

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**THURSDAY, MAY 22, 2014**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

**Members**

Neal Shawver  
Dave Pennebacker  
Brent Miller  
Dan Dunmire  
Jim Spendiff  
Thomas Lake  
Michele Bair

**Staff**

Bill Gomes, Director  
Jim Lettiere, CD Administrator / Assistant Director  
Nicole Singer

**Others**

Ronald Booher, Surveyor  
Lucas Parkes, The EADS Group

**Call to Order**

Dan Dunmire, Chair, called the meeting to order at 3:32.

**Record of Public Attendance**

Dan reminded everyone to sign the attendance sheet.

**Approval of Meeting Minutes**

Jim Spendiff made a motion to accept the minutes from April's meeting. The motion was seconded by David Pennebacker. All members voted aye.

Neal Shawver made a motion to accept the minutes from the annual dinner meeting. The motion was seconded by Dave Pennebacker. All members voted aye.

**Subdivision and Land Development Review Committee Report**

Jim Lettiere stated the Subdivision and Land Development Review Committee reviewed ten (10) applications on May 15, 2014. Nine of the applications were under municipal ordinance and one was under county ordinance. The municipal ordinance plans were for Teena McCurdy (*Brown Township*), Larry Arnold (*Decatur Township*), Jacks Mountain Forest Products (*Decatur Township*), Steven and Karen Stimely (*Derry Township*), Roman and Salin Peachey (*Menno Township*), Daniel and Tena Peachey (*Menno Township*), Michael and Jill Ammon (*Oliver Township*), Irvin and Karen Zook (*Union Township*), and Kish Realty Group, LLC (*Union Township*). The one county ordinance was in Wayne Township for Dennis and Patricia Scott. Jim would like to discuss three of the plans.

The first plan discussed was for Larry Arnold Jr. in Decatur Township. This plan was previously prepared by Roth Surveying, which is no longer providing survey services. Mr. Ronald Booher, a surveyor, presented the updated plan.

One of the first points of discussion by the Planning Commission was the water source on the lots. Ron Booher stated that Lot 2 had a well up against the porch, but was not sure about Lot 1. Another item discussed was about McCormick Lane since Lot 1 doesn't have frontage to any public road system. McCormick Lane has a 20 foot wide right-a-way that was created in 1998 for the original property owner. Mr. Arnold had approached the adjoining land owners about widening the right-a-way and they do not want to sell land for this purpose. Neal asked if Mr. Arnold could further subdivide and extend permission for others to use McCormick Lane. Mr. Booher said it would only be transferable if it was in the deed and that Mr. Arnold actually owns McCormick Lane.

Ron was asked if he would be able to address the comments made by the review committee. He replied by letting the Planning Commission know that Mr. Arnold would not be subdividing more than two acres because that is all he can do without a penalty in taxes. The plan notes state there are no wetlands, but needs a

floodplain note. In addition, if they are going to have access to Route 522, an HOP permit is needed as well as a shared driveway agreement.

Neal brought up a point about the stamping of the plan. With the plan being originally stamped by Roth Surveying, Mr. Booher will update the plan with his stamp.

Bill asked if anyone was living on Lot 1. Mr. Booher did not think anyone was living on Lot 1. There were some barns on Lot 1. A question was also raised about the barn located on McCormick Lane. The barn is within the setback and is a pre-existing condition.

The second plan discussed was the plan of Steven and Karen Stimely in Derry Township. The purpose of this plan is to create Lot A and Lot B as lot additions. Also, to create Lot 2 as a free standing lot, but the future use of Lot 2 is unknown. Lot 1 is the remainder. Any future development of these lots will require a Land Development Plan that is approved by the Derry Township Supervisors.

Some questions raised had to do with the front set back, lot frontage, the Penelec right-of-way, and where the public road ended and the private road started. The end of the public right-of-way and the half cul-de-sac has been dedicated to the Township while the rest of the right-of-way east of the cul-de-sac on Nolan Drive has been vacated. With the development of the lots, there will need to be a road maintenance agreement between land owners to use the shared right-a-way and a name for the new road. All of this will need to take place during the land development process.

