

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, SEPTEMBER 25, 2014
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM A – 3:30 P.M.

ATTENDANCE

Members

Dan Dunmire
Tyler Gum
Thomas Lake
Dave Pennebaker
Kay Semler
Neal Shawver
Jim Spendiff

Staff

Bill Gomes, Director
Jim Lettiere, CD Administrator / Assistant Director
Nicole Singer
Doug Marks
Jodie Barger

Others

Rob Postal, MCIDC
Lauren Kershner, Lewistown Sentinel
Lucas Parkes, The EADS Group
Mike Fisher, SEDA-COG
R. Ann Kanagy, M-J Dental Clinic
Barbara Stiver, McVeytown Borough
Peter Sunderland, McVeytown Borough
Otis Riden, Mifflin County Commissioner
Kevin Kodish, Mifflin County Commissioner
Allison Fisher

Call to Order

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

Record of Public Attendance

Dan reminded everyone to sign the attendance sheet.

FFY 2014 CDBG Public Hearing

Dan turned the meeting over to Jim Lettiere, CDBG Administrator / Assistant Director for the public hearing. There were six presentations made including the following: the SEDA-COG Housing Development Corporation-Mann Edge Terrace Phase II project for property acquisition, McVeytown Borough Authority for engineering and design for wastewater treatment and conveyance system, Armagh Township for stormwater management and roadway improvements on Oak Street, Armagh Township Authority for sanitary sewer repairs in Potlicker Area of Milroy, Wayne Township for water meter and fire safety project on Newton Road and The Mifflin-Juniata Dental Clinic for fair share of dental equipment purchase.

The public hearing adjourned at 4:49 PM.

Approval of Meeting Minutes

Jim Spendiff made a motion to accept the minutes from August's meeting. The motion was seconded by Tyler Gum. All members voted aye.

Subdivision and Land Development Review Committee Report

Jim Lettiere stated the Subdivision and Land Development Review Committee reviewed three (3) applications on September 18, 2014. Two of the applications were under municipal ordinance and one was under the county ordinance. Municipal ordinance included Walter Jr. and Carl Dobozyński (*Derry Township*) and Denise Goss (*Derry Township*) and the county ordinance was Spring Run Church of the Brethren (*McVeytown Borough*). Jim reviewed one plan with the Planning Commission.

The plan reviewed was for the Spring Run Church of the Brethren in McVeytown Borough under the county ordinance. This plan proposes to create Lot 2 for a single-family residence to be served by public sewer and water. The residual tract, Lot 1, has an existing residence with no new development proposed. The main concern is part of the property lies in Oliver Township but is assessed by the Borough of McVeytown. Oliver Township wishes to be a signatory as a reviewing entity on the plan.

There was no further discussion of the three 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 Neal and seconded by Tyler. Members all voted aye. A motion was made by Neal and seconded by Dave to conditionally approve the one plan under the county ordinance with all comments being addressed. Members all voted aye.

Jim then brought an update on the Mattern subdivision from July 2013. It entailed the creation of five lots for single family dwelling units. The issue at hand is the conditions placed upon the applicant by the Planning Commission. One of the conditions was the widening of Bice Lane for a distance of 500 feet. A letter was received from the county engineer stating that the road was widen for a length of approximately 300 feet and should have been widened another 200 feet towards Ferguson Valley Road. The county engineer also stated that he thought the intent of the conditions laid out by the Planning Commission were met and Mr. Mattern was provided a copy of the letter.

Jim and Doug visited the site with the road master. The part of the road that is not widened only allows a 12 foot cartway which is insufficient for two way traffic. The road master suggested removing the stumps along the road close to loop road as a compromise. Jim's recommendation is to require the additional widening of the 200 feet. When asked why they did not do the additional 200 feet, the response from Mr. Mattern was that is where we stopped.

Discussion was held by the Commission members. Dan asked if the stumps had to come out and the answer was no. Neal stated that if when the plan was first reviewed the requirement was for 500 feet and the recommendation is that the 500 feet still needs to be widen then he supports the decision especially since there was no reason why they did not do it. Dave also felt the same as Neal. Bill mentioned that the base standard for roads was 18 feet and that the Commission had already provided a waiver to allow 16 feet. Bill stated that in the future we should get with the county engineer before draft letters are released. Jim Spendiff asked if this extra 200 feet placed a hardship on Mr. Mattern. Jim Lettiere responded not to his knowledge.

