

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, NOVEMBER 17, 2011
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Susan Heimbach, Chair
Dan Dunmire, Vice Chair
Jim Spendiff
Brent Miller
Neal Shawver
Kent Spicher

Other

Rex Fink, Lewistown Borough
John Czerniakowski, TIU 11

Staff

Bill Gomes, Director
Mark Colussy, Associate Planner
Millie Sunderland, Office/Grants Manager

Call to Order

Susan Heimbach, Chair, called the meeting to order at 3:30 p.m.

Record of Public Attendance

Susan reminded everyone to sign the attendance sheet.

Approval of Meeting Minutes

Jim Spendiff made a motion to approve the minutes of October 27, 2011 meeting. Neal Shawver seconded the motion. All members voted aye.

Mifflin County Hazard Mitigation Plan - Annual Evaluation

Bill Gomes opened the annual evaluation with an overview of the Hazard Mitigation Plan. He briefly discussed the non-structural and structural mitigation measures in the plan. Bill went over the non-structural measures that were updated by Phil Lucas, Director of Public Safety. He then went over structural measures that were updated and added by the municipalities. He also discussed competitive funding rounds through PEMA now available to municipalities with projects already in the plan. Bill also brought up the special needs registry, which now has over 100 individuals who have entered into the program (compared to 4 registrants last year). The annual evaluation will be submitted to PEMA.

Subdivision and Land Development Review Committee Report

Dan Dunmire reported that the Subdivision and Land Development Review Committee reviewed four plans, all under municipal ordinances for which the Planning Commission provides recommendations to the municipalities: Jesse S. Hostetler plan in Armagh Township, Nancy Aumiller plan in Armagh Township, Giant Food Stores #6055-Fuel Facility plan in Derry Township and William V. & Carolyn F. Lundvall plan in Granville Township.

Mark Colussy reviewed the Giant Food Stores land development plan in Derry Township. The purpose of the plan is to construct a fuel facility at the site of the store. Mark went over the comments and recommendations. There was some concern about parking and travel through the parking lot, particularly the first entrance into the Giant Parking lot.

Dan Dunmire made a motion to approve the comments and recommendations of the Subdivision Review Committee for the municipal plans. Jim Spendiff seconded the motion. All members voted aye.

The Subdivision Review Committee Report:

Name of Plan: Hostetler, Jesse S.

File Number: 2011-11-002

Applicant Name: Hostetler, Jesse S.

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 and on-lot sewage disposal system. Access is along Stage Road which is being increased to a 40' right-of-way to Lot 1, the residual tract.

Action Taken: The County provides comments only.

Review Comments (List from Review Committee):

Municipality: Armagh Township (Municipal Ordinance

Tax Map #: 12-03-102A

Land Owner Name: Hostetler, Jesse S.

Basic Plan Information - A North arrow should be on the plan. (Armagh Township Subdivision and Land Development Ordinance, Section 6.302.a.2)

Clean & Green / Agriculture - As stated in Note 4 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.

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. (AoC, BrB, Ma) According to the County GIS files, some portion of this property appears to have prime farmland soils. (EdB)

Right-of Way Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way width of Stage Road is substandard (Table 1). Why is it being increased to 40' and not 50'? Does Stage Road have an existing right-of-way? If so, does it continue to the Reuben Hostetler property? The narrative references it is being increased to 40'. What is it currently? This should be noted on the plan.

Cartway Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the cartway width of Stage Road is substandard (Table1). A 14 foot cartway is not sufficient for two way vehicular traffic. This may need to be expanded prior to any further development, especially considering that there is a house shown proposed for Lot 2.

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.

DEP Sewage Planning Module - If septic testing has been done, a copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to Armagh Township. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form. There is a High Quality Stream traversing the property. If any future septic systems are to be installed, a Stream Study may be required. Considering that septic probe areas are indicated on the plan, this could be the case. The applicant should be aware of this information.

Sewage Service - The plan shows a privy on Lot 2. Has this already been installed? The plan should state if it is existing or proposed.

Name of Plan: Aumiller, Nancy

File Number: 2011-11-004

Applicant Name: Lukens, Chris

Plan Preparer: Roth Surveying Services

Action Taken: The County provides comments only.

Plan Summary: No Narrative provided.

Review Comments (List from Review Committee):

Basic Plan Information - A plan narrative should be placed on the plan and should be a brief description stating the purpose of the project. This could potentially be a summary of some of the information indicated in the plan notes.