The final plan discussed was for CPA Associates in Union Township. They plan is to develop the existing building into office space. The proposed project will include the installation of eleven parking spaces including one handicapped space, and associated storm water management and site improvements. Lucas Parkes, from the EADS group, was present at the meeting to answer any questions of the Planning Committee.

A major concern during plan review was the zoning for the area. Based on County GIS files, zoning designation of the subject parcel is R-S Residential Suburban District, not Commercial. The R-S District does not allow professional offices. According to Union Township, however, on May 15, 2013, the Township rezoned the subject parcel from Residential Suburban to Commercial by Ordinance 2013-3. There was no indication of The County being notified of this rezoning prior to this.

Neal asked about lighting that would be at the building since there is a resident next door. Lucas indicated that the only lighting he could foresee is a light at the front door. Lucas also offered information about the landscape buffer that was cut down in the back of the lot. If this is a problem, he is sure they will work to replant if required. They are still within the setback.

There was no further discussion of the ten plans. Dan asked for a motion to approve the comments/recommendations of the Subdivision Review Committee on the 9 municipal plans. A motion was made by Neal and seconded by Dave. Members all voted aye. A motion was then made by Neal and seconded by Brent to approve the Dennis and Patricia Scott plan under the County ordinance. Members all voted aye.

### **Subdivision and Land Development Municipal Reports**

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

Name of Plan:	Teena M. McCurdy
Municipality:	Brown Township
File Number:	2014-05-008
Tax Map #:	14-12-0418
Applicant Name:	Teena M. McCurdy
Land Owner Name:	Teena M. McCurdy
Plan Preparer:	Sarge Engineering and Surveying

The purpose of this plan is to create Lot 2, of 0.526 acres, for single-family residential use. Lot 1, the 0.231 acre remainder, contains an existing single-family residence.

**Soils**

According to the County GIS files, some portion of this property appears to have prime farmland soils. Soils information should be shown on the plan. (Brown Township Subdivision Ordinance, Article 7 Section 7.202 A.8. and 7.302 A.10.)

\*Based on the 5/15/2014 phone conversation with the Surveyor, he indicated he will add soils information to the plan.

**Right-of Way Widths**

Based upon the Brown Township Road Ordinance (Section 41. A.), the right-of-way widths of Queen and Duke Streets are substandard.

**Cartway Widths**

Based upon the Brown Township Road Ordinance, the cartway width is substandard (Section 41.B.).

**Deed Restrictions and Easements**

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

**Sewage Service**

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

\*Based on the 5/15/2014 phone conversation with the Surveyor he stated he will provide a letter.

**Water Service**

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

\*Based on the 5/15/2014 phone conversation with the Surveyor he stated he will provide a letter.

**Other Comments:**

1. Will the existing driveway fronting Duke Street be used for the proposed house? Will there be a driveway accessed from Queen Street? Is there a proposed driveway opening for lot 2?

\*The Surveyor indicated that access will be from Duke Street identified by dashed lines and no access will be from Queen Street.

2. As proposed, this subdivision does not meet the minimum lot width of 80 feet on Queen Street Article VI (Section 604) Brown Township Zoning Ordinance.

*Decatur Township (Municipal Ordinance)*

Name of Plan:	Larry A. Arnold, Jr.
Municipality:	Decatur Township
File Number:	2014-05-003
Tax Map #:	15,16-0100F
Applicant Name:	Larry A. Arnold Jr.
Land Owner Name:	Larry A. Arnold Jr.
Plan Preparer:	Ronald F. Booher, PLS

This project is a subdivision of 25.55 acres into two lots. Lot #2 has an existing single family dwelling with existing well and septic. Lot #1 was tested for an on-lot sewage system for a single family dwelling. Lots 1 & 2 are not and no part of the lots are located on the wetlands map. Should further development be proposed, it is recommended that a wetland study be conducted.

**Basic Plan Information**

The abutters directly south of Lot #2 and directly north of Lot #1, and east of the subject parcel are incorrectly labeled since they are presently owned by different people. The tax map parcel numbers are not accurately displayed for the subject parcel and all the abutters. The plan must be stamped by a licensed surveyor. The surveyor who stamped the plan no longer has a valid professional land surveyor license. Decatur Township Subdivision and Land Development Ordinance Part 6 (Section 22-603 2.A. (A)).

