

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**OCTOBER 22, 2020**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM A – 3:30 P.M.**

**ATTENDANCE**

**Members**

Dan Dunmire  
Dave Pennebaker  
Tom Lake  
Neal Shawver  
Kay Semler  
Cyle Vogt  
Kent Spicher

**Other**

Daniel Firth

**Staff**

Mark Colussy, Director  
Paula Hoffman, Planning Clerk

**Call to Order**

Tom Lake, Chair, called the meeting to order at 3:32 p.m. via a hybrid in-person and teleconference meeting.

**Record of Public Attendance**

Paula Hoffman recorded public attendance, because the meeting was held both in-person and via teleconference.

**Approval of Meeting Minutes**

Neal Shawver made a motion to approve the minutes from the September meeting. The motion was seconded by Kay Semler. All members voted aye.

**Subdivision and Land Development Review Committee Report**

Three plans were submitted to the committee for review. Two from Bill Wright Land Surveying and one from AXIS Professional Surveying, LLC. All three plans are minor subdivision plans. Municipal plans include one plan in Decatur Township, one plan in Derry Township, and one plan in Menno Township.

**County Subdivision Plans**

No plans were submitted.

**Municipal Subdivision Plan**

All plans under municipal ordinance appear to be simple plans. There is one significant discussion point on the David and Nancy Steele plan. On this plan, the Derry Township and Decatur Township line goes right through the middle of this property which is unique. All the out buildings and the house sit in the Decatur Township and the poultry barn sits in Derry Township. This property is all taxed in Decatur Township but with this proposal, the poultry barn will be taxed in Derry Township and the house and out buildings will be taxed in Decatur Township. The poultry barn does not follow the guidelines for the Derry Township zoning ordinance but since Decatur Township does not have a zoning ordinance the surveyor was talking to the Derry Township about not being compliant with zoning ordinance.

The other two plans have no significant items for discussion.

Tom entertained a motion to accept the 3 plans under the Municipal Ordinance. A motion was made by Kay Semler and Cyle Vogt seconded the motion. All members voted aye.

### **Public Comment**

No public comments.

### **Juniata River Trail Phase II**

The feasibility study deeds the properties. Phase I of the river walk also known as The S.H. Rothermel Walking Trail due to funding received from the Rothermel Family. Phase I takes the trail from Victory Park where the boat launch is to near the concrete plant. Last year, the county secured a DCED GTRP Grant, which covered half the engineering and construction costs for Phase II. Granville Township does not want the trail so it was revised to end at the Lewistown Borough line near the Lowes' property. The trail includes a trailhead at the conclusion of State Street for a parking lot. The County just found out last Thursday, in order to get the balance for that project, DCNR did approve the C2P2 application for this particular phase of the project so we have 100 percent of the funds to move forward. As soon as we have that grant in hand, we will try to secure an engineering contract to go after a permit in order to go out and do this particular project.

We are optimistic that we will have the plans complete by the end of winter so we can start in the early spring of next year, but is permit dependent. The funding for this project is coming from private donations, business bureau, the County Act 13 funds, DCED funds and DCNR funds.

The Phase II of the trail will connect to the end of Phase I. The trail will follow the Juniata River and will dip down at the concrete plant since the line extends further south at the concrete plant and it will meander up the hill for a half mile extension. The total length of the trail is approximately 1 ¼ miles long.

Another feasibility study has been performed to connect all the parks in Lewistown. Essentially connecting Victory Park to Rec Park to Stone Arch Bridge and then another phase connecting Kish Park. This has a lot of hurdles to cross so it is currently off the table.

PennDOT will be putting a pedestrian crossing signal across Juniata Street at Valero Station in part of their government project resurfacing to make 4<sup>th</sup> Street better next year.

The second phase of the River Trail will be worked on next year.

### **Other Business**

CDBG Applications are due Wednesday. The CARES Act Funding is being completed with a possible second round of relief grants.

Center WISP has been approved to start working on the internet service. There are 5 areas being targeted for additional service. They will have dedicated and fixed wireless internet. The funds from the CARES Act were approved by the commissioner last week. This funding will help with new towers and product in those areas.

Mark to follow up on the startup of the red lights on Third Street and at Blaise Alexander on Ferguson Valley Road interchange.

