

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, JULY 24, 2014
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Dan Dunmire
Tyler Gum
Thomas Lake
Brent Miller
Dave Pennebacker
Jim Spendiff

Staff

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

Others

Michelle Brummer, Gannett Fleming
Lauren Kershner, Lewistown Sentinel
Lucas Parkes, The EADS Group

Call to Order

Dan Dunmire, Chair, called the meeting to order at 3:34.

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 June's meeting. The motion was seconded by Brent Miller. All members voted aye.

Comprehensive Plan Implementation

Michelle Brummer from Gannett Flemming was present to discuss with the Planning Commission the next steps in implementing the Comprehensive Plan. Michelle gave an overview of the process of implementing the plan and discussed six potential implementation projects that were recommended in the Comprehensive Plan.

The first project discussed was a model zoning ordinance for rural municipalities. Her recommendation was to develop a model zoning ordinance applicable to those municipalities with outdated municipal zoning ordinances or without a zoning ordinance. A second potential project was a recommendation to update the Subdivision and Land Development Ordinance to strengthen the present ordinance as well as offer suggested improvements to those municipalities with older ordinances.

Michelle next spoke about a feasibility study of a trail concept to explore the development of one of five potential trails including: the Juniata RiverWalk, connecting Kish RiverWalk to the Stone Arch Bridge; the Kish RiverWalk extensions north to Derry Township Park and south to Victory Park; a walkway from Victory Park to the proposed Granville Township Heritage Park; the abandoned Kishacoquillas Valley Railroad, north of Yeagertown to Reedsville to Bellville; and a proposed bicycle/pedestrian connection along Green Avenue that would link to Lewistown Intermediate School with Blossom Hill development. This would involve a lot of leg work first to see if there is interest in the area for the trail development. With trail development, it is something the community can actually see a result.

A third project was the identification and assessment of target economic development sites. This would involve identifying and prioritizing sites for new industrial or commerce parks. Bill had spoken to Rob Postal prior to the meeting and informed the commission that this is not a high priority on his list.

The final two projects dealt with housing. The first area Michelle spoke about was updating the housing conditions data and map. While the County's Housing Rehabilitation Program has continued to invest millions of dollars into the housing stock since 2000, there has been no effort to assess whether this funding has

addressed the substandard needs identified in the late 1990s. The project would also review whether the degree of substandard housing has changed in the County. To do this, efforts would need to be coordinated with the Assessment office and review building permits issued. The second housing project would analyze demand for elderly housing. The project would identify the area(s) of the County that have the greatest need for housing for the elderly and develop an implementation strategy.

The Commission discussed the six proposals. Dan mentioned that the zoning was important and that there are three municipalities without zoning that may be interested and that funding could come from small investments made by the municipalities. Brent remarked that it is not only important for those without but those with outdated ordinances. Bill also mentioned the need to update the County Subdivision and Land Development Ordinance.

Bill next commented that the trail concept would lead to something people can see accomplished. He stated that if there was a question on which trail project should be considered he could bring this up to the Park and Recreation Council. Tyler remarked that the trail concept could possibly help with tourism. Dave brought up his interest in the old Kish Railroad right-of-way trail and its history. Bill mentioned a grant possibility through the RecTAP program or DCNR to do a feasibility study. He stated that first the trails must be defined, then a map with the property owners listed must be obtained and then property owners be spoken with to determine if they are willing to provide the land for the trail. Tyler brought up about a group of volunteers in Cooper's Gap that might be willing to help with speaking to the land owners. Tyler and Dave volunteered to head up a subcommittee to start some preliminary leg work on this project. Dan mentioned that this project could possibly be something Act 13 Legacy Fund money could be used.

Since the trail project is a longer term, a second priority to move forward was discussed. Dave stated he felt the other important issue is the need for elderly housing. Bill commented that Allison Fisher from Human Services had indicated to him that she would be interested in this as well and be willing to seek funding sources. The Planning Commission agreed that this is a top priority. Brent mentioned that as part of the study that the services that needed to be offered should be considered. Dave volunteered for a committee if one was formed.

Bill stated that ordinances are still very important as well and Michelle commented that focusing on elderly housing doesn't have to push the ordinance aside to still talk to the townships about whether they would be interested in the model ordinance.

Subdivision and Land Development Review Committee Report

Jim Lettiere stated the Subdivision and Land Development Review Committee reviewed two (2) applications on July 17, 2014. All of the applications were under municipal ordinance and included plans for Wray's Landscaping Project (*Derry Township*) and John and Annie Byler, Sr. (*Union Township*). Jim reviewed one plan with the Planning Commission.

