

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**THURSDAY, AUGUST 27, 2009**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.**

**ATTENDANCE**

Members

Jim Spendiff, Chairman  
Dan Dunmire, Vice Chairman  
Don Kauffman  
Christian Aumiller  
Kay Hamilton  
Neal Shawver  
Brent Miller

Other

Megan Bollinger, The Sentinel

Staff

Bill Gomes, Director  
Jan McDonald, Community Development Administrator  
Mark Colussy, Associate Planner

**Item #1 – Call to Order**

Jim Spendiff, Chairman, called the meeting to order at 3:30 p.m.

**Item #2 – Record of Public Attendance**

Jim reminded everyone to sign the attendance sheet.

**Item #3 – Approval of Meeting Minutes**

Jim Spendiff said if there were no additions or corrections, the minutes would stand as written.

**Item #4 – Community Development Update**

Jan McDonald, Community Development Administrator, gave an update on projects in addition to the CDBG Entitlement and CDBG Stimulus Projects. The additional projects are:

**1. Derry Township’s 2009 CDBG Competitive Grant for the Maitland Area Sanitary Sewer Project.**

Derry Township has requested \$500,000 of the 2009 Competitive Grant to pay for the remaining Maitland LMI Sewer Tap Fees. The remaining balance of the Competitive Grant funds will be used to pay for Laterals (not to exceed \$1,655 per property) connecting the qualifying property to the new Maitland Sanitary Sewer.

**2. Granville Township Liquid Septage Project.**

Mifflin County has signed an Administrative Agreement to assist Granville Township in researching and applying for grant/loan funding for a \$967,000 regional liquid septage pumping station. This would reduce the cost of tip fees being charged to dump liquid septage and also increase Granville’s capacity from 8,000 gallons to 50,000 gallons per day. The liquid septage will be processed through Granville’s Junction waste water treatment plant with the resulting biosolids going to the proposed We Care Organics processing plant at the Mifflin County Solid Waste Authority site (MCSWA). A question was asked about the (“worm thing”) vermiculture process. The County was asked by Granville if there was a way to help them fund their vermiculture program due to problems they were having. Jan said they were to be commended for keeping it going for 3.5 years but it was not cost effective. Jan made a call to We Care and within the week met with a representative to discuss a joint partnership for a regional biosolids processing plant. After reviewing several sites, the site of choice is the Mifflin County Solid Waste Authority transfer station and former landfill location. A question was asked how many jobs would be created. Jan said initially three or four and not more than ten to twelve. He said Bill Gomes suggested approaching DEP for funding for this new “green” technology.

Jan followed up on that and said DEP is interested from a funding standpoint which would help with operational costs. Jan said We Care is going to make money selling this organic fertilizer.

Jim Spendiff asked how the biosolids would be transported. Jan said by truck and they (We Care) will do the transporting themselves as well as provide their trucks. A question was asked where they sell this product. Jan said mostly New York. It is sold as organic fertilizer and they have a huge distribution market which is what Granville didn't have. Jan said they are looking at long term with multiple counties and would like to develop a regional site to do it.

### **3. Meals on Wheels Expansion Grant**

Jan said Meals on Wheels is dealing with the senior population growing and needs to expand current delivery and food processing capabilities. They are asking that Mifflin County provide administrative services to research and apply for \$62,500 to cover the expansion. He said an Administrative Services Agreement has been placed on the agenda for the next Mifflin County Commissioners public meeting to take place on September 3, 2009.

### **Item #5 – Subdivision and Land Development Review Committee Report**

Dan Dunmire said that all the subdivisions this month were from municipalities with their own ordinances. A plan tabled from last month that was under the County Ordinance was the Junior Royer Smith plan. Mark Colussy said there was an issue with access off a private drive. The Mifflin County Subdivision Ordinance is very specific as to a requirement that access to a property has to be either from a public drive or a private drive that meets private road standards. Last month the Subdivision Review Committee suggested a flag lot as an alternative. In order to resolve this, the surveyor suggested a waiver from the ordinance requirement of the "pole" for the flag lot which is 30' be reduced to 16'. Other comments still outstanding included the location of the driveway on the plan and to elaborate on the water supply location on the residual lot. Another concern is that this property is in a High Quality Watershed which requires an additional review from DEP. Since this is a major subdivision with this being the twelfth parcel to come off the parent tract, a major component will need to be submitted to DEP along with the paperwork for the High Quality Watershed. The County has asked that this information be submitted to us. A stream crossing permit will also be required from DEP in order to cross the intermittent run that traverses the property. A motion was made by Dan Dunmire to approve the Smith Waiver request and was seconded by Chris Aumiller.

