

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, AUGUST 22, 2013
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Dan Dunmire, Vice Chair
J. Neal Shawver, Secretary
Brent Miller
Michele Bair
Thomas Lake
David Pennebaker

Other

David Nitsch, Delta Development Group, Inc.
Wayne E. Engle, Kanapka Surveying, Inc.
Phil Lucas, Mifflin County
Deborah A. Bargo, Mayor-Lewistown Borough
Harold E. Johnson Jr., Supervisor-Menno Township
Daniel Taptich, Taptich Engineering
Rex Fink, Code Enforcement Officer, Lewistown
Borough

Staff

Bill Gomes, Director
Jim Lettiere, CD Administrator/Assistant Director
Stephanie Neff, Office/Grants Manager

Call to Order

Dan Dunmire called the meeting to order at 3:30.

Record of Public Attendance

Dan reminded everyone to sign the attendance sheet. Kent Spicher, Jim Spendiff and Mario Andrie notified the Planning and Development Office that they would not be able to attend the meeting.

Approval of Meeting Minutes

Brent Miller made a motion to approve the minutes of the July 25, 2013 meeting. Neal Shawver seconded the motion. All members voted aye.

Mifflin County Hazard Mitigation Plan Update

David Nitsch gave a brief presentation on the Hazard Mitigation Plan update. He stressed the importance of public and stakeholder participation and how it is key to this plan because no one knows the county better than the people who live and work it. The Risk Assessment is where they draw a great deal of their information from and to date we have 6 municipalities that have completed the Capability Assessment Survey and 7 municipalities that have completed the National Flood Insurance Program Survey. He stated that the next public meeting will be a final review and then a draft of the plan will be put together and sent to PEMA and then FEMA for review. Anything PEMA or FEMA find will need to be addressed and once that is done and approval is given, the plan can be adopted. David advised there is a website specific to the Mifflin County Hazard Mitigation plan, www.mifflincountyhmp.com, as well as being on the county website.

Subdivision and Land Development Review Committee Report

Dan Taptich reviewed the Robert S. Kenep & Betty J. Johnson plan in Bratton Township, the 1 plan under county ordinance. Bill questioned the shared driveway and the responsibility for the maintenance to it. Dan explained that it is just a lot addition with no development planned and it is not being proposed as an access to the property so there would be no change to how it is used. Bill requested a waiver be completed explaining the shared driveway situation and Dan Taptich agreed.

Dan Dunmire then asked for a motion to conditionally approve the Kenep & Johnson plan under county ordinance with the agreement of the waiver on the shared driveway. Brent Miller made a motion and Michele Bair 2nd the motion. All members voted aye.

Dan reported there were 3 subdivision plans under municipal ordinance for which the Planning Commission only provides comments: Lerch RV Center Building Addition in Armagh Township, Harry G., Jr. & Kathleen M. Weikel in Union Township and Brad Yoder Auto Sales and Garage in Menno Township.

Jim then reviewed the Brad Yoder Auto Sales and Garage land development plan in Menno Township under municipal ordinance. This plan came in back in April 2013 for a three lot subdivision. There was a discussion on traffic direction on and off the property because for years traffic has been entering and exiting the property from all different areas. Bill advised a comment should be added that there needs to be a site circulation plan. There was also a question that the plan did not have all the correct parcel information.

Dan asked for a motion to approve the comments/recommendations of the Subdivision Review Committee for the 3 municipal plans. Neal Shawver made a motion and Tom Lake seconded the motion. All members voted aye.

Jim then discussed the Sarah J. Peachey plan in Wayne Township that had been approved back in June 27, 2013. When the plan was brought into the Planning and Development Department for a signature, Wright Surveying realized they needed a waiver for the frontage requirement. Jim stated the property owner requested this waiver from the frontage requirement so he could keep from driving farm equipment on St. Route 103. Jim recommended the waiver be approved for safety reasons.

Tom Lake made a motion to grant the waiver on the basis of safety and Michele Bair 2nd the motion. All members voted aye.