\*The Booher surveying representative stamped the plans verifying the survey completed in 2012 is accurate.

**Basic Plan Information**

The name of the registered surveyor and/or Engineer responsible for the plan should be on the plan, including an appropriate registered professional's seal.

**Subdivision Information**

Lot 1 does not have frontage on the public road system. Who owns McCormick Lane?

\*The Booher land surveying representative stated Larry Arnold owns McCormick Lane.

**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**

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland. (See Part 6 Section 602.2A) of the Decatur Township Subdivision and Land Development Ordinance.

\*The Booher land surveying representative stated he will place a notation about the 100 year flood plain on the plan.

**Topographic information**

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

**Soils**

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

**Setback Lines**

It appears that an accessory structure on Lot #1 is within the side yard setback.

**Right-of Way Widths**

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

**Cartway Widths**

Based upon the Decatur Township Subdivision and Land Development Ordinance, the cartway width McCormick Lane is substandard (Table 1 ).

**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.

**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**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Article 6 Sections 602.2A (18) and 603.2B (7) of the Decatur Township Subdivision and Land Development Ordinance.

\*The Booher land surveying representative stated there are no deed restrictions or easements on the subject property.

**DEP Sewage Planning Module**

Does this subdivision propose a new single-family home on Lot #1? If so, a copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Decatur Township Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

**Sewage Service**

If on lot septic is proposed, soil percolation test pit data should be included on the plan.

**Water Service**

At the May 22, 2014 Planning Commission meeting, a Planning Commission member indicated that if lot 1 is to be developed, then the well location should be labeled on the plan.

**Features**

The labels for the accessory buildings are not legible.

*Decatur Township (Municipal Ordinance)*

Name of Plan:	Jacks Mountain Forest Product
Municipality:	Dectur Township
File Number:	2014-05-004
Tax Map #:	15-08-0104
Applicant Name:	Jacks Mountain Forest Products
Land Owner Name:	Jacks Mountain Forest Products

Plan Preparer: Wright Land Surveying

Lot 1 was approved in 2012 as a non-building lot. This Land Development plan proposes to change the usage of this lot to single-family residential. Soils testing has been completed for the proposed house and the water supply will be a private well. A PennDOT Highway Occupancy Permit was issued in 2012 for the driveway off of US Highway 522. No new subdivision is proposed.

**Clean & Green / Agriculture**

As noted in 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.

**Soils**

The plan shows the rear portion of the lot has hydric soil (BrB).

**Cartway Widths**

What is the cartway width of the proposed driveway access to Lot 1?

**PennDOT HOP / Municipal Driveway Permit**

The plan indicates a HOP is in place.

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Part 6 (Sections 603.2A(6) and 603.2B(7), of the Decatur 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 Decatur Township Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

**Features**

All significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan. Decatur Township Subdivision and Land Development Ordinance, Part 6 (Section 602.2A(10)). There appears to be buildings within 50 feet of the property line.

*Derry Township (Municipal Ordinance)*

Name of Plan: Steven J. and Karen Stimely  
Municipality: Derry Township  
File Number: 2014-05-009  
Tax Map #: 16-01-0112I/0112H/01  
Applicant Name: Steven J. and Karen Stimely  
Land Owner Name: Steven J. and Karen Stimely  
Plan Preparer: Sarge Engineering and Surveying

The purpose of this plan is to create Lot A and Lot B as Lot Additions. Also, to create Lot 2 as a free standing lot, the future use of Lot 2 is unknown. Lot 1 is the remainder. Any future development of these lots will require a Land Development Plan that is approved by the Derry Township Supervisors.

**Basic Plan Information**

The tax parcel number 16,01-0100B-000 owned by the Pennsylvania Electric Company is not labeled on the plan, Derry Township Subdivision and Land Development Ordinance Part 4 (Section 403.2.S.).

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to the plan.

**Subdivision Information**

It would be clearer if within Notes 1. and 2. the total acreage after the lot addition would be added, i.e., total acreage of Lot A after the lot addition is 10.39 acres.

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to the plan.