Another plan Mark mentioned was the Hartman Center. This plan was presented in April of 2008. It is an expansion of the dining hall structure for the Penn Central Conference United Church of Christ. This plan was approved by Armagh Township. The comments are basically the same as submitted previously and most have been addressed. However, there are a few issues that remain. This plan was not recorded within the 90 day window so the approval expired. Therefore the plan was re-submitted. One issue still remaining is the right-of-way width for the private drive located on the plan. Another issue is the cart-way width is listed as a variable cart-way. The sewage and water service letters have not yet been received. Since the plan was first submitted, the Planning Commission is now using a Mifflin County Review Certificate on the plan instead of a Review Clause. This needs to be updated. There was a note on the plan that there was a possibility they would be expanding the parking area. It was recommended that they contact the Conservation District to reconfirm their position on this. Mark said they should have a letter to this effect. Also a circulation diagram was recommended and was not found on the plan. The last thing was that the property shown on the plan does not extend to the centerline of S.R. 1005. There is also concern that the driveway opening is not located on the area bounded by property lines. This needs to be clarified.

Mark said Bill attended the Derry Township Planning Commission meeting to discuss the last revision of the Derry Heights Project. Bill said Derry Township asked if the comments from the May submission review had been met. It was decided to take action on the others and then come back to this.

At this time Dan Dunmire made a motion to conditionally approve the Royer Smith subdivision under the County Ordinance and was seconded by Chris Aumiller. A motion was then made by Dan Dunmire and seconded by Chris Aumiller to approve the subdivision committee review comments on the municipal plans not under the County Ordinance including the following plans: Carson Crane in Armagh; Reuben Peachey in Brown; Kenneth Loht in Decatur; Jacob Peachey in Menno; Ammon Peachey in Menno; and the Hartman Center in Armagh.

Bill Gomes said that although people are anxious for the Derry Heights Project to move forward, many things keep coming back up. Comments from the Planning Commission were not resolved as well as comments from the Township Engineer. Among the items in question included: the Sewage Planning Module has not been received; a letter from appropriate authorities for water and sewer availability; a question whether the Township Engineer had reviewed the road profile needs to be clarified; the status of the NPDES permit which is still under review; an easement request to do some grading on the adjoining property has not been addressed; the status of the developer's agreement is not known; the waiver request for the cul-de-sac provision needs to be recorded on the plan as well as the date of approval; a copy has not been seen of the modified master plan; and why access around the movie theater is being changed from having access all around the building to three sides of the building. Also waiver requests for pavement specifications; cul-de-sac street length and parking stall depth should be part of the final land development plan and noted with sections from the ordinance as well as dates of approval. Another factor is the possibility of the reconfiguration of one of the buildings. Any reconfiguration of any portion of the land development will require the plan to be revised and submitted for review. Bill said these changes are delaying the process and will likely warrant an additional review fee. Dan Dunmire said the Conservation District has a policy that a plan can be submitted for two reviews and beyond that they can charge half of the first fee. He said it has been on the books for 4 years and they have instituted it for the first time on this plan which has been submitted to them for the fourth time. Bill continued with the issue of the proposal to reduce parking spaces from 19 feet to 16 ½ feet. Some members expressed some concern about this proposal which involves 250 parking spaces. It was suggested that someone relay to the developer that they get all their changes together before submitting another plan. Bill said a copy of the comments will be sent to the applicant (Moraitis Properties, Inc.).

**Name of Plan: Crane, Carson**

**Tax Map #: 12-19-171B**

**Applicant Name: Crane, Carson**

**Plan Preparer: Wright Land Surveying**

**Action Taken:** *The County provides comments only.*

**Plan Summary:** *This plan proposes to construct a single-family residence to be served by on-lot sewage disposal and private well on an existing parcel that was created in 1974. No new subdivision is proposed.*

**Review Comments (List from Review Committee):**

*Soils - 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)*

*Right-of Way Widths - The right-of-way width for West Bud Lane does not meet the road provisions of Armagh Township's 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 right of way should be provided by the applicant as a condition if there is future development along this road.*

*Cartway Widths - The cartway width for West Bud Lane does not meet the road provisions of Armagh Township's 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.*

*PennDOT HOP/Municipal Driveway Permits - A municipal driveway permit is required in Armagh Township, and a copy should be provided to the County Planning Commission. Since this is a private lane, a permit may not be required, so the applicant should contact the Township Roadmaster for more information.*

*Private Drive - Considering additional development is proposed along West Bud Lane, a private drive, either a private roadway agreement should be established or if an existing agreement is in place, it may need to be modified to allow for additional users. A private drive statement should be on the plan. Connection to the public road system should be shown on the plan. This information could be shown on an inset map.*

*Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Armagh Township Subdivision and Land Development Ordinance. \*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 Mifflin County Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.*

**Other Comments:**

*1. How is the proposed building to be served by electric, gas, etc.? All significant man-made features should be shown on the plan. (See section 6.202.a.10 of the Armagh Township Subdivision and Land Development Ordinance)*