### **Adjournment**

Tom Lake adjourned the meeting at 4:39 p.m.

## **Derry Township**

Name of Plan: Steele, David E. & Nancy J.  
Municipality: Derry Township (Municipal Ordinance)  
File Number: 2020-10-001  
Tax Map #: 15-03-100  
Applicant Name: Steele, David E. & Nancy J.  
Land Owner Name: Steele, David E. & Nancy J.  
Plan Preparer: AXIS Professional Surveying, LLC

Action Taken:  
The County provides comments only.

Plan Summary:  
The purpose of this plan is to subdivide proposed "Lot 1" From lands of David E. & Nancy J. Steele (TM# 15-03-100) for the purposes of creating a 30.19 acre agricultural lot of the existing poultry houses. The residual tract is to be maintained and used for residential and agricultural uses.

### Final Review Comments

#### Subdivision Information

Property boundary information should be shown for the entire property, including the residual property (See section 186-17.B(6) of the Derry Township Subdivision and Land Development Ordinance). If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. Two of the new boundary monuments (set iron pins) is given a tie-in to an existing monument on the residual tract.

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

#### Floodplain / Wetlands

General Note 5 on the plan appears incorrect. According to County GIS information, a portion of the residual property lies within the 100-year floodplain, and the floodplain should be delineated on the plan. Future development in this area should be discouraged. Note 8 on the plan appears to be incorrect, according to County GIS information, a portion of the residual tract lies within a designated wetland, and wetland information should be delineated on the plan. Future development in this area should be discouraged. The plan should note whether or not the site lies within a 100 year floodplain or designated wetland.

#### Topographic information

It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and development in these areas in the future should be discouraged. Topographical contours at vertical intervals should be displayed on the plan.

#### Soils

According to the County GIS files, some portion of this property appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. (MeB)  
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. (BrB)

#### Setback Lines

The setback lines are shown on the plan as prescribed in the Derry Township Zoning Ordinance. Right-of-Way Widths Lot 1 is proposed to be accessed via a proposed 50' Right of way. However, specific location information is

not shown on the plan. A more detailed location should be outlined. Cartway Widths The cartway width of the proposed access drive to Lot 1 should be shown on the plan. Private Street / Shared

#### Driveway

Considering that Lot 1 and the residual lot is proposed to use the same access drive, 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."

#### Street Names

If multiple parties are to use a private drive, the roadway will need to be named. Street names are to be coordinated with the County GIS (Mapping) Department. There is a fee associated with the street naming. It should be noted that the primary access to the home on the residual property will still be via another existing driveway directly off of Dry Valley Road, therefore a new 911 address for this property is not likely needed. Deed Restrictions and Easements According to the plan application, as well as Plan General Notes 2 and 12, there are no known deed restrictions or easements associated with the property.

#### DEP Sewage Planning Module

There is a non-building declaration on the plan. A copy of the DEP "Request for Planning Waiver and NonBuilding Declaration" form needs to be provided. Water Service The plan shows a well on the residual lot and two on Lot 1.

#### Zoning

The property lays within the Rural District of the Derry Township Zoning Ordinance. The land use proposed appears to NOT be in compliance with the permitted use within this district (See section 215-13.B(1) of the Derry Township Zoning Ordinance). \*According to the surveyor, the Zoning Officer has already acknowledged this land use as an existing nonconforming use.

#### Plan Recording and Execution

All signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Derry and Decatur Township Supervisors, the signed plan must be recorded in the office of the Mifflin County Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

#### Other Comments:

The subdivision proposes an awkward 250' strip of land between proposed Lot 1 and the abutting Walter property (T.M. 16-12-200). Why does Lot 1 not follow the existing boundary line and eliminate this strip? \*According to the surveyor, the layout is according to the owner's wishes.

### **Decatur Township**

Name of Plan: Ryan Ford Subdivision

Municipality: Decatur Township (Municipal Ordinance)

File Number: 2020-10-002

Tax Map #: 15-02-0104

Applicant Name: Ford, Ryan

Land Owner Name: Ford, Ryan

Plan Preparer: Wright Land Surveying

#### Action Taken:

The County provides comments only.