**Floodplain / Wetlands**

Although the lots identified on the plan are not within the 100 year flood plain, tax parcel number 16,01-0112H- 000 owned by Steven and Karen Stimely is partly in the flood plain based on County GIS files. This should be noted on the plan because after the Lot A addition, a portion of the lands will be within the 100 year flood plain.

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to the plan.

**Topographic information**

Suitability considerations should be made for this plan. It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and development in these should be discouraged. See Part 5 (Section 502.2.E.) of the Derry Township Subdivision and Land Development Ordinance.

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be addressed when the land development plan is submitted.

### **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.

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to the plan when the land development plan is submitted.

### **Setback Lines**

At the 5/15/2014 Review Committee meeting, it was suggested the plan show the front setback from the property line, versus from the PennElec right-of-way.

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

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width of Nolan Drive is substandard, Part 5 (Section 504.2.).

### **Cartway Widths**

The cartway widths of the private drive and Nolan Drive should be shown on the plan (Derry Township Subdivision and Land Development Ordinance, Part 4 (Section 403.2.G.).

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to 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."

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information will be added to the plan. If a private street is proposed, appropriate supporting information (i.e. the length(s), curve(s), tangent(s), angle(s), right of way width, cartway width, and if applicable, a road profile) should be provided on the plan. If a private street is proposed, the plan should be reviewed by the Derry Township Engineer.

### **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. \*Based on the 5/15/2014 phone conversation with the Surveyor, he indicated this will be Nolan Drive Extension.

### **Deed Restrictions and Easements**

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

### **DEP Sewage Planning Module**

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

\*Based on the 5/15/2014 phone conversation with the Surveyor, this information has been prepared and will be submitted for processing.

### **Features**

There appears to be a disturbed area at the end of the proposed right-of-way involving lot 2. There also appears to be a disturbed area on lot B.

\*Based on the 5/15/2014 phone conversation with the Surveyor, the area on lot two is the remains of the driving range and the area on Lot B is the top of the fill mound. All significant natural and man-made features, including swales, ditches, trees, water courses, sinkholes, rock outcropping, etc. should be shown on the plan. Part 4 (Section 402. 2. j. and 402. 2. i.) of the Derry Township Subdivision and Land Development Ordinance.

### **Other Comments:**

Part 5 (Section 503.8.) of the Derry Township Subdivision and Land Development Ordinance states, wherever a tract to be subdivided or developed borders an existing half or partial street, the entire street shall be shown on the plan. Although the location map provides some information it is not clear where the site is in relation to the public road system.

\* At the 5/15/2014 Review Committee meeting it was suggested that a sketch line representing approximately where Nolan Drive connects with Ferguson Valley Road should be on the plan, not only on the location map. What is the frontage for lot 2? It appears the front setback is behind the PennElec right-of-way. Will the road system need to be extended to serve this lot?

\*Based on the 5/15/2014 phone conversation with the Surveyor, the frontage for lot two (2) is 249 feet. At the 5/15/2014 Review Committee meeting, it was stated that there is only fifty (50) feet of road frontage to the proposed Nolan Drive Extension.

\*Based on the 5/15/2014 phone conversation with the Surveyor, a private right-of-way will be created to access lot 2. There appears to be a half cul-de-sac at the intersection of lot B and lot A. Is this the end of the public street?

\*Based on the 5/15/2014 phone conversation with the Surveyor, this area is the end of the public right-of-way and the half cul-de-sac has been dedicated to the Township and the Township vacated the right-of-way east of the cul-de-sac on Nolan Drive. Does the PennElec right-of-way have any power lines within the right-of-way and how will this affect the future use of lots 1 and 2?

\*Based on the 5/15/2014 phone conversation with the Surveyor, there are a dual set of power lines along the PennElec easement and nothing is allowed to be constructed under those lines.

#### *Menno Township (Municipal Ordinance)*

Name of Plan: Roman A. and Salina Peachey  
Municipality: Menno Township  
File Number: 2014-05-005  
Tax Map #: 18-04-0107  
Applicant Name: Roman A. and Salina Peachey  
Land Owner Name: Roman A. and Salina Peachey  
Plan Preparer: Wright Land Surveying

This Land Development Plan proposes to place a third single-family residence on the Peachey farm to be served by on-lot sewage disposal and private well. No subdivision is proposed.