The plan reviewed was for Wray's Landscaping Project in Derry Township. The project engineer, Lucas Parkes, from The EADS Group was present to answer questions and presented an updated plan. This plan is to construct a new shop facility for their landscaping business. The proposed project will include construction of a new building, nineteen parking spaces including one handicapped space, and associated stormwater management and site improvements. The major concern of the plan was that the County's GIS, Assessment and Recorder of Deeds Office do not reflect records that Corey Wray is the owner and Mr. Wray signed the submission application as the owner. Lucas indicated that the deed was recorded on July 7, 2014 and he will provide a copy to the Planning and Development Office.

Other questions raised involved the need to show a location of a dumpster pad and traffic circulation. The plan also needed to indicate if traffic would be able to traverse the building when the loading docks are occupied. Lucas indicated that loading docks would be used by employees only and a directional sign will indicate for employees only. In addition, the plan needed to indicate that all utilities were being installed in accordance to the Derry Township Subdivision and Land Development Ordinance. Lucas indicated the plan will show the Penelec utility easement.

There was no further discussion of the two plans. Dan asked for a motion to approve the comments/recommendations of the Subdivision Review Committee on the two municipal plans. A motion was made by Tyler and seconded by Dave. Members all voted aye.

Subdivision and Land Development Municipal Reports

Derry Township (Municipal Ordinance)

Name of Plan: Wray's Landscaping, Inc. - Corey Wray
Municipality: Derry Township
File Number: 2014-07-002
Tax Map #: 16-01-0112H
Applicant Name: Wray's Landscaping, Inc. - Corey Wray
Land Owner Name: Corey Wray
Plan Preparer: The EADS Group, Inc.

Wray's Landscaping is planning to construct a new shop facility for their landscape business. The proposed project will include the construction of a new building, nineteen (19) parking spaces, including one (1) handicapped space, and associated storm water management & site improvements. The shop/warehouse portion of the building will contain 5,760 square feet, while the showroom will contain 1,200 square feet. The project site contains 10.399 acres.

This site was part of subdivision plan recently reviewed by the Mifflin County Planning Commission on May 22, 2014. The plan involved creating lots A and B as lot additions, and to create lot 2 as a free standing lot. Lot 1 was the residual.

Administrative

The County's GIS, Assessment and Recorder of Deeds Office do not reflect records that Corey Wray is the owner of the subject parcel. If a pending sales agreement exists and the settlement has not occurred, the agreement should be provided, or the current owner should sign the application authorizing the filing of the land development plan. The current owner of record is Steven and Karen Stimely.

*The EADS Group representative indicated that the deed was recorded on July 7, 2014 and he will provide a copy to the Planning and Development Office.

**The EADS Group representative indicated in their July 21, 2014 letter that Wray's Landscaping, Inc. purchased the property on July 7th and the sales agreement was recorded. The proper deed and tax information will be provided on the final plans.

Basic Plan Information

All abutters should be shown on the plan, including tax map numbers. Derry Township Subdivision and Land Development Ordinance, (Part 4 Section 402.2.O.).

**The EADS Group representative indicated in their July 21, 2014 letter the abutter's information has been provided on the revised plan. However, the revised plan does not list the abutter directly north of the subject parcel. 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.

**The EADS Group representative indicated in their July 21, 2014 letter the engineer's seal will be provided on the final plans.

The plan does not have a north arrow Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402.2.C.).

**The EADS Group representative indicated in their July 21, 2014 letter a north arrow has been provided on the revised plan.

It would be helpful if sheet C-1 included an insert map showing the entire parcel where the proposed project site is located in relation to the larger geographic area.

*The EADS representative indicated he will include an insert map to show the larger area.

**The EADS Group representative indicated in their July 21, 2014 letter an insert map has been provided on the revised plan.

Floodplain / Wetlands

According to County GIS information and as noted in general project notes K a portion of the property lies within the 100-year floodplain, however, the buildings location is outside the 100 year floodplain. Does this plan involve any stream crossings or other floodway encroachments? The applicant should contact the Mifflin County Conservation District for more information.

*The EADS representative indicated there is no stream crossing proposed.

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

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

PennDOT HOP / Municipal Driveway Permit

As noted on the cover sheet, 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. A municipal driveway permit is required, and a copy should be provided to the Derry Township Planning Commission.

*The EADS representative indicated he will include an insert map to show the larger area. If a driveway permit is required by the Township, one will be secured for the property.

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."

*The EADS representative stated the private road will only serve Wray's landscaping for now, however, he indicated he will add the driveway agreement to the plan.

