

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, JULY 23, 2009
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Dan Dunmire, Vice Chairman
Don Kauffman
Susan Heimbach
Neal Shawver
Brent Miller

Other

Mark Sunderland, Mifflin County Commissioner
Staff
Bill Gomes, Director
Jan McDonald, Community Development Administrator
Mark Colussy, Associate Planner
Millie Sunderland, Office Manager/Grants Manager

Item #1 – Call to Order

Dan Dunmire, Vice Chairman, called the meeting to order at 3:30 p.m.

Item #2 – Record of Public Attendance

Dan reminded everyone to sign the attendance sheet.

Item #3 – Approval of Meeting Minutes

Susan Heimbach made a motion to approve the minutes of the meeting of June 25, 2009. Neal Shawver seconded the motion. All members voted aye.

Item #4 – Community Development Update

Jan McDonald, Community Development Administrator, gave an update on Community Development activities of the Planning and Development Department. He provided an updated report of the status of CDBG projects in the FFY 2005, 2006, 2007 and 2008, as well as the 2007 HOME Program funds.

Jan also discussed 2009 CDBG, CDBG-R (economic stimulus funding) proposals for Mifflin County, Derry Township and Granville Township, as well as a competitive grant application for Derry Township. He indicated that for 2009, Mifflin County has applied for \$252,849 in CDBG funding for the waterline replacement project in the Ferguson Valley neighborhood of Silverford Heights in Wayne Township, partial funding of a new dental hygienist for the Mifflin-Juniata Dental Clinic and Countywide Housing Rehabilitation projects. Mifflin County has also applied for \$80,320 in CDBG-R funding for street/road improvements in Juniata Terrace Borough.

For 2009, Derry Township has applied for \$134,510 in CDBG funding for the Maitland/522N Sewer/Water Improvement Project (tap fees) and partial funding of a new dental hygienist for the Mifflin-Juniata Dental Clinic. Derry Township has also applied for \$31,462 in CDBG-R funding for Housing Rehabilitation projects.

For 2009, Granville Township has applied for \$107,012 in CDBG funding for Housing Rehabilitation and On-lot Sewer Repairs within the Township. Granville Township has also applied for \$31,462 in CDBG-R funding for Housing Rehabilitation projects.

Other 2009 Community Development activities include administering an awarded \$500,000 CDBG Competitive Water/Sewer Improvement grant for the Newton Wayne Joint Municipal Authority, as well as the preparation and submission of a \$500,000 CDBG Competitive Water/Sewer Improvement grant for Derry Township. In addition, Juniata Terrace Borough has asked the Planning and Development Department to research, prepare and submit a grant application for a \$140,000 sewer relining project. Granville Township has requested help in funding the construction of a \$962,000 regional septage dump station and the sale of their vermicomposting equipment to a private New York company interested in establishing a \$3,200,00 regional biosolids processing plant in Mifflin County. Mifflin-Juniata Area Agency on Aging has requested help in funding a \$64,000 project that includes the purchase of a cargo delivery van and expansion of the kitchen that handles their home delivered and congregate meals program.

Item #5 – Subdivision and Land Development Review Committee Report

Mark Colussy reported that the Subdivision and Land Development Review Committee reviewed one plan under the Mifflin County Subdivision and Land Development Ordinance. The Subdivision Review Committee recommended conditional approval of the Junior Royer Smith subdivision in Wayne Township.

Mark discussed the Junior Royer Smith subdivision plan and the comments. There was some discussion about access and the substandard cartway width of the private lane, as well as the potential for a flag lot in this situation. Mark mentioned that a waiver could be requested for the cartway width. He indicated that the surveyor was taking the alternatives back to the landowner for decisions on these matters. There was also some discussion of a possible need for a DEP 105 permit for stream crossing, as well as whether or not this stream was high quality trout waters or in a special protection watershed. The planning module could be affected as well.

It was decided that no action would be taken on this plan until the outstanding items are clarified. Preliminary conditions will be provided to the surveyor and landowner, and it would be conveyed that a waiver of the cartway width would be considered if received.

The Subdivision Review Committee report:

Name of Plan: Smith, Junior Royer

Tax Map #: 21-07-102

Plan Preparer: Wright Land Surveying

Applicant Name: Smith Jr., Timothy R.

File Number: 2009-07-001

Municipality: Wayne Township (County Ordinance)

Land Owner Name: Smith, Junior Royer

Action Taken: *No Action has been taken on this plan, and has been tabled until the August 27, 2009 Planning Commission meeting.*

Plan Summary: *This plan proposes to create Lot 2 for a single-family residence to be served by on-lot sewage disposal and private well. The residual tract, Lot 1, has no new development proposed.*

Review Comments (List from Review Committee):

Clean and Green Program - 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 - Soils information on the plan does not match county soils data. Please confirm soil types in the area. *According to the surveyor, the soils in the area will be researched and revised as needed. According to the County GIS files, some portion of this property appears to have hydric soils. The hydric soils information should be shown on the plan. (AoB, No) According to the County GIS files, some portion of this property appears to have prime farmland soils. (EdB, No)*

*Cartway Widths - The cartway width for Smith Lane does not meet the road provisions of the County's Subdivision and Land Development Ordinance (Section 4.204.F.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. *The Mifflin County Planning Commission is concerned that additional development could occur along Smith Lane in the future. Smith Lane will need to be brought up to private road standards if further subdivision and/or development is to occur along Smith Lane.*

*PennDOT HOP/Municipal Driveway Permits - As mentioned in Note 4 on the plan, A PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)) and in the Mifflin County Subdivision and Land Development Ordinance (Section 4.208 C.) for access onto S.R. 0022. A copy of the permit should be provided to the County Planning Commission. *According to the surveyor, an existing HOP does not exist. PennDOT may require a HOP at this time and this should be coordinated with PennDOT. The proposed driveway location should be shown on the plan.*

DEP Sewage Planning Module - Considering this proposal is creating the 12th lot from the parent parcel, a major DEP Sewage Planning Module will be needed and a copy 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.