**Name of Plan: Peachey, Reuben K. & Emma M.**

**Tax Map #: 14-09-105A**

**Applicant Name: Peachey, Reuben K.**

**Plan Preparer: Taptich Engineering and Surveying**

**Action Taken: The County provides comments only.**

**Plan Summary: This project involves the subdivision of one (1) lot from the lands of Reuben K. and Emma M. Peachey. Lot #1 is currently vacant and is intended to be a non building lot addition to the adjacent lands of Jacob C. and Nancy M. Peachey (DB: 419 PG: 146). Access to the referenced lands of Jacob C. and Nancy M. Peachey will be via the existing gravel drive leading from Green Lane. The private right-of-way associated with this access will be increased from 10' to 25' by virtue of this plan. This change is to provide sufficient right-of-way width to encompass the existing lane. The Residue lands are used for agricultural purposes. No changes to the access, sewer service or water are proposed for the residue.**

**Review Comments (List from Review Committee):**

*Clean and Green Program - The parcel (T.M. 14-9-105) 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. (HaB)*

*Right-of Way Widths - The right-of-way width for Green Lane does not meet the road provisions of the Brown Township's Road Ordinance (Section 41.A). Since the parcel has the potential for future development, road improvements should be considered prior to further development. At a minimum additional right of way should be provided by the applicant as a condition if there is future development along this road. Based upon the Brown Township Subdivision and Land Development Ordinance, the proposed right-of-way width for the unnamed drive is substandard (Section 4.204.F). Considering this proposal is providing additional R-O-W, additional R-O-W should be considered to meet the requirements of the ordinance, which is 50 feet.*

*Cartway Widths - The cartway width should be shown on the plan for the existing gravel drive (Brown Township Subdivision and Land Development Ordinance, Section 7.202. A11).*

*Easements - Any easements associated with the property, if any, should be provided in accordance with Section 7.302.A.6 of the Brown Township Subdivision and Land Development Ordinance.*

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

*Lot Addition - 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 Planning Commission must also be assured that the parent and recipient lots still meet the Subdivision and Land Development Ordinance requirements. Tract boundaries should be shown on the plan. If associated bearings and*

distances are not available, the existing metes and bounds description from the property deed could be provided on the tract map. (See Brown Subdivision Ordinance Sections 7.302.A5, A7 and A9)

Other Comments:

1. General Notes 6 & 7 do not appear to be relevant to this plan.
2. Only one (1) copy of the plan has been submitted. The Mifflin County Planning Commission requests at least three (3) plans to be submitted.
3. The existing and proposed acreage of the grantee of the lot addition, the Jacob C. Peachey property, should be shown on the plan. (See section 7.302.A.5 of the Brown Township Subdivision and Land Development Ordinance)
4. The location map is unreadable. This map should be replaced with a readable location map. (See section 7.302.a.2 of the Brown Township Subdivision and Land Development Ordinance)
5. A lot addition statement should be placed on the plan. (See section 7.302.A.25 of the Brown Township Subdivision and Land Development Ordinance)
6. Does the private right-of-way to serve more than the Jacob and Nancy Peachey property? If the right-of-way is used by Reuben and Emma Peachey, then a shared driveway agreement should be in place. (See section 4.205.G.4.c of the Brown Township Subdivision and Land Development Ordinance) Also, if more than one party uses this drive, it may need to be named and the applicant should contact the Mifflin County GIS Department for more information.

**Name of Plan: Loht Estate, Kenneth J.**

**File Number: 2009-08-004**

**Tax Map #: 15-11-107A**

**Municipality: Decatur Township (Municipal)**

**Applicant Name: Wray, Bonalea R., Executrix**

**Land Owner Name: Wray, Bonalea R., Executrix**

**Plan Preparer: Wright Land Surveying**

Action Taken: The County provides comments only.

Plan Summary: This plan proposes to create Lot 2 for agricultural purposes only. No new development is proposed on this lot or on the residual tract. Lot 2 is to be transferred to Oceana M. Goodwin.

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.*

*Agriculture Security Area - 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 hydric soils. The hydric soils information should be shown on the plan. (At, BrB)*

*Right-of Way Widths - The plans indicate a private 50' Right-of-Way across the Donald Loht property, T.M. 15-11-107B. Some indication that a Right-of-Way agreement is in place between the two parties should be provided. The right-of-way width for Ertley Road does not meet the road provisions of Decatur Township's 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 right of way should be provided by the applicant as a condition if there is future development along this road.*

*Cartway Widths - The cartway width for Ertley Road does not meet the road provisions of Decatur Township's 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.*

*Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 603.2.A.6 and 603.2.B.7 of the Decatur Township Subdivision and Land Development Ordinance. \*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 - Water and sewage service information should be provided for the residual property. (See section 603.2.A.11 of the Decatur Township Subdivision and Land Development Ordinance)*

Other Comments:

1. Tract boundary information should be provided for the residual tract. If survey data is not available, a meet and bounds description of the deed may be sufficient. This information could be shown on the inset map. (See sections 603.2.a.5, 7, & 9 of the Decatur Township Subdivision and Land Development Ordinance)

**Name of Plan: Peachey, Jacob H. & Ada E.**

**Tax Map #: 18-06-125/18-06-120**

**Applicant Name: Peachey, Jacob H. & Ada E.**

**Plan Preparer: Taptich Engineering and Surveying**

**Action Taken:** The County provides comments only.

**Plan Summary:** This project involves the subdivision of one (1) lot from the lands of Jacob H. and Ada E. Peachey. Lot #1 is currently vacant and is intended to be a non-building lot addition to the adjacent lands of Louie D. and Malinda E. Kanagy (DB: 442 PG: 257). There are no changes proposed to the lot access. The Residue lands are used for agricultural purposes.

