

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
SEPTEMBER 24, 2015
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Dan Dunmire
Tyler Gum
Dave Pennebaker
Jim Spendiff
Neal Shawver
Michele Bair

Staff

Bill Gomes, Director
James Lettiere, CD Administrator/Assistant Director
Chastity Fultz, Office/Grants Manager

Other

Lauren Karshner, The Sentinel
Lucas Parkes, The EADS Group

Call to Order

Dan Dunmire, Chair, called the meeting to order at 3:31 p.m.

Record of Public Attendance

Dan reminded everyone to sign the attendance sheet.

Approval of Meeting Minutes

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

CDBG Update

Jim Lettiere presented the CDBG update. The HOME program has a total left of \$255,694.07. There are a total of 5 homes under contract with additional 5-6 homes to be completed with a total of 10 homes to be completed. All funds will be exhausted by the deadline of September 21, 2016.

We did receive 2014 contracts from DCED for Mifflin County. We are in the process of performing environmental reviews and setting up activities. We are currently under a significant amount of monitoring from HUD's mandate to DCED, in addition to having to prepare applications for the new HOME application and CDBG entitlement for all of the entitlement municipalities in the County. We will be taking over Lewistown Borough and Granville Township and we currently administer in Derry and Brown Townships. We will have a significant amount of work ahead of us in the next few months.

We are going to apply for another HOME application, which is due at end of October. We are applying for an additional \$500,000 to target three areas of the county with the most need; Kistler Borough, Juniata Terrace Borough and Lewistown Borough. These areas have the highest concentrations of low-to-moderate income in the County. This will be on a waiting list like we currently have.

Neal Shawver questioned what will happen to the Mount Union funds for the project that was cancelled. Jim noted that the modification will go to the Mann-Edge Terrace property acquisition for Phase II of the project.

Bill asked how we are dealing with the Mann Edge project. Jim noted that there is approval up to \$140,000 with a shortfall of \$10,000. He is unsure where this will be pulled from. Bill questioned whether or not there was a delay in startup. Jim's response was that Rob Postal noted last month that there was a delay due to tax

credits. An extension will need to be requested. Jim Spendiff has seen an update at an MCIDC meeting and thinks things are back on track with this project.

Bill asked whether the Dental Clinic would be eligible for additional funding. Jim stated they are unsure whether or not they will entertain a new application this year. They may be at the end of their funding cycle. They went through three cycles of 3-year periods of funding salaries and benefits and an additional six years of equipment purchases.

Neal noted that the Brown Township project for 2012 expires in October and it was just put out for bid. Jim noted that a time extension will be requested.

Jim Spendiff questioned the Removal of Architectural Barriers/ADA accessibility project in Brown Township. Jim Lettiere noted that this was contracted through DCED. We pursued and incurred costs for engineering. DCED then came back and said we cannot do the project based on an updated interpretation of their regulations. We are appealing it to HUD and are awaiting a decision.

Subdivision and Land Development Review Committee Report

Three subdivisions were presented, two under County Ordinance (Bookwalter Brothers Lumbar Company, Wayne Township and David L. and Gail D. Gearhart, Wayne Township) and one under Municipal Ordinance (Josea J. Yoder et. al, Armagh Township). Jim reviewed the two plans under the County Ordinance.

The Bookwalter plan has a complicated project narrative. This plan was previously submitted in 2007-2008. The project narrative attempted to integrate the old survey with what they are proposing to do in this plan. Jim's suggestion was to clean up the language on the current plan so that it is clearer. Mr. Young has received the preliminary comments, but has not responded. He also noted that Young's Surveying was not at the Subdivision Review meeting. Tyler Gum motioned to table the plan until the surveyor could respond to the comments. Neal Shawver seconded the motion. All members voted aye.

Comments were reviewed on the Gearhart plan. Wright Surveying has indicated they will comply with the suggestions. A question was raised as to the necessity of the comment regarding further septic testing to be conducted if there was no intention of building on the lot. Jim noted that it would be of help in the future if it was to be developed. Jim will clarify this before sending final comments. Michelle Bair made a motion for conditional approval of this plan with Tyler Gum seconding the motion. All members voted aye.

Jim Spendiff made a motion to accept the comments on the Yoder plan with no further discussion or modifications while Dave Pennebaker seconded the motion. All members voted aye.