Other Comments:

- 1. The Tract Map shows Tract 2-5 as part of the same parcel with Tract 1. However, according to County Tax Assessment records, Tract 2-5 are separate parcels and the plan should show their respective Tax Map numbers and Deed Book and Page Number information. (See section 7.302.A.13 of the Mifflin County Subdivision and Land Development Ordinance)*
- 2. It appears that Smith Lane extends further than what is shown on the plan. If it does extend beyond what is depicted on the plan, it should be fully shown on the plan. Please confirm.*
- 3. Deed Book and Page Numbers should be provided for all properties. (See section 7.302.A.17 of the Mifflin County Subdivision and Land Development Ordinance)*
- 4. The Tract Map should be labeled and have Lot 2 labeled as such.*

5. It appears, based upon aerial photography, that a small run could traverse the project area. Please confirm. If there is a run in the area, it should be shown on the plan. (See section 7.302.A.26 of the Mifflin County Subdivision and Land Development Ordinance) *According to the surveyor, a run does traverse the area. This should be shown on the plan.
6. The plan notes that the existing houses receive water via a spring. Is this spring located on the property? If so, it should be shown on the plan. (See section 7.302.A.26 of the Mifflin County Subdivision and Land Development Ordinance) *According to the surveyor, there are no spring houses on the property and he will investigate the actual source.
7. This property was previously subdivided in 2002 and 2005. *According to the surveyor, the Timothy Smith property was subdivided in 1998.
8. The private drive, Smith Lane, should be supplemented with the appropriate Deed Book and Page Number. *According to the surveyor, a separate private roadway agreement has not been established in the past. In this case, the previous plan of subdivision's Map Book and Page Number that established the right of way should be provided on the plan.
9. Considering a small run traverses the area near the proposed lot, an Act 105 Stream Crossing Permit may be required from DEP for a new driveway. Contact the County Conservation District for more information.
10. This property is proposing an on-lot septic area in a High Quality Watershed. DEP has new regulations that may include a stream assessment study for this type of a proposal and DEP should be contacted prior to further action being taken on this proposal.
11. There is a question of access to Lot 2. The lot does not have direct access to a public or private road, but instead appears to be creating a road along Lot 1. Additionally, the proposed Lot 2 configuration does not abut the Timothy Smith property directly, but leaves an awkward gap between the parcels. Finally, If the applicant wants to sell a lot, why is he not developing directly off Smith Lane (though substandard) instead of creating another private right of way? If this lot configuration is what the applicant wants, why not look at a flag lot arrangement? These issues should be explored and explained. *According to the surveyor, the purpose of the proposed lot configuration was to develop a wooded portion of the parent tract as opposed to farmland. Also, the reason it does not abut the Timothy Smith property (T.M. 21-07-102B) is that there is a small run that traverses between the properties and that area is being kept with the parent tract. Lastly, the owners intent is to keep the parcel at 2 acres for Clean and Green purposes.
12. According to Section 4.205.B of the Mifflin County Subdivision and Land Development Ordinance, All lots shall front on a public street or permitted private street. This proposal does not meet this provision of the ordinance. *According to the surveyor, he will discuss with the applicant revising the plan and proposed parcel configuration to be a flag lot. In order to keep the parcel at 2 acres, the "pole" of the flag lot, which is required to be at least 30', may be asked to be waived so a smaller width "pole" can be developed (See section 4.205.G.3.a of the Mifflin County Subdivision and Land Development Ordinance).

Mark provided updated information on the Shirley Crosson subdivision in Bratton Township, which was reviewed in April. Mark indicated that most of the issues have been addressed. The outstanding item is the approval of the deed restrictions by the Planning Commission's solicitor. The Bratton Township Supervisors have approved the plan pending the approval of the deed restrictions.

Bill Gomes discussed the Summer Hill Farm subdivision in Bratton Township, which was approved and recorded in April 2007. Bill indicated that the developer had approached the Bratton Township requesting the approval to reduce the letter of credit. The Planning Commission's solicitor reviewed the request. The Township decided against reducing the letter of credit. The developer is concerned that he may have to terminate the developer's agreement, which would lead to a termination of the recorded subdivision.

Item #6 – Public Comment

There was no public comment.

Item #7 – Other Business or Comments

- Bill reported on the status of the Juniata-Mifflin Counties Greenway, Open Space and Rural Recreation Plan. Comments have been provided, and plan adoption is targeted for this fall. There are concerns about some of the recommendations of the plan, which are being addressed. Bill also mentioned the Peer to Peer Technical Assistance Project, which is related to the Greenway, Opens Space and Rural Recreation Plan and is beginning to progress.
- Bill indicated that the comprehensive plan presentation postponed from this meeting to September is timely with the upcoming update of the Mifflin County Comprehensive Plan in 2010. We are in the process of putting together a list of completed and outstanding items since the update in 2000.

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

mjs