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

As noted in Note #6, 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. According to the County GIS files, some portion of this property appears to have hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils information should be shown on the plan.

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

Part of Mill Road only has a 33 foot right-of-way but Mill Road Extended has a 50 foot right-of-way. Based upon the Menno Township Subdivision and Land Development Ordinance Article 6 (Section 6.302.a.6.), the right-of-way width for Rolling Hills Lane should be shown on the plan.

#### **Cartway Widths**

Rolling Hill Lane will serve 3 houses with a 12 foot cartway which is not adequate for two-way travel. The cartway width of Rolling Hill Lane 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. Based upon the Menno Township Subdivision and Land Development Ordinance, the cartway width of Mill Road is substandard (Table 1).

#### **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**

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

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

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

#### **Water Service**

The water supply location for the two (2) existing homes should be noted on the plan as prescribed in the Menno Township Subdivision and Land Development Ordinance Article 3 (Section 3.213). If the water source is off site, there should be evidence

of an easement and right-of-way agreement on record and so noted on the plan. This information is particularly important if the water supply serves more than one household. The surveyor will note both are off site and make reference to easement/right-of-way agreements on record.

**Features**

All significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan. Menno Township Subdivision and Land Development Ordinance, Article 6 (Section 6.302. a.10.).

*Menno Township (Municipal Ordinance)*

Name of Plan: Daniel K and Tena Peachey  
Municipality: Menno Township  
File Number: 2014-05-006  
Tax Map #: 18-06-0108A  
Applicant Name: Daniel K and Tena Peachey  
Land Owner Name: Daniel K and Tena Peachey  
Plan Preparer: Wright Land Surveying

This plan proposes to create Lot 2 with an existing single-family residence, permitted on-lot system and private well. Also, Lot Addition A is proposed to be added to the lands of Ivan J. Peachey. The residual tract, Lot 1, is vacant farmland with no development proposed.

**Soils**

The plan indicates portions of Lot 2 and Lot Addition A contain hydric soils. According to the County GIS files, some portion of this property appears to have prime farmland soils.

**Right-of Way Widths**

Based upon the Menno Township Subdivision and Land Development Ordinance, the right-of-way widths for West Back Mountain Road and Long Lane are substandard (Table 1).

**Cartway Widths**

Based upon the Menno Township Subdivision and Land Development Ordinance, the cartway widths for West Back Mountain Lane and Long Lane are substandard (Table 1 ).

**Private Street / Shared Driveway**

Is the existing lane that crosses the proposed Lot Addition A and connects to Lot 2 a shared driveway? If so, a shared driveway agreement should be in place.

**Deed Restrictions and Easements**

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

**DEP Sewage Planning Module**

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

**Water Service**

The water supply location should be noted on the plan as prescribed in the Menno Township Subdivision and Land Development Ordinance Article 3 (Section 3.213). If the water source is off site, there should be evidence of an easement and right-of-way agreement on record and so noted on the plan. This information is particularly important if the water supply serves more than one household. The surveyor will note both are off site and make reference to easement/right-of-way agreements on record. Where is the water supply for Lot A?

**Lot Addition**

A lot addition plan should include an inset map.

*Oliver Township (Municipal Ordinance)*

Name of Plan: Michael W. and Jill K. Ammon  
Municipality: OliverBrown Township  
File Number: 2014-05-001  
Tax Map #: 19-13-100A  
Applicant Name: Michael W. and Jill K. Ammon  
Land Owner Name: Michael W. and Jill K. Ammon  
Plan Preparer: AXIS Professional Surveying, LLC



The purpose of this plan is to subdivide proposed "Lot 1" from lands of Michael W. & Jill K. Ammon (TM # 19-13-100A) for the purposes of creating a 8.93 acre farmette lot of the existing single family residence. The residual tract is to be maintained and used for agricultural activities by the Ammons.

#### **Administrative**

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

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 an application having the landowners signature will be provided.

#### **Basic Plan Information**

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

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 the tax parcel numbers have been revised on the plan.