Subdivision and Land Development Municipal Reports

Armagh Township (Municipal Ordinance)

Name of Plan: Yoder, Hosea J. et. al.
File Number: 2015-09-003
Tax Map #: 12-04-0102
Municipality: Armagh Township
Applicant Name: Yoder, Hosea J. et. al.
Land Owner Name: Yoder, Hosea J. et. al.
Plan Preparer: Wright Land Surveying

Plan Summary:

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

Clean & Green / Agriculture

The property is in an Agricultural Security Area and should be noted on the plan. 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. The Clean and Green Application will need to be amended through the County Assessment Office, as a result of this subdivision.

Floodplain / Wetlands

The plan should note whether or not the site lies within a 100 year floodplain or designated wetland, in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 a.9. and 12.).

Topographic information

Suitability considerations should be made for this plan. 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 hydric soils. Hydric soils can indicate the presence of wetlands. The hydric soils information should be shown on the plan.

Right-of Way Widths

The right-of-way width of Shale Bank Road should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 a. 11.).

Cartway Widths

The cartway width of the fifty (50) foot right-of-way should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a. 11.). The cartway width of Shale Bank Road should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a.11.). There should be a notation that Shale Bank Road connects to Back Mountain Road. The insert map should show the connection.

Private Street / Shared Driveway

If a driveway is proposed, the plan should be reviewed by the Armagh Township Engineer. The proposed fifty (50) foot right-of-way to serve lot 2 is almost 1,500 feet long. Is there a right-of-way easement in place and what assurance is there that the access will be constructed. This lot configuration does not provide frontage to a public or private road system and we want to make sure that we are not creating a land locked parcel.

*The Wright Surveying representative indicated that an easement agreement will be part of the deed and a shared driveway agreement will be in place.

All private drives that are used by more than one party should have a shared driveway agreement in place. An agreement for the private right-of-way should be noted on the plan stating: "The owners of lots ____, which have a common driveway, agree and understand this is a shared driveway, and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. The maintenance and use of said shared driveways shall be included in the deeds as said lots are sold."

Any additional subdivision involving additional residential buildings that access the fifty (50) foot right-of-way, will require the naming of the right-of-way by the County's Mapping Department. The new structure will need to be addressed by the County's Mapping Department.

Deed Restrictions and Easements

Deed restrictions and easements associated with the property, if any, should be provided in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.202. a. 18.).

DEP Sewage Planning Module

A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Armagh Township Supervisors.

Sewage Service

The on lot septic location for lot 1 should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance (Article 6 Section 6.202 a. 10.).

Water Service

Where is the well location for the residual property? This should be noted on the plan.

Features

All significant natural features, including swales, ditches, trees, water courses, sinkholes, rock out-cropping, etc. should be shown on the plan in accordance with the Armagh Township Subdivision and Land Development Ordinance, (Article 6 Section 6.202 a. 9.).

Wayne Township (County Ordinance)

Name of Plan: Bookwalter Brothers Lumber Company
File Number: 2015-09-001
Tax Map #: 21-02-0207/21-02-0207A
Municipality: Wayne Township
Applicant Name: McConaughy, Betty
Land Owner Name: Bookwalter, Richard L. (Agent)
Plan Preparer: Young's Surveying Inc.

Plan Summary:

The purpose of this plan is to separate and create a stand alone lot used by the Bookwalters to keep Hobbie Stock Cars (Recreational Use Only) having an area of 2.052 acres which contains an existing metal garage building, this area will be subtracted from Lot 7 having an area of 22.36+/- acres according to the Africa Plan, by Lockard leaving an area of 9.31+/- acres to be sold and added to the Lot 7A now belonging to Duane and Betty McConaughy. According to the narrative as written on the Africa Plan the Residue Lot 7, containing approximately 11.36 acres, will continue to be used for Recreational purposes and having located thereon a garage, which has no domestic water or sewage generating facilities and access to the garage, as well as to Lot 7A will be relative to Dark Hollow Road and Old Pike Road which connects to the public portion of Old Pike Road known as Township Road (T-760). This plan will also adhere to the recreational land use guidelines as set forth in that narrative. The new lot will be handled by a similar Request for Planning Waiver and Non-Building Declaration which is controlled by Wayne Township to whom the Department of Environmental Protection delegated its responsibilities. Restrictions shall be placed in the deed by an Attorney at Law for new lot 7 having an area of 2.052 acres in reference to the rights and privileges for which the garage is now being used and restricting any other use for said lot without consulting with Wayne Township and having proper approvals from the Mifflin County Planning Commission.