**The EADS Group representative indicated in their July 21, 2014 letter the note has been provided on the revised plan.

Deed Restrictions and Easements

As noted in general note M. according to the Engineer, there are no known deed restrictions or easements associated with the property. However, note M mentions utility easements which should be provided.

*The EADS representative stated he will clarify some items regarding easements, specifically regarding the length of the utility easement based on the Sarge survey for this property.

**The EADS Group representative indicated in their July 21, 2014 letter the note has been corrected on the revised plan.

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.

**The EADS Group representative indicated in their July 21, 2014 letter an "Exemption from sewage planning mailer" will be submitted to the Township and approval will be provided upon receipt.

Sewage Service

A letter from the Derry Township Municipal Authority acknowledging availability of public sewer should be submitted to the Derry Township Planning Commission.

*The EADS group representative provided a letter dated July 7, 2014 requesting the Derry Township Sewer Authority can and will furnish sanitary sewer service for the proposed project.

Signature Blocks on Plan

The Mifflin County Review Certificate should have a line stating Plan Tracking Number and a line stating Chairman or Designated representative.

**The EADS Group representative indicated in their July 21, 2014 letter the information has been provided on the revised plan.

Land Development

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

*The EADS representative stated the project will not have access to public water, a well will be installed and the building is required to have sprinklers.

How many anticipated AM and PM peak hour trips will be generated from this development and how will this project impact traffic?

*The EADS representative indicated he does not have any trip generation rates, and most of the vehicle trips will be from the twelve (12) employees.

**The EADS Group representative indicated in their July 21, 2014 letter the amount of peak hour trips for this site is being determined, however, it is not anticipated that the site will impact traffic.

Will there be any pole lighting on site?

*The EADS representative indicated there will not be pole lighting, but only lighting attached to the building.

**The EADS Group representative indicated in their July 21, 2014 letter pole lighting is not proposed for the site.

Radius information and directional arrows should be provided at the driveway opening on Sheet C-2.

*The EADS representative stated he will provide this information.

**The EADS Group representative indicated in their July 21, 2014 letter the information has been provided on the revised plan.

E & S / Stormwater

Stormwater drainage provisions should be included with the plan submission. The stormwater plan should be reviewed by the Township Engineer.

*The EADS representative stated he will provide a letter from The Township Engineer regarding his review of the stormwater plan.

**The EADS Group representative indicated in their July 21, 2014 letter the stormwater approach for the site has been submitted to the Township Engineer for review.

If as part of this project there will be earth disturbance of 5,000 square feet or greater, an Erosion and Sedimentation (E & S) plan will be required. The applicant should contact the Mifflin County Conservation District.

*The EADS representative indicated an E and S plan will be submitted to the Conservation District.

**The EADS Group representative indicated in their July 21, 2014 letter an E and S plan has been submitted for review to the MCCD and approval will be provided upon receipt.

If there will be an acre or greater of earth disturbance an NPDES permit will be required. Contact the Mifflin County Conservation District.

*The EADS representative stated there is less than one acre of earth disturbance.

Other Comments:

1. Are there plans to locate a dumpster pad and dumpster on site? If so, these should be identified on the plan.

*The EADS representative stated he was unsure, but will provide a response after further inquiry.

**The EADS Group representative indicated in their July 21, 2014 letter a dumpster pad and associated screening fence has been provided on the revised plan.

2. If the loading space area is occupied will traffic be allowed to circulate around the building? It is not clearly identified if traffic will be permitted to traverse between the building and the loading area. Is the loading area part of the circulation area?

*The EADS representative stated there will be no public circulation to the rear of the building and the unloading areas will be used only for employees. A directional sign will indicate for employees only, to preclude public circulation in this area.

**The EADS Group representative indicated in their July 21, 2014 letter traffic will not circulate the building; therefore, the loading space will not impact traffic circulation on site.

3. Will the areas of the site not used for buildings, other structures, loading or parking spaces, aisles, sidewalks and designated storage areas have yard ground cover in accordance with the Derry Township Zoning Ordinance (Article 3 Section 314.1.).

*The EADS representative stated there will be yard ground cover in the form of grass around the perimeter of the parking lot.

4. Will all utilities i.e., telephone, electric, T.V., cable or such other utilities be installed in accordance with the Derry Township Subdivision and Land Development Ordinance (Part 6 Section 607.)?

*The EADS representative indicated he will show the Penelec utility easement on the plan.

**The EADS Group representative indicated in their July 21, 2014 letter the site utilities will be installed in accordance with Township requirements.