#### **Subdivision Information**

The insert map shows lots 3,4,5 and 6 but there are no GIS records for these lots. Lots 3, 4, 5 and 6 should be shown on the plan, not only within the insert map. The acreage of each lot should be labeled on the plan. How can the residual acreage be 68.2 acres when more than 8.93 acres are being subdivided from the parent tract?

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 lots 3,4,5, and 6 were created by Plan Book 19, Page 170. These lots are not associated with this subdivision and were not shown on the plan view. We believe the residual acreage as shown of 68.2 acres is correct. The existing farm, prior to subdivision planning is 77.1 acres.

#### **Floodplain / Wetlands**

If the dwelling structure has been removed from the 100 year flood plain, did the letter of map amendment (loma) include the shed and the barn? If so, please provide the document verifying this. The FEMA case number referenced in note 14. is a tax parcel number in Brown Township.

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 the Surveyor indicated they have been working with FEMA since September 2013 to attempt to have the dwelling and barn structures removed. At this point, the dwelling has been removed based on the removal letter provided by FEMA on February 13, 2014. Multiple written requests have been submitted to FEMA to provide Base Flood Elevations of the 100 year floodplain relative to the structures. To date, none have been provided in writing. The FEMA case number referenced in Note 14 is FEMA's file number for the removal of the dwelling structure. This reference is not intended to be consistent with a tax parcel number in Brown Township. The floodplain line, as shown on the FIRM is delineated on the plan. According to County GIS information, the property lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future development in this area should be discouraged.

#### **Soils**

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

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 the prime farmland information has been added to the soils legend.

#### **Cartway Widths**

The cartway width of US Route 522 should be shown on the plan, Oliver Township Subdivision and Land Development Ordinance, Article 6 (Section 6.202. a. 11.).

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 the cartway width has been shown on the plan directly below roadway and right-of-way width text.

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

According to the surveyor, as noted in General Note 2, there are no known covenants associated with the property, however, notes 12 and 13 mention easements. Please confirm what these easements are.

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 Note 2 has been revised to state that no known covenants exists for the lands to be subdivided. Notes 12 and 13 reference easements for driveway access/right-of-ways created by Plan Book 19, Page 170 between lots 3 and 4 and lots 5 and 6.

#### **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. In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 a non-building declaration will be prepared and submitted to DEP.

#### **Other Comments:**

1. Are there man made features on lot 2?

\*In a letter dated 5/15/2014 from the Surveyor and revised plans dated 5/15/2014 with the exception of fences, there are not man made features on lot 2. Lot 2 is not part of this subdivision and was created by Plan Book 19, Page 170.

2. Is there an approved HOP for the driveway to lot 1?

*Union Township (Municipal Ordinance)*

Name of Plan: Irvin J. and Karen E. Zook  
Municipality: Union Township  
File Number: 2014-05-007  
Tax Map #: 20-02-0124  
Applicant Name: Irvin J. and Karen E. Zook  
Land Owner Name: Irvin J. and Karen E. Zook  
Plan Preparer: Wright Land Surveying

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 residence with no new development proposed. Access for Lot 2 will be the proposed 50' right-of-way following Beech Tree Lane.

**Basic Plan Information**

All abutters should be shown on the plan, including tax map numbers. Union Township Subdivision and Land Development Ordinance, Article IV (Section 403. 1.d.).

**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. Union Township Subdivision and Land Development Ordinance Sections Article IV (Section 402.2.h.).

**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.

**Soils**

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

**Cartway Widths**

At a minimum the cartway width should be twenty (20) feet to accommodate two-way traffic. The cartway width is only fourteen (14) feet which is not adequate for two-way traffic. The cartway width of Beech Tree Lane does not meet the road provisions of the Union Township Subdivision and Land Development Ordinance Article V (Section 500.2.). 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**

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

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Union Township Subdivision and Land Development Ordinance Article IV (Section 402.2.b.) and Article V (Section 502.).

**DEP Sewage Planning Module**

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

**Features**

All significant man-made features, including water and sewer lines, petroleum lines, electric poles, telephone lines, fire hydrants, dumps, railroad tracks, fence lines, historic features, culverts, etc. should be shown on the plan. Union Township Subdivision and Land Development Ordinance, Article IV (Section 402 1.e.). What is the water supply source for lot 1?