A motion was made by Neal to require the original recommendations of the Planning Commission to widen Bice Road to 16 feet for the entire 500 feet length and seconded by Dave. Members all voted aye.

Subdivision and Land Development Municipal Reports

Derry Township

Name of Plan: Dobozyński, Walter, Jr., and Carl L.

File Number: 2014-09-002

Tax Map #: 16-09-0117

Municipality: Derry Township (Municipal Ordinance)

Applicant Name: Dobozyński, Walter, Jr., & Carl L.

Land Owner Name: Dobozyński, Walter, Jr., & Carl L.

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot Additions A to be combined with Lot 1, which has an existing residence served by public sewer and water with no development proposed. Lot Addition A was part of a subdivision approved in August 2013 and recorded as Instrument #2013-4229. That plan approved Lot Addition A to be added to lands of Donna Royer, However, that transfer has not happened and this plan proposes to keep Lot Addition A with the original tract still owned by Walter & Carol Dobozyński.

Clean & Green / Agriculture

Note 5 states 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.

Setback Lines

The rear setback in the Rural Zoning District is forty (40) feet not thirty (30) feet as identified in Note 3. Derry Township Zoning Ordinance (Article 2 Section 202.F.C.) The home on Lot 1 is within the building setback line. Was this home constructed before the adoption of the Zoning Ordinance?

*The Wright Surveying representative stated the home was constructed prior to the creation of the zoning ordinance. Where is the zoning line between LDR and Rural?

PennDOT HOP / Municipal Driveway Permit

Is there an existing Highway Occupancy Permit (HOP) for access to Lot 1?

*The Wright Surveying representative indicated there is not an existing HOP.

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with of the Derry Township Subdivision and Land Development Ordinance (Part 4 Section 403. 2.L..).

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided.

Sewage Service

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

Water Service

The public sewer line is shown but not the public water line. The water line should be shown on the plan (Derry Township Subdivision and Land Development Ordinance (Part 4 Section 402. 2.J.).

*The Wright surveying representative stated he would add the location of the water line.

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

*The Wright Surveying representative indicated that this area is currently served by municipal water.

Signature Blocks on Plan

The signature block for the supervisors states Decatur instead of Derry.

Name of Plan: Goss, Denise A.

File Number: 2014-09-003

Tax Map #: 16-42-0026/0018/0014

Municipality: Derry Township (Municipal Ordinance)

Applicant Name: Goss, Denise A.

Land Owner Name: Goss, Denise A.

Plan Preparer: Sarge Engineering and Surveying

Summary:

The purpose of this plan is to add Lot B, of 0.115 acres, to the lot of William D. and Donna V. Harbst, Tax Parcel 16, 42-0018 and to add Lot C, of 1.000 acres, to the lot of Corey M. Barger, Tax Parcel 16,42-0014. Lot A, the wooded 5.313 acre remainder, contains an existing single-family residence.

Subdivision Information

The total acreage of Lot A, Lot B, the Residual, Lot C and the two recipient parcels is 6.887 acres not 6.428 acres as noted on the plan.

*The Sarge Engineering and Surveying representative provided a revised plan dated September 2, 2014 showing the total acreage of the subdivided land and the recipient parcels.

Setback Lines

The minimum lot widths for parcel numbers 16,42-0014 and 16,42-0018 at the building line and the street right-of-way line, are existing non-conforming and are not a result of the lot additions. Derry Township Zoning Ordinance (Article 2 Section 202.6.)

Cartway Widths

Based upon the Derry Township Subdivision and Land Development Ordinance, the cartway widths of Overbrook Drive and Ridgely Avenue are substandard (Part 5 Section 504.). This is not the result of the lot additions.

PennDOT HOP / Municipal Driveway Permit

A notation about the requirement stating: Any access via a State Highway to lots shown on this subdivision plan will require the issuance of a PennDOT Highway Occupancy Permit (HOP). PennDOT regulations provide that a Highway Occupancy Permit is required prior to constructing, altering or exceeding the permitted capacity for any access connected onto a State Highway. A Highway Occupancy Permit is also required prior to altering the existing pattern or flow of surface drainage or directing additional surface drainage onto or into the highway rightof- way or highway facilities. Approval of this plan neither implies nor guarantees permit approval by PennDOT.