**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.

**Floodplain -** As opposed to what is stated in General Note 5 on the plan, a portion of the property (residue) lies within the 100-year floodplain, and the flood plan should be delineated on the plan. Future development in this area should be discouraged.

**Agriculture Security Area -** 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 the grantee property (T.M. 18-6-125) appears to have prime farmland soils. (HaB, HcB, MuB)

**Right-of Way Widths -** The right-of-way width along the project site for West Back Mountain Road should be shown on the plan instead of listed as a Variable R-O-W. (Menno Township Subdivision and Land Development Ordinance, Section 6.302.A.6).

**Cartway Widths -** The cartway width for West Back Mountain Road does not meet the road provisions of the Menno Township's 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.

**PennDOT HOP/Municipal Driveway Permits -** The driveway location for the Louie Kangy property. T.M. 18-6-120, should be shown on the plan. (See section 6.202.a.10 of the Menno Township Subdivision and Land Development Ordinance)

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

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

**Sewage Service -** The sewage disposal location for the affected property should be shown on the plan. (See section 6.302.a.11 of the Menno Township Subdivision and Land Development Ordinance)

**Water Service -** The water supply location should be noted on the plan as prescribed in the Menno Township Subdivision and Land Development Ordinance (Section 6.302.a.11).

**Required Signatures on Application -** The subdivision application form should be signed by the municipality.

**Lot Addition -** 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 Planning Commission must also be assured that the parent and recipient lots still meet the subdivision and Land Development Ordinance requirements. Property boundaries for the grantor property, T.M. 18-6-125, should be shown on the plan. (See Menno Township Subdivision and Land Development Ordinance Section 6.302.5)

**Other Comments:**

1. The existing and proposed acreage information should be provided for the grantee property of the lot addition, T.M. 18-6-120. (See section 6.202.a.5 of the Menno Township Subdivision and Land Development Ordinance)

2. General Note 6 on the plan does not appear to be relevant for this plan.

3. An appropriate lot addition statement should be on the plan stating that the lot addition area cannot be a stand alone property and cannot be conveyed separately from the subject parcel.

**Name of Plan:** Peachey, Ammon R. & Sarah S.  
**Tax Map #:** 18-07-124  
**Applicant Name:** Peachey, Ammon R. & Sarah S.  
**Plan Preparer:** Taptich Engineering and Surveying

**File Number:** 2009-08-003  
**Municipality:** Menno Township (Municipal)  
**Land Owner Name:** Peachey, Ammon R. & Sarah

Action Taken: The County provides comments only.

Plan Summary: This project involves the subdivision of one (1) lot from the lands of Ammon R. & Sarah S. Peachey. Lot #1 presently houses a single family residential dwelling, lumber mill and harness shop. Lot #1 is served by an on-lot sewage disposal system and domestic water from an off-site spring. There are no changes proposed to the lot access. Likewise there are no improvements proposed on Lot #1. The Residue lands are used for agricultural purposes. One (1) single family residential dwelling is proposed on the residue. This structure will be served with an on-lot sewage disposal system and domestic water from a privately owned, individual well. Access to the residence will be via the existing roadway network on the subject parcel.

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** - According to the County GIS files, some portion of this property appears to have prime farmland soils. (BuB, MuB)

**Setback Lines** - Though the setbacks are listed in the notes, the setback lines should be shown on the plan as prescribed in the Menno Township Subdivision and Land Development Ordinance (Section 6.302.a.10).

**Cartway Widths** - The cartway width for Collar Lane does not meet the road provisions of the Menno Township's 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.

**PennDOT HOP/Municipal Driveway Permits** - The driveway for Current Lot 1 should be shown on the plan. (See section 6.202.a.10 of the Menno Township Subdivision and Land Development Ordinance)

**Shared Driveway** - Considering additional users are going to use Collar Lane, a shared driveway maintenance agreement may either need to be established or modified if one is already in place.

**Deed Restrictions and Easements** - It appears there is a power line easement that traverses the property. Additional information on the easement, such as width and deed book and page number, should be provided on the plan. Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Menno 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 Mifflin County Planning Commission. Plan approval is contingent upon receiving an approval from DEP following the filing of this form. Additionally, a non-building declaration should be on the plan for Lot 1.