**E & S / Stormwater**

Does this plan propose over an acre of earth disturbance? This proposal may require Erosion and Sedimentation (E & S) provisions included with the plan submission. The applicant should contact the Mifflin County Conservation District.

**Other Comments:**

It appears the existing barn is within the proposed fifty (50') feet right-of-way. The plan shows a proposed shared driveway agreement between lot 2 and the residual tract (lot 1), creating an extension of Beech Tree Lane. However, Beech Tree Lane is a private street crossing the Jeffrey Zook and Glen Byler properties. Does the deed provide access on Beech Tree Lane to Irvin and

Karen Zook and allow for the expansion of the road to service another property owner? Lot 2 does not have any direct road frontage and is only accessible by extending a substandard private street. The plan needs to show Beech Tree Lane is accessible to the public street system.

*Union Township (Municipal Ordinance)*

Name of Plan: Kish Realty Group, LLC  
Municipality: Union Township  
File Number: 2014-05-010  
Tax Map #: 20-16-0163  
Applicant Name: CPA Associates c/o Wayne  
Land Owner Name: Kish Realty Group, LLC  
Plan Preparer: EADS Group, Inc.

**Basic Plan Information**

The name of the registered Surveyor and/or Engineer responsible for the plan should be on the plan, including an appropriate registered professional's seal. Union Township Subdivision and Land Development Ordinance Article IV (Section 403.1.e.). EADS is listed but neither the Surveyor's or Engineer's seal/stamp is on the plan.

\*The EADS Group representative indicated he will add this to the plan.

**Floodplain / Wetlands**

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland. See Article IV (Section 402.1.e.) of the Union Township Subdivision and Land Development Ordinance.

**Soils**

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

**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. Since it appears that access will be by Township Road 785 will the applicant need a municipal driveway permit?

\*The EADS Group representative indicated he does not believe a municipal driveway permit is required.

\*The EADS Group representative indicated he will place a notation on the plan regarding the HOP permit.

**Deed Restrictions and Easements**

Deed restrictions and easements associated with the property, if any, should be provided in accordance with Article IV (Section 402.2.b.) of the Union Township Subdivision and Land Development Ordinance.

**Water Service**

The water supply location should be noted on the plan as prescribed in the Union Township Subdivision and Land Development Ordinance Article IV (Section 403.2.c). If the water source is off site, there should be evidence of an easement and right-of-way agreement on record and so noted on the plan. This information is particularly important if the water supply serves more than one household. The surveyor will note both are off site and make reference to easement/right-of-way agreements on record.

\*The EADS group representative indicated he will add the water supply location to the plan.

**Zoning**

The zoning designation of the subject parcel is R-S Residential Suburban District, not Commercial. The R-S District does not allow professional offices, only as a home occupation. The plan appears to show an existing house and garage. These circumstances will necessitate a use variance or rezoning.

\*Based on correspondence received from Union Township on May 15, 2013, the Township rezoned the subject parcel from Residential Suburban to Commercial by Ordinance 2013-3.

**Land Development**

Was a bond provided to the Township for the improvements contained within the land development plan? (Union Township Subdivision and Land Development Ordinance Article VII (Section 703.4.).

\*The EADS Group representative stated at this time he was unsure. Provisions for Street Lighting may be required and should be included with the plan submission. The applicant should contact Union Township for more information.

\*The EADS Group representative stated that only entrance lighting is proposed.

**E & S / Stormwater**

Has the Erosion and Sedimentation Plan been reviewed by the Mifflin County Conservation District and the Township Engineer?

\*The EADS Group representative stated an E and S plan has been prepared and the Conservation District does not need to review this.

**Other Comments:**

1. How will this project impact existing traffic? How many additional trips will be generated in the A.M. and P.M. peak hours?

\*The EADS Group representative indicated that traffic impacts will be minimal with the heaviest traffic occurring during income tax preparation time.

2. What provisions will be in place to buffer this use for the residential properties to the east and north? It appears that there will be eight (8') tall shrubs along only a portion of the northern property line.

3. Is there going to be one (1) business or two (1)? Based on the split in the floor plan it appear to be two (2). If there are two businesses the plan only appears to show one entrance.