5. The plan should show on sheet C-1 where the public right-of-way ends and the private right-of-way starts. It would also be helpful to show access to Ferguson Valley Road on the plan. Part 5 Section 503.8 of the Derry Township Subdivision and Land Development Ordinance, was cited when the subdivision was presented requesting this information where a subdivided tract borders a half street.

*The EADS representative stated the building foot print will be further south than proposed, based on the utility easement. He indicated he will revise the plans and reflect these changes before the July 24, 2014 Planning Commission meeting.

**The EADS Group's revised plan dated July 23, 2014 does not indicate or show a change in location of the building footprint further south.

Union Township (Municipal Ordinance)

Name of Plan: John and Annie Byler, Sr.
Municipality: Union Township
File Number: 2014-07-001
Tax Map #: 20-08-0104
Applicant Name: John and Annie Byler, Sr.
Land Owner Name: John and Annie Byler, Sr.
Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 and Lot Addition A. No new development is proposed. Lot 2 has an existing house and an on-lot system that was approved in 2000 as a Land Development Plan for a second dwelling on the farm. Lot Addition A is being added to Lot A that was approved as a Subdivision in 2005. Lot Addition A consisting of 1.788 acres is to be added onto land owned by Benjamin M. Zook. Lot Addition A is a lot addition and shall become an integral part of the property owned by Benjamin M. Zook to make a total of 3.296 acres. Lot Addition A is not a building lot and cannot be maintained or developed as a separate individual lot.

Clean & Green / Agriculture

As noted in note 2., 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.

Setback Lines

The setback lines should be shown on the plan as prescribed in the Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.g.).

Right-of Way Widths

Based upon the Union Township Subdivision and Land Development Ordinance, the right-of-way width of Slate Hill Lane should be shown on the plan. (Article IV Section 402.2.A. And 403.2.b.). Based upon the Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.A. and 403.2.b.), the right-of-way width of Lewistown Road is substandard.

Cartway Widths

What will the cartway width be for the proposed fifty (50) foot right-of-way to lot 2? This should be identified on the plan (Article IV Section 402.2.a. and 403.2.b.). Slate Hill Road is not shown on the plan and is part of lot What is the cartway width for the twenty (20) foot right-of-way serving lot A? The cartway width of Slate Hill Lane should be shown on the plan Union Township Subdivision and Land Development Ordinance, Section (Article IV Section 402.2.A. and 403.2.b.). Based upon the Union Township Subdivision and Land Development Ordinance, the cartway width of Lewistown Road is substandard (Article V Section 501.2.).

Private Street / Shared Driveway

Will the existing twenty (20) foot right-of-way to Lot A also serve the Jesse Kaufman parcel? If so, a shared driveway agreement should be in place.

*The Wright Surveying representative indicated there is no shared driveway.

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Article 4 Section 402.2.b.) of the Union Township Subdivision and Land Development Ordinance.

*The Wright Surveying representative indicated there are no deed restrictions.

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 Union Township Subdivision and Land Development Ordinance (Article IV Section 402.1.d.). 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 should note both are off site and make reference to easement/right-of-way agreements on record.

*The Wright Surveying representative indicated the property is served by mountain water and will note this on the plan.

Zoning

The subject parcel has two (2) zoning districts. The northern portion is RA-Residential Agricultural as noted in note 2., while the lot addition parcels have a R-L Residential Limited District.

Other Comments:

1. What assurance will be in place that the fifty (50) foot right-of-way will be constructed to serve lot 2?

*The Wright Surveying representative indicated the driveway is currently in place.

2. The GIS map shows a private driveway. Is this where the proposed right-of-way will be?

*The Wright Surveying representative indicated yes and it was discussed that a shared driveway agreement for the fifty (50) foot right-of-way will need to be in place.

3. Lot 2 does not provide lot frontage onto a Township road.

Public Comment

None

Other Business

Bill gave the Commission a brief update on the dog park. He showed a picture of the pool area at Kish Park with collapsed walls and some fill being in place.

Bill asked Lucas about the information he need to provide to Ann Yost on the boat launch area. The information is to determine if a full archeological dig is needed. Bill informed the board that they are also waiting for all townships to agree on the inter-municipal agreement for the upkeep of the boat launch area.

Dan presented a flyer that was circulating around the Bellville Sale from the Friends of Jacks Mountain about the progress of the wind turbines and wind ordinances in the area. To date, three townships, Menno, Union, and Granville have passed wind ordinances. Oliver Township is in the process.

Bill reminded everyone that at the next meeting, Rob Postal will be present to give his annual economic report.

Adjournment

The meeting adjourned at 4:56 p.m. upon a motion by Brent Miller that was seconded by Tom Lake.