**Sewage Service** - The existing septic absorption area for Current Lot 1 should be shown on the plan. (See section 6.302.a.11 of the Menno Township Subdivision and Land Development Ordinance)

**Required Signatures on Application** - The subdivision application form should be signed by the municipality.

Other Comments:

1. Tract boundaries for the residual tract should be shown on the plan. (See sections 6.302.a.5, 7, & 9 of the Menno Township Subdivision and Land Development Ordinance)

2. The project narrative only mentions an offsite spring for Current Lot 1 while the residue shows a septic field test site and proposed well. There should be more information on the location of the off site water supply such as evidence of an easement or right-of-way agreement of record. This is particularly important if one water supply serves more than one household. (See sections 3.213.a and 3.213.f of the Menno Township Subdivision and Land Development Ordinance)

3. Clarification should be made as to why the proposed subdivided tract is labeled as "Current Lot 1". This labeling confuses what is existing and what is proposed.

**Name of Plan:** Smith, Junior Royer  
**Tax Map #:** 21-07-102  
**Applicant Name:** Smith Jr., Timothy R.  
**Plan Preparer:** Wright Land Surveying

**File Number:** 2009-07-001  
**Municipality:** Wayne Township (County)  
**Land Owner Name:** Smith, Junior Royer

Action Taken: The County approved the plan conditionally based on meeting the following conditions within the next 90 days. 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 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. \*\*A HOP statement has been added to the revised plan dated 8/25/09. The proposed driveway location should be shown on the plan.*

*DEP Sewage Planning Module - Considering this proposal is creating the twelfth (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) \*According to the surveyor, all tracts are part of the same parcel and the tax mapping in this area is incorrect.*

*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. \*The lane as been extended on the revised plan dated 8/25/09.*

*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) \*This information has been added to the revised plan dated 8/25/09.*

*4. The Tract Map should be labeled and have Lot 2 labeled as such. \*This information has been added to the revised plan dated 8/25/09.*

*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. \*\*This information has been added to the revised plan dated 8/25/09.*

*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. \*\*According to the surveyor, the water supply source (spring water) is on the property. The water source information should be more detailed on the plan.*

*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. **\*\*This information has been added to the revised plan dated 8/25/09.**

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.

*\*According to the surveyor, the MCCD has been contacted and is recommending a general permit be requested from DEP. Plan approval should be contingent upon receiving receipt of approval from DEP.*

10. This property is proposing a 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. *\*According to the surveyor, the applicant has hired a firm to conduct the study, which will be included in the major sewage module. A copy of the study should be submitted to the Mifflin County Planning Commission.*

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. **\*\*The revised plan dated 8/25/09 proposes a flag lot to eliminate the additional R-O-W.***

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 because of the Clean and Green program, 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). The applicant may return next year to expand the lot. **\*\*A waiver request has been made for the width of the "pole" of the flag lot from 30' to 16' on August 27, 2009 with the purpose of preserving farmland. **\*\*\*The Mifflin County Planning Commission granted the waiver request on August 27, 2009.*****

**Name of Plan: Derry Heights Phase I-Pre/Final**

**File Number: 2009-05-009**

**Tax Map #: 16-01-113A/113B-16-04-105**

**Municipality: Derry Township (Municipal)**

**Applicant Name: Moraitis Properties, Inc**

**Land Owner Name: Burnham Properties LP**

**Plan Preparer: Hawbaker Construction Services, LLC**

Action Taken: The County provides comments only. These comments are the original comments from the Mifflin County Planning Commission on May 28, 2009, with revisions based off a review of the revised plan dated July 28, 2009. The revised review is dated August 27, 2009.

Plan Summary: Ownership Statement & Project Description - Burnham Properties, LP is the current owner of the land which the project development is located. Three tracts of land known as the "Northern Tract", "Rowe Tract" will be referenced. The owner is proposing a 5-story, 120 room Hampton Inn & Suites Hotel with an attached 14,000 sq. ft. Damon's restaurant & Banquet Facility which is located on the Rowe Tract and is zoned General Commercial (GC). An 8-Plex Movie Theater is being proposed on the Northern Tract which is zoned Light Industrial (LI) and is located on the Northern Tract. The project will be served by two 28' wide entrances located on Ferguson Valley Road, currently named "West Entrance" & "Main Access Drive". Driveways for each use will access the Main Access Drive.

Landscape Design Statement - All plant material will be selected to be adaptable to soil and site conditions. Size and condition of trees and shrubs shall be in accordance with the American Standard for Nursery Stock (ANSI Z60.1 1996). Installation of plant material shall be installed per accepted practice.

Stormwater Design Statement - Movie Theater - The Movie Theater Area uses a combination grass/lined/mulched swales, Bioretention Areas, Pipes and an Infiltration Basin. Roof leaders are to be directed to the Bioretention Facilities. The majority of the parking lot drains to multiple swales and the stormwater is then conveyed to Bioretention Facilities B1 & B2. The Bioretention Facilities discharge to stormwater management facility B. Hampton and Damon's - The Hampton Inn & Suites and Damon's Restaurant areas uses Roof Sumps, Bioretention areas and an Infiltration Basin. Roof drains are to be tied into the pipes leading to roof sumps which

discharge to Bioretention Facility A1. The majority of The Hampton Area is conveyed to Bioretention Area A1. Bioretention Facility A1 then discharges to Stormwater Management Facility A.