\*The EADS Group representative stated only one business will be within the building and several different offices will be constructed in the building. He added there will be only one entrance and exit to and from the building.

*Wayne Township (County Ordinance)*

Name of Plan:	Dennis and Patricia Scott
Municipality:	Wayne Township
File Number:	2014-05-002
Tax Map #:	21,23-0152
Applicant Name:	Dennis and Patricia Scott
Land Owner Name:	Dennis and Patricia Scott
Plan Preparer:	Young's Surveying Inc.

Deeds as listed in title block left indicate separate deed listing taxed under the same parcel number, however, the first deed listed in Book 515 Page 2833, reflects four separate lots numbered 152, 153, 154 and 155 which lots are also shown by plan recorded in Plat Book 1, Page 102, subdivision made for the Juniata Valley Realty Corporation by N. P. Bernhart, P.E., signed August 1926. The second deed listed as Instrument Number 2009-004731 was created by plan of subdivision see Note 1. The purpose of this plan subdivision is to correct said deeds and to combine and separate lots into two separate lots as shown above on this plan. As instructed by current owners Dennis E, and Patricia W. Scott said "new lots are created for recreational use only and no new water or sewer connections are being gained or considered" as of this plan date. If in the future any new construction of any kind is proposed, the Commonwealth of Pennsylvania's Flood Plain Management Act (32 P. S. § § 679. 101-679, 601) Chapter 113 must be followed, along with the Department of Environmental Protection's (DEP) post card application to allow permission and also allow connection to the Newton-Wayne Joint Municipal Authority Sewer System. A connection would also be required to connect to the Mount Union Water Authority's supply line.

**Basic Plan Information**

The word environmental is spelled wrong in the narrative.

\* The revised plan dated May 15, 2014 reflects the correct spelling.

**Subdivision Information**

Note 4. states in part "The two new lots created are now numbered and listed on this plan as Lot 151 and 152 combined, and Lots 153 and 154." Should these be Lot numbers 152 and 153 and 154 and 155 instead, as noted in the combined acreage above the project narrative? Further, it would help to renumber lots that are now consolidated to lot 1 and Lot 2 or A and B.

\*The revised plan dated May 15, 2014 refers to lots A and B after the lot additions.

**Floodplain / Wetlands**

Although note 2. references the property is within the 100 year floodplain, this should be clearly defined on the plan.

\*The revised plans dated May 15, 2014 delineate the 100 year flood plain on the insert map.

**Right-of Way Widths**

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

**Cartway Widths**

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway width of Lower Country Club Road 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 Mifflin County 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.

\*A copy of the Request for Planning Waiver and Non-Building Declaration form was provided on May 20, 2014.

**Signature Blocks on Plan**

The Mifflin County Planning Commission Approval Block is not correct. A copy of the language can be e-mailed to you. The Mifflin County Review Certificate should not be on the plan since this subdivision is under County jurisdiction.

\*The Mifflin County Review Certificate has been removed from the plan and the correct County signature block is on the revised plan dated May 15, 2014.

**Public Comment**

None

**Other Business**

Bill and Jim updated the Planning Commission of the former Legacy Shore Development. This is a land out on Middle Road not far from the GE Plant. Bill read an email he received from an individual who would like to develop this land. The developer would like to develop 52 lots on this land for houses to be built. The starting price for houses would be around \$250,000.

There have been no plans submitted at this point. This information was just to make the Planning Commission aware of what may be coming. A lot cost will be around \$75,000. Dan brought up before there was a concern of the water lines needing to be brought in for this development. There was also discussion by the members on clientele the developer thinks will purchase is not in this area.

Bill updated the Commission about the boat launch. He informed everyone that the Phase I archeological dig was complete but further digging may be necessary. The concern is the cost of \$10,000 that we don't have right now. Wetlands will be checked end of May. On a side note, Bill has a meeting with the three townships to discuss the project and hopefully address questions that have been raised.

A reminder was given by Bill that Karen Michael from PennDOT will be at the next meeting for her yearly transportation update.

**Adjournment**

The meeting adjourned at 4:30 p.m. upon a motion by Jim Spendiff that was seconded by Neal Shawver.