Bill stated that he had talked with Lucas Parks and the only issue on the Mattern Subdivision plan in Wayne Township was the 1 stump that would need to be removed on Bice Lane to make the road 16' wide. Bill advised the plan was already approved so Jim would have Lucas Parkes coordinate a site meeting with Wayne Engle and whatever Lucas comes up with on this issue will be the final decision.

Brent Miller made a motion to approve the meeting of Lucas and Wayne to make the final decision and Michele Bair 2nd the motion. All members voted aye.

The Subdivision Review Committee Report:

Name of Plan: Lerch RV Center Building Addition
File Number: 2013-08-002
Tax Map #: 12-02-021
Municipality: Armagh Township (Municipal Ordinance)
Applicant Name: Lerch RV Center Bldg. Addition (Ed Lerch)
Land Owner Name: Lerch RV Center Bldg. Addition (Ed Lerch)
Plan Preparer: Stahl Sheaffer Engineering, LLC

Action Taken:
The County provides comments only.

Plan Summary:

This proposed development involves the construction of a one-story, 12,000 square foot building addition, that will be located on the eastern side of the existing 18,000 square foot building. Additionally, there is a proposed 30' wide x 112' long concrete apron located on the northern end of the building addition, and a proposed 40' wide x 128' long concrete apron on the southern end of the building. A total of 20,480 square feet of impervious surface is proposed for the project, which is anticipated to be constructed in the fall 2013.

Review Comments (List from Review Committee):

Administrative * Responses from Engineer of Record

Is the Landowner signature that of Edward Lerch?

* The land owner signature on the application is that of Edward Lerch.

Basic Plan Information

The tax parcel number labels 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.

* The tax parcel information on the plan will be updated to address the correct display of tax parcel information.

A plan narrative describing the development should be conspicuously placed on the plan so it can be readily visible.

*The plan narrative will be placed upon the plan prior to final approval.

The tax parcel number of the application is missing the zero digit after the last digit.

* The tax parcel information on the plan will be updated to address the correct display of tax parcel information.

Floodplain / Wetlands

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland. (See Article 6 Section 6.202 a.14.) of the Armagh Township Subdivision and Land Development Ordinance).

* A note will be placed on the plan referencing the absence of wetlands and floodplains prior to final approval.

Soils

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

* The prime farmland soil will be confirmed and shown on the plan prior to final approval.

Setback Lines

The setback lines should be shown on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.302 a. 10.).

* Setback lines will be added to the plan prior to final approval.

Water Service

The water and sewer supply location should be noted on the plan as prescribed in the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 10.).

* The plan will be updated with any easements related to public utility service on the site.

Signature Blocks on Plan

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

* The County review certificate will be added to the plan prior to final approval.

Land Development

The total site acreage should be noted on the plan.

*The total acreage will be added to the plan.

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. Will an NPDES permit be required? Has the stormwater provisions been reviewed by the Township Engineer?

*The disturbance is under one acre, and E and S approval has been obtained from the Mifflin County Conservation District. An NPDES permit is not required. Stormwater design has been submitted to the Mifflin County Planning Department for review and comment with the original submission per guidance from Armagh Township. Upon additional clarification from Mr. Lettiere on August 13, follow up correspondence will be made with the Township's Engineer to determine their desired process for stormwater review.

Other Comments:

1. If there is going to be stormwater provisions installed, a developers agreement may be required, (Article 7 Section 7.400) of the Armagh Township Subdivision and Land Development Ordinance.

* The Township adopted the Mifflin County Act 16 plan, and a stormwater developer's agreement has been executed per the requirements of the Act 167 plan and the Township.

2. Does the existing sewer system meet the provisions of (Article 3 Section 3.213) of the Armagh Township Subdivision and Land Development Ordinance?

* Yes, the existing system meets the Township's ordinance. There will be no modifications or increases in flow as a result of the building addition.

3. Will there be additional parking lot/site lighting? If so, where will the lighting be located?

*There will not be additional parking or site lighting.

4. Does the additional square footage require additional off-street parking?

* There is no increase in off street parking as a result of the building addition.