Utilities - The Following Is A List Of Service Providers - Public water will be provided by Derry Township Water Authority. Two connections are proposed at the ends of the West Entrance and the Main Access Drive. The water main will terminate at the end of the. The private streets on the plan are not named. The plan refers to the private streets as the "Main Entrance" and "West Entrance", which is incorrect. Road names have been approved for these proposed roads and street names should be labeled on the plan. This should be coordinated with the Mifflin County GIS Department. \*The street names were corrected on the revised plan dated 7/28/09.

Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Section 402.2.L of the Derry Township Subdivision and Land Development Ordinance. Known easements are associated with the properties and a list of all easements should be provided as well as the deed book and page number of each easement. \*Easements are shown on the revised plan dated 7/28/09.

DEP Sewage Planning Module - A copy of the DEP Public Sewage Mailer should be provided. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

Sewage Service - A letter from the municipality acknowledging availability of public sewer has been submitted to the Mifflin County Planning Commission.

Water Service - A letter from the municipal water authority acknowledging availability of public water has been submitted to the Mifflin County Planning Commission.

Signature Blocks on Plan - The Mifflin County Review Certificate should be on the plan. If a copy of this certificate is needed, one can be obtained at the Mifflin County Planning and Development Department. \*The Review Certificate is on the revised plan dated 7/28/09.

Other Comments:

1. The submittal should be reviewed by the Township Engineer to review the road profiles and stormwater plan.

\*The plan has been reviewed by the Township Engineer, and his comment in the letter dated May 21, 2009 and second review dated August 25, 2009 for general review and August 25, 2009 for Stormwater, should be addressed.

2. There is no traffic circulation plan for the proposal in terms of insuring safe ingress and egress within the property as well as traffic lane and parking space dimensions. Also how will the second driveway opening affect this tract? \*The Traffic lane and parking space dimensions are shown on the revised plan dated 7/28/09.

3. This proposal should include an Erosion and Sediment Control Plan that needs to be reviewed by the Mifflin County Conservation District. (See Section 402.2T and 0512 A and C of the Derry Township Subdivision and Land Development Ordinance) Also, this proposal will require an NPDES permit. The prior submission of this plan had an NPDES permit request, but no update has been provided on the status of the NPDES permit. Plan approval should be contingent upon receiving a permit from DEP. \*According to the project manager, a General NPDES permit will be required and the plans have been submitted and the review and permit are pending as of 5/28/09.

4. The proposal should indicate if it can fully meet Section 312 of the Derry Zoning Ordinance including screening provisions. Additionally, the plan shows a 30' Landscaping and Grading Easement to the North of the Hotel and Restaurant. More detail on this easement should be provided. \*According to the project manager, the Landscaping and Grading Easement is proposed and the rights to this easement are still to be acquired. Additional detail will be provided once the easement rights are finalized and included as part of the final plan submission. \*\*The easement has not yet been indicated to be in place as of the date of the revised plan (7/28/09). This will need to be finalized prior to final approval.

5. A developer's agreement will need to be in place. Plan approval should be contingent upon the developer's agreement being acceptable to the Derry Township Supervisors. \*According to the applicant, a developer's agreement was being coordinated with the Township Solicitor as of 5/28/09 and no update has been given as of 7/26/09.

6. Please refer to the review of the Traffic Impact Study for the Proposed Derry Heights Development dated August 12, 2008 (and August 14 supplement) by the Mifflin County Planning and Development Department. Trans Associates submitted a response on September 9, 2008. A portion of our concerns have been addressed. If the traffic impact study comments are requested, they can be obtained at the Mifflin County Planning and Development Department. General Note 2 on the plan states that improvements to Ferguson Valley Road will be subject to an approved Traffic Impact Study. What is the status of this study? The proposed improvements should be shown on the final plan. \*According to the surveyor, approval of the traffic impact study is pending and any proposed improvements will be shown on the plan once everything is finalized. The traffic arrangements should be complete as part of the final plan approval process. These improvements should not be separate from the final land development plan. \*\*The revised traffic impact study has been submitted with the revised plan dated 7/28/09, and the revised plan lists the requirements of the study on the cover sheet.

