.S.

22/522, Old State Road and Sunderland Drive should be shown on the plan. (Section 6.302.a.6).

**Cartway Widths**

The cartway width of S.R. 22/522, Old State Road and Sunderland Drive should be shown on the plan (Township

Subdivision and Land Development Ordinance, Section 6.202.a.11).

**PennDOT HOP / Municipal Driveway Permit**

A municipal driveway permit is required for access onto Old State Road, and a copy should be provided to the Oliver Township Planning Commission. Additionally, clear sight triangle and sight distances should be included at the driveway opening. The Township Engineer may want to see a road profile for the proposed private drive.

**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.

**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**

Since the cover sheet states that this area is served by public sewer, a letter from the sewer authority should be requested to see if capacity exists for additional EDUs.

**Water Service**

Since the cover sheet states that this area is served by public water, a letter from the water authority should be requested to see if capacity exists for an additional hook-up.

**Signature Blocks on Plan**

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

**Land Development**

Provisions for Street Lighting may be required and should be included with the plan submission, including lighting details. The applicant should contact Oliver Township for more information.

Parking provisions should be indicated on the plan, including the total number of spaces provided vs. the number required. This information could be provided with a parking summary on the cover sheet.

A site circulation diagram should be included with the plan, which should include directional arrows.

How will fire suppression be addressed with this project? Will a sprinkler system be installed?

**E & S / Stormwater**

Stormwater drainage provisions should be included with the plan submission. Also, Oliver Township recently adopted a new stormwater ordinance, and all stormwater provisions should meet the requirements of the new ordinance. The stormwater plan should be reviewed by the Oliver Township Engineer. Plan approval should be contingent upon 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. This proposal should require an individual NPDES permit. Plan approval should be contingent upon receipt of approval.

**Other Comments:**

1. Sheet LD-06.01 shows two sink hole repair details. Were sink holes found on the site? The applicant should contact the Conservation District about development at sink hole areas.

**Public Comment**

There was no public comment.

**Other Business or Comments**

Bill Gomes gave an update of the first meeting was held for the Comprehensive Plan. Brent Miller and Dan Dunmire also discussed the first meeting. Bill mentioned the consultants are in town doing traffic counts and a parking assessment in downtown Lewistown. There will be another meeting on April 23<sup>rd</sup>. The goal is to have one meeting before summer and then another next fall. There will be two focus meetings in April, one with the roadmasters and another with zoning officers.

Bill reminded everyone of the dinner April 12.

Mark said notification was received February 6, 2012 that the Mifflin County School District will be selling the Armagh Elementary School and Buchanan Elementary School at public auction. They asked the Planning Commission for comment on the auction. Mark said if anyone has any comments to contact the School District directly. A letter was issued by the Planning Office to the School expressing concern over the disposition of the playground equipment and the role these playgrounds had in the community.



The correspondence also recommended that the School District work with the Mifflin County Parks and Recreation Council on the future use of the playground equipment. As for the buildings themselves, some members of the Commission thought they could potentially be converted into apartments.

Bill said Peggy Stewart is a new member of the Zoning Hearing Board in Derry Township.

Brent Miller made a motion to adjourn the meeting. Dan Dunmire seconded the motion and all voted aye. The meeting adjourned at 4:31 p.m.

db