5. What is the height of the addition?

*The height of the building will be added to the plan. The proposed building is a one-story warehouse.

6. Will additional signage be part of the land development? If so, what is the size, type and location of the signage?

* There is no additional proposed signage.

7. Will the addition serve as servicing area for RV's or commercial sales space?

* The addition will serve as additional sale and storage space for the RV center.

8. What does the dashed line that staggers along the northern most portion of the property on sheet No. C1 represent?

* The dashed line represents the edge of the gravel parking lot.

9. Will additional trips result from the construction of the structure? The plan should delineate a circulation plan showing ingress and egress into and from the site. Additionally, access to the public roadway system i.e., Old US Highway 322 should be shown on the plan, or as an insert plan.

* There will not be additional trips generated from this structure. The plan will be updated to show a circulation plan for ingress and egress for the site. The Key Map on the cover sheet will be revised to show the access to a public road.

10. The aerial photo of the site shows another access point to the property in the area of the building addition. Will this remain or be replaced? If so, it should be shown on the plan.

* The gravel road shown on the aerial provides access to the rear of the site (for the owner's use only). It is shown on the plan as a dashed line and will remain unchanged during this project.

11. What is the highlighted area to the north of the existing building? If this is parking this should be clearly delineated on the plan.

* This area is delineated for RV parking as part of the sales area. It will be labeled as such on the plan.

Name of Plan: Kenepp, Robert S., Betty J & Shawn M.

File Number: 2013-08-003

Tax Map #: 13-01-101/13-01-106A

Municipality: Bratton Township (County Ordinance)

Applicant Name: Johnson, Harold E.

Land Owner Name: Kenepp, Robert S., Betty J. & Shawn M.

Plan Preparer: Taptich Engineering and Surveying

Action Taken:

The County approved the plan conditionally based on meeting the following conditions within the next 90 days from August 22, 2013. If these requirements are not completed within 90 days, the approval is void. If necessary, extensions can be requested by the applicant before the end of the 90 days.

Plan Summary:

This project involves the subdivision of one (1) lot from the lands of Robert S., Betty J. and Shawn M. Kenepp (TM 13-01-106A). Lot #1 is intended to be a non-building lot addition to the adjacent lands of Harold E., Lois A. and Brian Johnson (TM 13-01-101). There are no improvements proposed to Lot #1.

The residue presently houses a single-family dwelling with associated outbuildings. There are no improvements proposed to the residue at this time.

Review Comments (List from Review Committee):

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 Sections 7.302.A.23 and 25 of the Mifflin County Subdivision and Land Development Ordinance).

Topographic information

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.

Right-of Way Widths

The right-of-way width of Browns Lane should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.302. A.6.).

Cartway Widths

Brown's Lane should be shown on the insert map. The cartway width of Browns Lane should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.202.A.11).

PennDOT HOP / Municipal Driveway Permit

If there are potential plans for an opening from the residue onto SR 103 south, then an HOP is required and the following notation should be added to the plan: 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

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

*The Taptich Engineering representative indicated he was unaware of who would maintain the shared driveway and will be requested a waiver to (Article 4 Section 4.205 G. 4. c.).

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.

Sewage Service

The location of the septic system on the Kenep property or residual should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance (Article 7, Section 7.302 A.20.).

Water Service

The water supply location on the Kenep property or residual should be noted on the plan as prescribed in the Mifflin County Subdivision and Land Development Ordinance (Section 7.302. A.20.). 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.

Lot Addition

What is the combined acreage of the tax parcel number 13,01-0101 and Lot #1? This should be shown on the plan. A lot addition is considered a consolidation and therefore, results in the creation of two new lot configurations. Lot consolidation meets the definition of a subdivision according to the Municipalities Planning Code. Under these circumstances new deeds must be developed as part of the property transfer process and adequate information must be available in order to develop an accurate property description. The parent and recipient lots will still meet the Subdivision and Land Development Ordinance requirements. Property boundary information should be shown for the entire property. Currently, no boundary information is provided for the residual. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Mifflin County Subdivision and Land Development Ordinance, Sections 7.302.A.5, A.7 and A.9)

Other Comments:

There is a wire fence that goes from the Young property (tax map number 13,-01-0106) onto proposed lot 1. Is this part of the original or old property line?