*The Sarge Engineering and Surveying representative provided a revised plan dated September 2, 2014 that indicates this language.

DEP Sewage Planning Module

A copy of the DEP "Request for Planning Waiver and Non-Building Declaration" form needs to be provided.

*The Sarge Engineering and Surveying representative indicated on September 18 that he will provide a copy of this and the plan has a non-building waiver statement.

Water Service

Since both lots already have houses on them, a letter from the municipal water authority acknowledging availability of public water is not being requested as provided for in the Derry Township Subdivision and Land Development Ordinance under (Article 4 Section 403.2.X.) For the same reason, a letter on the availability of public sewer is not being requested.

McVeytown Borough

Name of Plan: Spring Run Church of the Brethren

File Number: 2014-09-001

Tax Map #: 10-00-0324

Municipality: McVeytown Borough (County Ordinance)

Applicant Name: Spring Run Church of the Brethren

Land Owner Name: Spring Run Church of the Brethren

Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 for a single-family residence to be served by public sewer and water. The residual tract, Lot 1, has an existing residence with no new development proposed.

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.

Topographic information

Topographical contours at vertical intervals should be displayed on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.302. A23.).

Soils

Soils information should be shown on the plan (Mifflin County Subdivision Ordinance, Section 7.302. A10).

Right-of Way Widths

Based upon the Mifflin County Subdivision and Land Development Ordinance, the right-of-way widths of Dull and Criswell Streets are substandard (Section 4.204.F).

Cartway Widths

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway widths of Dull and Criswell Streets are substandard (Section 4.204 F).

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with of the Mifflin County Subdivision and Land Development Ordinance (Sections 7.302.A.6 and 7.302.B.7).

DEP Sewage Planning Module

If this project is to utilize public sewer, a DEP Component 3, or Exemption from Sewage Planning Mailer is required. Plan approval is contingent upon receiving approval from DEP following the filing of this form.

*The Wright Surveying representative indicated he will provide us the Component 3 form.

Sewage Service

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

Water Service

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

Signature Blocks on Plan

The subject parcel is assessed by the Borough of McVeytown and the taxing authority is through the Borough.

The Township wishes to be a signatory as a reviewing entity on the plan, although the Planning Commission will not take action.

Features

All significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A.26). 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 (Mifflin County Subdivision and Land Development Ordinance, Section 7.302.A.20).

Public Comment

None

Other Business

Dan introduced new member Kay Semler to the board. Kay was appointed by the County Commissioners due to Brent Miller's resignation in August.

Bill reminded the members of the meeting changes for October. The meeting dates for October will be the Subdivision Review Committee will be held on Thursday, October 23 and the Planning Commission meeting will be held on Thursday, October 30th.

Bill also brought up for discussion the Kish Railroad Trail project and a proposed survey and letter to property owners. At the July meeting, members voted to pursue the Kishacoquillas Railroad Trail. The Planning Commission discussed the draft letter and survey and felt some changes were needed. Kay felt that asking gender was not needed on the survey. Neal suggested that question 2 and 4 be removed from the survey as well as changing of the title because the title sounds like this survey is the feasibility study. Dave felt that the letter was a very good business letter, but it doesn't give enough information as to what we are trying to do.

Bill stated if the Commission still wants to move forward with this project, we need to be prepared for the grant funding cycle in April. Members felt that the survey and the letter needed to be softened and explain more of what is going on. Tyler informed the board of a meeting he had with the Chambers of Commerce regarding the trail. Dan suggested that we do move forward with the letter and survey and that any suggestions or changes needed to be to Bill no later than October 3 and a new draft of the letter and survey would be sent out for members to approve.

Dan mentioned the other item of information that was received by the Planning Commission about the Legacy Fund. This is a local grant program that has been set up to distribute the Marcellus Shale Legacy Fund money received by the county.

Adjournment

The meeting adjourned at 5:30 p.m. upon a motion by Jim Spendiff that was seconded by Dave Pennebacker.