7. Act 287 information is provided on the plan, yet the plan does not indicate what utility each company will provide. Additionally, Granville Township is listed in this information and it is not known why this would be listed. This should be clarified.
8. The cul-de-sac street that is proposed exceeds the maximum length allowable in Derry Township (See Derry Township Subdivision and Land Development Ordinance, Section 504.4.D). \*A waiver has been requested for this requirement. The final plan to be recorded should note this request has been made, as well as the date of approval.
9. There are high tension power lines over the parking lot. Has Penelec been consulted on this as to what is permitted under these lines? At the time of the prior submission, it was mentioned that it was being looked into about the possibility of moving the power lines. What is the status of this request? \*According to the applicant, two proposals have been developed by Penelec to on reroute or change the electric line configuration. Final decision on what the applicant wants to do is still being worked out. \*\*Once final arrangements have been made with Penelec regarding the electric line configuration, the plans should be revised to show the future configuration.
10. In past discussions with the developer, he stated that he will provide sidewalks in future phases. The current proposal shows sidewalks have been provided along the main drive for this particular phase of the project, however the sidewalk terminates at the movie theater. It should be made clear that the sidewalks will be extended to the rest of the future development. This information could be indicated by showing it on the master plan. Additionally, there is no connection from the hotel and restaurant to the main sidewalk. This should be addressed. \*A revised master plan that was shown at the Subdivision Review Committee meeting shows sidewalks extending from the movie theater to the rest of the development. However, the copy that was provided to the Mifflin County Planning Commission does not show this connection. This plan should be revised to show the most up to date proposal. \*\*A copy of the revised master plan has yet to be submitted to the Mifflin County Planning Commission. The revised plan dated 7/28/09 does indicate the sidewalk will be extended along Moraitis Boulevard to the temporary cul-de-sac.
11. Sheet 13 and 15 labels a tree as "BN", which is not listed in the plant schedule. This should be clarified. \*This is now labeled on revised plan dated 7/28/09.
12. There appears to be an unnamed stream on Sheet 4. What is the name of this stream? \*According to the project manager, this is an unnamed tributary.
13. Are all the internal travelways 24' in width? This should be clarified on the plan. \*According to the project manager, all internal travelways are 24'. This should still be clarified on the plan. \*\*The travelways have been updated to be 28 feet on the revised plan dated 7/28/09.
14. Where is detail information, such as facility size and dimensions, regarding Bioretention facilities A1, B1, and B2? This information should be provided. \*A detail has been added to the revised plan dated 7/28/09 for all the stormwater facilities, yet the facility sizes and dimensions are not shown on the revised plan.
15. The latest plan, dated July 28, 2009, now shows that there is no longer full access around the movie theater. Why has this been changed?
16. Several requests for waivers have been requested for this project since it has been submitted, which include pavement specification, cul-de-sac street length, and parking stall depth. All of these waiver requests should be part of the final land development plan and noted with sections of the ordinance being waived as well as the dates of approval. \*The Mifflin County Planning Commission has concerns about the reduced depth of the parking stalls, considering the large number that are proposed to be shortened.
17. Several factors, including pending agreements, the township engineer comments, or re-phasing, etc. are contributing to the possibility of alteration and reconfiguration of the final plans. Any reconfiguration of any portion of the land development will require revised plans to be submitted and properly reviewed prior to final approval.

**Name of Plan: Hartman Center Proposed Building Expansion**      **File Number: 2008-04-009**  
**Tax Map #: 12-01-119AA**      **Municipality: Armagh Township (Municipal)**  
**Applicant Name: Penn Central Conference United Church of Christ**  
**Land Owner Name: Penn Central Conference United Church of Christ**  
**Plan Preparer: PennTerra Engineering, Inc.**

Action Taken: The County provides comments only.

Plan Summary: The applicant intends to construct an approximately 15,300 square foot addition to its existing dining hall structure, as depicted on the enclosed plans. The proposed addition will house a multiple-use recreation area as well as some offices for administration and health. The project is located in Armagh Township. The Township has no zoning ordinance but does have a subdivision and land development ordinance, the precepts of which were followed in preparing the enclosed Preliminary/Final Land Development Plan. The project proposes to

extend a 6" water service line to the building from an existing Municipal Authority of the Borough of Lewistown 8" main on the property, approximately 120 feet from the proposed building. Sanitary sewer service is proposed via connection to the Camp's own 8-inch PVC sanitary sewer line, which is ultimately connected to lines owned by Armagh Township Municipal Authority. A single 6" building sanitary sewer lateral is depicted on the drawings. The Applicant has initiated the exemption postcard paperwork, copies of which will be forwarded to you under separate cover.

Final Review Comments:

*Project Notes - This plan was originally reviewed on 4/24/08 by the Mifflin County Planning Commission. After that date, the Armagh Township Supervisors gave the plan approval. Since that time, the 90 day clock expired, and the plan was resubmitted to the Township and County on August 19, 2009 with a revised plan dated 8/10/08.*

*Clean and Green Program - The parcel is enrolled in the Clean and Green program. However, considering there is no intent to subdivide the property, Clean and Green rollback will not affect the property with this Land Development proposal.*

*Floodplain - An area of the southern portion of the property lies within the 100-year floodplain, and the floodplain should be delineated on the plan. This information could be shown on an inset property plan. Though the project area does not appear to be in the floodplain, future development in the southern area should be discouraged. \*A note has been added to the revised plan dated 8/10/08 regarding the Floodplain.*

*Soils - 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, BrA)*

*Setback Lines - The Armagh Township Subdivision and Land Development Ordinance only calls for setbacks for residential lots. The township should consider updating its ordinance to deal with non-residential properties.*