* The Taptich Engineering representative indicated the fence is an existing barbed wire pasture fence.

Does the 35+/- acres for the Kenep property represent the total acreage before or after the subdivision occurs?

Name of Plan: Weikel, Harry G., Jr. & Kathleen M.
File Number: 2013-08-001
Tax Map #: 20-12-0116 & 0117
Municipality: Union Township (Municipal Ordinance)
Applicant Name: Weikel, Harry G., Jr., & Kathleen M.
Land Owner Name: Weikel, Harry G., Jr., & Kathleen M.
Plan Preparer: Wright Land Surveying

Action Taken:

The County provides comments only.

Plan Summary:

This plan proposes to create two new lots. Lot 3 is for a proposed single-family residence to be served by a new on-lot sewage disposal system and existing well. Both Lot 2 and Lot 1 have an existing residence, on-lot system and well with soils testing completed for reserve sewage disposal system.

Review Comments (List from Review Committee):

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

The right-of-way of Treaster Road does not meet the road provisions of the Union Township Subdivision and Land Development Ordinance (Article V Section 501. 2).

Cartway Widths

The cartway width of Treaster Road does not meet the road provisions of the Union Township Subdivision and Land Development Ordinance (Article V Section 501.2.). The cartway width is only sixteen (16') feet and no further development other than the proposed single-family home should occur, until the cartway width is widened.

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 the Union Township Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

Zoning

The property zoning designations are Residential Agriculture and Residential Limited. Please add Residential Limited to the plan.

Lot 1 does not meet the width requirement of at least one-hundred (100) feet at the building line in the (R-A) Residential Agriculture Zoning District, as prescribed in the Union Township Zoning Ordinance (Article VII Section 703.) A variance may be required, and if so, should be resolved before the subdivision is approved.

Other Comments:

Where will the access be for Lot 3? The location should be shown on the plan as prescribed in the Union Township Subdivision and Land Development Ordinance (Article V Section 504.3.).

A driveway permit will be required by the Township.

Name of Plan: Brad Yoder Auto Sales and Garage

File Number: 2013-08-004

Tax Map #: 18,11-0115 and 18,-11-0227

Municipality: Menno Township (Municipal Ordinance)

Applicant Name: Yoder, Bradley O.

Land Owner Name: Yoder, Bradley O.

Plan Preparer: Thomas H. Metz Engineering, Inc.

Action Taken:

The County provides comments only.

Plan Summary:

The project involves the construction of a nearly 1,896 square foot building proposed to be used as an auto sales/garage with renovations to be made to the existing gravel (impervious) parking lot area.

Review Comments (List from Review Committee):

Basic Plan Information

What is the scale of the site location map (Article 6 Section 6.202 a. 14.)? The plan has a scale note but no graphic scale bar.

The tax parcel number 18,-11-0227 is listed on the application as being part of this subdivision, yet it is supposed to be a separate lot tied to the Hildebrandt property. Please confirm.

The tax parcel number 18,-11-0300 owned by Saint Paul Evangelical Lutheran Church, based on our GIS files is located on the north side of SR 655, while the plan depicts its location on the south side of SR 655.

The tax parcel number 18,11-0227 based on our GIS files is located on the southeast corner of Zook Road and SR 655, while the plan depicts its location east of tax parcel number 18,-11-0300.

Basic Plan Information

The tax parcel numbers on the application and the labels 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.

Subdivision Information

The lands associated with this land development project were subdivided and record on June 10, 2013. Why under general note 1. would survey information be used from the "draft of survey for Bradley Yoder" and not from the recorded survey?

Clean & Green / Agriculture

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

Soils

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

Setback Lines

It is not clear the basis for the setback information listed in note #6. as well as on the plan. If the basis is to meet the minimum residential setback with public water, it should be 35' front, 20' side and 30' rear (See Table 2 of the Menno Township Subdivision and Land Development Ordinance).