Administrative

The County Recorder of Deed's Office requires a minimum plan size of 24" x 36" for subdivision plans in accordance with the Recorder of Deeds Fee Schedule effective 8-8-2014. This property has been in for review in 2007 and 2008. This narrative needs to be rewritten that better explains what is occurring. This survey has combined the older language with new language. This proposal should state this is the re-subdivision of original lot 7 into two (2) lots and the merger of Lot 7 into new lot 7A. A new lot 7 is being created as a stand alone lot that will be used for recreational purposes and no sewage testing has taken place. Prior to developing new lots 7A a land development plan must be submitted to Mifflin County and Wayne Township for approval.

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.

Topographic information

Suitability considerations should be made for this plan. 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.

Cartway Widths

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway widths of Old Pike and Dark Hollow Roads are substandard (Article 4 Section 4.204 F.)

Lot Addition

A lot addition statement should be noted on the plan stating the following on the plan:

"Lot # ___ consisting of ___ acres is to be added onto land owned by _____. Lot # ___ is a lot addition and shall become an integral part of the property owned by _____. Lot # ___ is not a building lot and cannot be maintained or developed as a separate individual lot."

Features

There appears to be two smaller structures on New Lot 7 in addition to the existing metal garage, based on County GIS aeriels. These should be shown on the plan in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302 A.26).

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

Other Comments:

1. New lot 7 will have double frontage onto Dark Hollow and Old Pike Roads, which is prohibited, except where employed to prevent vehicular access to major traffic streets. Mifflin County Subdivision and Land Development Ordinance (Article 4, Section 4.205 F.) A waiver to the provision may be requested.
2. If the new lot 7 does have access rights to Dark Hollow Road, it should be stated in the private road statement.
3. There are restrictive covenants on this tract that may affect any future subdivision which was mentioned in the 2008 subdivision.
4. The spelling of metal is incorrect on the plan, since it states mental as it relates to the existing garage.
5. The plan should clearly show the connection of the private road to the public road system (within an insert map).

Wayne Township (County Ordinance)

Name of Plan: Gearhart, David L. & Gail D.
File Number: 2015-09-002
Tax Map #: 21-07-0107
Municipality: Wayne Township
Applicant Name: Gearhart, David L. & Gail D.
Land Owner Name: Gearhart, David L. & Gail D.
Plan Preparer: Wright Land Surveying

Plan Summary:

This plan proposes to create Lot 2 for non-building agricultural use. The residual tract, Lot 1, has an existing residence with no new development proposed.

Basic Plan Information

The abutter tax parcel number 21, 13-01035 presently owned by Daniel P. and Brandy N. Harshbarger should be shown on the plan in accordance with the Mifflin County Subdivision and Land Development Ordinance (Article 7 Section 7.302 A.17.).

Subdivision Information

Will the residual be used as a residence and for agricultural purposes?

*The Wright Surveying representative indicated the residual will not be used for agricultural purposes.

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. After subdivision, the land owners will need to amend their existing Clean and Green Application at the County Assessment Office.

Floodplain / Wetlands

According to County GIS information, the property lies within a designated wetland, and wetland information should be delineated on the plan. Future development in this area should be discouraged. Although the insert map shows the 100 year floodplain, the plan should note that both lots lie within the 100 year floodplain in accordance with the Mifflin County Subdivision and Land Development Ordinance (See Article 7 Sections 7.302.A.23. and 25.).

Right-of Way Widths

The right-of-way widths of Ferguson Valley and Irvin Ridge Roads should be shown on the plan Mifflin County Subdivision and Land Development Ordinance, (Article 7 Section 7.302. A.6.)

Cartway Widths

The cartway widths of Ferguson Valley and Irvin Ridge Roads should be shown on the plan Mifflin County Subdivision and Land Development Ordinance, (Article 7 Section 7.202. A.11.)

PennDOT HOP / Municipal Driveway Permit

*The Wright Surveying representative indicated he will revise note 4. on the plan to state a municipal driveway permit will be required from Wayne Township.

A municipal driveway permit is required, and a copy should be provided to the Mifflin County Planning Commission.