*Right-of-Way Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way width for Pleasant Lane should be shown on the plan for Pleasant Lane. (Section 6.302.a.6).*

*Cartway Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the cartway width is substandard for Pleasant Lane (Table 1). \*If future development is to occur along this road, the cartway should be required to be upgraded to private road standards. The cartway width should be shown on the plan for S.R. 1005, Old Route 322 (Armagh Township Subdivision and Land Development Ordinance, Section 6.202.a.11).*

*\*The revised plan dated 8/10/08 lists the cartway as variable, but it shows two measurements of the cartway width in different locations along the road on the plan.*

*PennDOT HOP/Municipal Driveway Permits - A PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)) for any new driveway openings onto a State Road. A copy of the existing permit should be provided to Armagh Township. \*The revised plans dated 8/10/08 do not appear to be proposing a new driveway opening, but this information is still relevant if a new driveway is to be built in the future. At the minimum, a HOP statement should be on the plan.*

*Shared Driveway - Is there an existing private right-of-way agreement in place for Pleasant Lane? If not, an agreement is recommended to be put in place. It should not be the Township's or County's responsibility for maintenance of a private drive. \*A statement to this effect should be on the plan.*

*Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 6.302.a.6 and 6.302.b.7 of the Armagh Township Subdivision and Land Development Ordinance. According to the application, there are no known deed restrictions or easements associated with the property.*

*DEP Sewage Planning Module - A copy of the DEP Public Sewage Mailer should be provided. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.*

*Sewage Service - A letter from the municipality acknowledging availability of public sewer should be submitted to Armagh Township.*

*Water Service - A letter from the municipal water authority acknowledging availability of public water should be submitted to Armagh Township.*

*Signature Block - \*The Mifflin County Signature Block should be replaced by the Mifflin County Review Certificate. If a copy of the review certificate is required, one can be obtained at the Mifflin County Planning and Development Department.*

Other Comments:

*1. The plans do not show the entire extent of the affected parcel, T.M. 12-01-119AA. The boundaries of the tract, including distances and bearings should be on the plan as well as abutters (See Sections 6.302. a.5, a.8, and a.12 of the Armagh Township Subdivision and Land Development Ordinance). This information could be supplied in an inset property plan. \*An inset map has been added to the revised plan dated 8/10/08 showing the entire tract and abutters.*

2. *The site area shown on the plan incorporates a separate parcel, T.M. 12-01-119, which should be differentiated unless a lot merger is proposed.*
3. *The note on Sheet 6 regarding installation of parking stalls without Erosion and Sedimentation Controls should be clarified. The Township Engineer and the Mifflin County Conservation District should review these plans.*  
*\*According to the Project Engineer, a discussion was had with the Mifflin County Conservation District (MCCD) regarding E&S controls. According to the Engineer, the discussions led to there not being a requirement for E&S controls. A letter from the MCCD should be requested and supplied to the Township and County Planning Commissions verifying the requirement stipulations that were discussed. A letter has been submitted from the MCCD, dated September 24, 2008, but it is not specific to this requirement.*
4. *The narrative submitted on a separate letter should be on the plans, or a more simplified and brief narrative describing the intent of the project.* *\*The narrative has been added to the revised plan dated 8/10/08.*
5. *Considering the plans state the removal of part of the gravel driveway, site circulation should be shown on the plan accounting for the change.* *\*As opposed to what is stated in a letter from the Project Engineer dated August 18, 2008, directional arrows cannot be found on the revised plan dated 8/10/08. This should be verified.*
6. *Stormwater provisions should be reviewed by the Township Engineer to insure they meet the Kish Stormwater Ordinance.* *\*In the letter from the Project Engineer dated August 18, 2008, the stormwater review requirement has been verified. A review letter from the Township Engineer should be submitted to the Township and County Planning Commission indicating his review comments for the stormwater review.*
7. *\*It appears that the property shown on the plan does not extend to the centerline of S.R. 1005. Is a separate property between the Hartman Center building site and the road? This is concerning since the driveway opening is not located on the area bounded by property lines. An Easement may be required of the property does not extend to the public road. Clarification of this should be made.*

#### **Item #6 – Public Comment**

There was no public comment.

#### **Item #7 – Other Business or Comments**

Bill asked if everyone got a copy of the letters on Lewistown Zoning Ordinance and Belleville Biogas. There were some changes proposed for the Lewistown Zoning Ordinance and the letter is to inform the Planning Commission of the comments recommended. The other letter is about a feasibility study on the Belleville Biogas project. This project involves the use of manure from 750 cows to produce biogas and other organic products. The project would be situated at the New Holland facility.

Bill said the director of the Union County Planning Commission was to attend the last meeting but was postponed due to a low attendance. He has rescheduled for the next meeting of September 24<sup>th</sup>.

The meeting adjourned at 4:14 upon a motion by Dan Dunmire that was seconded by Neal Shawver.

dpb