Right-of Way Widths

Based upon the Menno Township Subdivision and Land Development Ordinance, the right-of-way width of Zook Road is substandard (Table 1).

Cartway Widths

Based upon the Menno Township Subdivision and Land Development Ordinance, the cartway width of Zook Road is substandard (Table 1).

PennDOT HOP / Municipal Driveway Permit

A proposed driveway location should be shown on the plan and this information should be shared with the Township Roadmaster.

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 rightof- way or highway facilities. Approval of this plan neither implies nor guarantees permit approval by PennDOT.

Deed Restrictions and Easements

The plan note #8. as well as the application state there are no deed restrictions or easements, yet the plan shows a twenty (20') foot right-of-way easement crossing the property.

Deed restrictions and easements associated with the property, if any, should be provided in accordance with (Sections 6.302 a. 6. and 6.302 .7.) of the Menno Township Subdivision and Land Development Ordinance.

DEP Sewage Planning Module

A subdivision plan recorded June 10, 2013 submitted by Mr. Yoder showed lot #2 as a non building lot addition and the applicant requested a non-building waiver. Has sewage testing been done for this site?

Sewage Service

The plan shows a proposed holding tank. Is there any information from the Township as this being acceptable?

Water Service

According to the Township Secretary public water should be available. The public water line should be shown on the plan (Article 6 Section 6.202 a. 10.) of the Menno Township Subdivision and Land Development Ordinance, as well as a letter from the Water Authority that the applicant can tap into the public water system.

Signature Blocks on Plan

The Township does not have a municipal planning commission, which is provided for on the plan.

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 (Article 6 Section 6.202 a. 10.) of the Menno Township Subdivision and Land Development Ordinance.

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.

Except for a handicapped parking space, no parking spaces are shown on the plan. Based on an average of one (1) space for every two-hundred (200) square feet of retail area, nine (9) spaces would be recommended (Article 3 Section 3.216 e.).

E & S / Stormwater

Has a stormwater plan been developed? If so , it should be reviewed by the Township Engineer (Article 3 Section 3.211 b. 1.-3.).

Other Comments:

1. Note #10 states site lighting will be only building or pole mounted. Sheet A- 2 shows building mounted lighting, however, there is no indication of pole mounted lighting. If there will be pole mounted lighting it should be on the plan.
2. Are there provisions for loading and unloading? (Article 3 Section 3.216 e.) of the Menno Township Subdivision and Land Development Ordinance.
3. Note #4 lists total land disturbance as over 10 acres, which would necessitate an NPDES permit. If this is not the intent this note should be corrected.
4. Where will the vehicles be displayed? This should be shown on the plan.

Comprehensive Plan Update

Bill explained that at the last Comprehensive Plan meeting there were a lot of questions about the proposed Wind Farm that would go along Jack’s Mountain. There was a discussion by the Planning Commission on type of ordinance for this and Bill advised we are looking at a stand alone ordinance since half our municipalities don’t have zoning. He also explained that in our county we have 1 document that was adopted that has provisions in it which do not encourage these facilities in their municipality. Bill stated the Planning Commission needs to think about how they feel about the whole process of this because Michele Brummer would like to put in the Comprehensive Plan that Mifflin County is not recommending these facilities, but they will have an ordinance for the municipalities to adopt. It was also discussed that there should be a public meeting so both sides can share their views.

Election of Officers

Michele Bair made a motion to appoint Dan Dunmire as Chair, Neal Shawver as Vice Chair and Brent Miller as secretary. Tom Lake 2nd the motion and all members voted aye.

Public Comment

There was no public comment.

Other Business or Comments

Dan introduced David Pennebaker as the newest member to the Planning Commission. Dan then advised there is a vacancy on the Subdivision Committee and Brent Miller volunteered to take the position. Dan also explained that the next Planning Commission meeting will be a longer because of the public meeting on the Comprehensive Plan.

Adjournment

The meeting adjourned at 5:15 p.m. upon a motion by Brent Miller that was seconded by Neal Shawver.