Deed Restrictions and Easements

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

DEP Sewage Planning Module

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

*The Wright Surveying representative indicated that a note that septic testing will be conducted on lot 2 will be added to the revised 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 in accordance with the Mifflin County Subdivision and Land Development Ordinance, (Article 7 Section 7.302.A.20.). There appears to be a roadway on Lot 2 based on the aerial imagery which is not shown on the plan.

Public Comment

Lucas Parkes from The EADS Group stated that the Lewistown Borough is working on a community development strategic plan for the Borough that will use the County Comprehensive Plan as a basis. This will enable the Borough to focus on different strategies to help spur development within the Borough. A stakeholder's meeting has been held as well as community workshops. A public meeting will be held September 30, 2015 at 6 p.m. at the Rec Center Community Building to present some of the findings to date to the public and invite additional input. Dan Dunmire had attended a stakeholder's meeting and was unsure if this was a strategic or comprehensive plan as a strategic plan is more internal guidance for the Borough. Lucas noted that they are looking for a strategic plan to mirror the Comprehensive Plan. This will help match grant dollars to projects.

Other Business or Comments

KISH DOG PARK

Bill noted that the Kish Dog Park opened on September 19 with a positive response of about 40 people and 100 dogs. Jim Lettiere attended the opening and said it was a nice day with a big turnout, as well as different vendors. The Dog Park is currently only open on the weekends to allow the grass to take root and mature. Bill and Chastity are working on signs giving hours and reminding people to register.

BOAT LAUNCH

A conference call was held September 14 to discuss permit requirements that included Lucas Parkes of The EADS Group, Dan Dunmire and DEP. Lucas provided a summary of the meeting. He noted that in mid-August, DEP put the brakes on the process with the currently submitted GP2 permit. The review process flagged the permit due to the fill requirements for the project. A Joint Permit-Small Project is now being requested. The Joint Permit requires much of the same documentation as the GP2 permit and DEP has agreed to waive some hydrology reporting requirements. Lucas is hoping to get the permit submitted by October 5. He will modify the layout slightly to be closer to what was originally laid out with the grant. They will extend the one driveway to get an additional 6-7 car spaces and a handful of additional boat launch spaces with one-way circulation and angled parking. The fill will be limited while keeping disturbances within limits. The boat launch itself has not changed with a handicapped parking space and walking trail down to a fishing platform. DEP is on board with the revision and likes the revised layout with the additional parking. The National Park Service and DCNR are also on board.

Bill Gomes noted that the original plan occupied both sides of the road and now only occupies one side. There is a 5-6 month timeframe for the permit process. The issue is timing. Building can only be performed when the water level is low. Since we will be occupying waters of the Commonwealth, a Submerged Lease Licensing Agreement is also required and is issued in Harrisburg. Dan noted that this would have also occurred under the first permit request. Once the Joint Permit is approved, the license should be approved in conjunction with the permit. We are hoping to receive the permit in March. Lucas is proposing to bid by

late winter, early spring. Assuming the permit is issued and the water recedes, we should be able to start the project.

A question was raised as to whether parking is still pull in and back out. Lucas noted that there is one-way angle parking. It is a tight spot and configuring traffic movement is difficult.

Lucas noted that DEP highly recommends a pre-application meeting in Harrisburg with the joint permit. There is a two-week review until the application is formally accepted, then 130 days to review the permit and make sure it is technically complete. Advertising will be 2 weeks with a 30-day comment period at the end.

Dan noted that this is a very common process and rarely do permit applications go through DEP without problems. The modified design is still within the lease area and the County is still leasing the ground across the road even though we are not able to do anything with it right now. It is either wetlands or has archeological concerns. On the river side, the leasable property extends to the owner's leasable camp lots.

Lucas noted that the process is about 90% complete.

HOUSING SUMMIT

Bill noted that the Planning and Development Department is hosting a Housing Summit on October 29 from 8:30 am -12:30 pm. There were originally 55 invitees on the list, but it is currently at about 70 invitees. The proposed location for the meeting is the Annex, but it only holds 55 comfortably. An alternative is being reviewed at the Community Building. Many public agencies, housing developers, real estate agents, banks, major employers, as well as some other agencies outside of the area who deal with affordable housing as recommended by the Human Services office are on the invitation list. Information on the summit is to be released sometime next week.

Reminder that SEDA-COG will present the natural gas study next month.

Adjournment

The meeting adjourned at 4:20 p.m. upon a motion by Neal Shawver that was seconded by Michelle Bair