#### Plan Summary:

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

#### Final Review Comments

##### Subdivision Information

Property boundary information should be shown for the entire property, including the residual property (See section 603.2.A(5) of the Decatur Township Subdivision and Land Development Ordinance). The new boundary monument is at least tied to an existing residual tract monument on the plan. Full boundary information is typically provided for lots less than 10 acres.

##### Floodplain / Wetlands

Note 5 on the plan indicates there are no floodplains or wetlands on the property, which corresponds to County GIS records.

##### Topographic information

Suitability considerations should be made for if any additional development is proposed on the property in the future. It appears, according to County GIS information, that there are steep slopes (grades over 15%) on this site and development in these areas should be discouraged.

##### Soils

As mentioned in Note 2 on the plan and 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. (Ma)

##### Setback Lines

The setback lines are shown on the plan as prescribed in the Decatur Township Subdivision and Land Development Ordinance (Table 2).

##### PennDOT HOP / Municipal Driveway Permit

A PennDOT Highway Occupancy Permit (H.O.P.) is required as prescribed in the Municipalities Planning Code (Section 508 (6)). There is a note on the plan (Note 4) regarding access to S.R. 2002 and the need for a H.O.P. A copy of the permit should be provided to the Township to assure adequate access onto the proposed lot.

##### Deed Restrictions and Easements

According to the plan application and the Surveyor, there are no known deed restrictions or easements associated with the property.

##### DEP Sewage Planning Module

The plan is being done with a non-building waiver. Since Lot 2 is the size of a typical developed lot and future development will require to go through the Land Development and Sewage Planning Process.

##### Sewage Service

The plan shows back-up sewage testing on Lot 1.

##### Plan Recording and Execution

All signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Decatur Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the Supervisors null and void and the approval process will have to be re-initiated.

## **Menno Township**

Name of Plan: Allison, Scott D. Subdivision  
Municipality: Menno Township (Municipal Ordinance)  
File Number: 2020-10-003  
Tax Map #: 18-06-0121  
Applicant Name: Allison, Scott D.  
Land Owner Name: Allison, Scott D.  
Plan Preparer: Wright Land Surveying

Action Taken:  
The County provides comments only.

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 an existing residence with no new development proposed.

### Final Review Comments

Administrative  
The subdivision application form should be signed by the municipality.

Subdivision Information  
Property boundary information should be shown for the entire property, including the residual property (See section 6.302.a.5 of the Menno Township Subdivision and Land Development Ordinance). If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. The plan does show a distance and bearing tie-in to an existing boundary monument (Corner Post) on the residual lot to assist in tying a new description to the old description.

Clean & Green / Agriculture  
The property is in an Agricultural Security Area and should be noted on the plan. As noted on the plan (Note 7), 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 the residual property (Lot 1) appears to have prime farmland soils. Prime farmland soils are identified by the US Department of Agriculture as soils having the best combination of physical and chemical characteristics for producing food, feed, forage, fiber and oilseed crops. (BaB, HaB, HcB, MuB) As noted on the plan (Note 2), according to the County GIS files, some portion of the proposed property slated to be developed appears to have hydric soils (AnB). Hydric soils can indicate the presence of wetlands. Any time development is proposed in a hydric area, it is suggested that the owner contact the Conservation District for more information. A portion of the residual property also appears to have hydric soils (No, Pe).

Setback Lines  
The setback lines are shown on the plan as prescribed in the Menno Township Subdivision and Land Development Ordinance.

Deed Restrictions and Easements  
According to the plan application and/or surveyor, there are no known deed restrictions or easements associated with the property.

DEP Sewage Planning Module  
There is a residual tract waiver on the plan. A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Mifflin County Planning Commission.

**Sewage Service**

The soil percolation test pit data is shown on the plan for Lot 2.

**Water Service**

The plan shows a proposed well and 100' setback on Lot 2.

**Plan Recording and Execution**

All signatures will need to be executed upon approval of this plan. The owner/developer should be aware that, after any official approval of this proposal by the Menno Township Supervisors, the signed plan must be recorded in the office of the Mifflin county Recorder and Deeds within 90 days of the Township approval. Failure to record the plan within this time period will deem any previous approval by the supervisors null and void and the approval process will have to be re-initiated.