Soils - Soil information is not on the plan. Since the plan involves a lot addition/merger, the applicant should request a waiver from the subdivision ordinance.

Right-of Way Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way width of Lilac Street is substandard (Table 1).

Cartway Widths - Based upon the Armagh Township Subdivision and Land Development Ordinance, the cartway width of Lilac Lane is substandard (Table 1). This lane is too narrow for two way traffic.

Private Street / Shared Driveway - All private drives (such as Lilac Lane) 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."

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.

Sewage and Water Service - Water and Sewage information should be provided for the Lukens property (T.M. 12-24-208A) similar to what is public Note 3 on the plan.

Lot Addition - The combined acreage of the Lukens property (T.M. 12-24-208A) and Lot 2 should be noted on the plan. Note 4 on the plan should be considered to be expanded to include language similar to the following lot addition statement: "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 - According to Aerial photography, there is a building on proposed Lot 2. Has this building been demolished?

Other Comments:

1. Lot served by both public water and sewer should have a minimum lot size of 0.25 acres. (See Table 2 of the Armagh Township Subdivision and Land Development Ordinance). The current proposal will leave the residual tract being substandard. The lot configuration should be reconsidered to meet this requirement, or a formal waiver request with a description as to why this can't be met should be submitted to the Armagh Township Supervisors.

2. It appears that Lilac Lane serves the Lunkins property. It does not appear there is an area provided to allow vehicles to park. Do vehicles currently park within the right-of-way? Will this proposal allow vehicles to park on Lot 2? If so, the right of way should be considered to be expanded to include access to the area of proposed Lot 2.

Name of Plan: Giant Food Stores #6055-Fuel Facility

Municipality: Derry Township (Municipal Ordinance)

Tax Map #: 16-04-0105G

Land Owner Name: Gumberg Associates, Mifflin County Commons

Plan Preparer: J. Michael Brill and Associates

File Number: 2011-11-001

Applicant Name: Giant Food Stores, LLC

Action Taken: The County provides comments only.

Plan Summary: Giant Food Stores, LLC (Giant) proposes to construct a four (4) pump double-sided retail fuel island facility at southeast corner of the existing parking field of the Giant Food Store @ Mifflin County Commons located along the northern R/W of Ferguson Valley Road (SR 4013) in Derry Township, Mifflin County, Pennsylvania. The 22 acres shopping center parcel is zoned General Commercial (GC) which requires a Conditional Use approval for a fueling facility use. The Derry Township Board of Supervisors granted the Conditional Use for the fueling facility at their meeting on October 17, 2011.

Review Comments (List from Review Committee):

Basic Plan Information - A plan narrative should be placed on the plan and should be a brief description stating the purpose of the project. This could be an abbreviated version of the separate narrative that was submitted.

Floodplain / Wetlands - General Note 12 on Sheet 3 appears to be incorrect. According to County GIS information, a small portion of the property lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future development in this area is discouraged. The note could potentially be modified to state that the project area is not in a floodplain. *The project engineer requested a copy of a map with the floodplain data on it and stated that he plans on putting the floodplain information on the revised plan. Accordingly, this should be on the revised plan.

Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Sections 403.2.K and 403.7 of the Derry Township Subdivision and Land Development Ordinance. *According to the project engineer, there are none known except for a water easement.

DEP Sewage Planning Module - If the project is to utilize public sewer, a DEP Component 3, or Exemption from Sewage Planning (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 the Derry Township Planning Commission.

Water Service - A letter from the municipal water authority acknowledging availability of public water should be submitted to the Derry Township Planning Commission. *A letter of intent to serve from the MABL dated 11/15/11 has been received.

Signature Blocks on Plan - A signature block should be on the plan acknowledging the review of the Derry Township Planning Commission, not their approval. The Mifflin County Review Certificate should be on the plan. If a copy of the certificate is required, one can be obtained from the Mifflin County Planning and Development Department. *A copy of the review certificate has been provided to the project engineer.

Land Development - The applicant should consult the local Fire Marshall to see if new fire hydrants will be required and included with the plan submission. There is a hydrant shown on Sheet 4, but it is not labeled. The average parking stall size should be dimensioned on the plan. Travel lane widths should be shown on the entire plan, including the area for truck deliveries. A Parking Study and a Trip Generation Analysis have been submitted along with the plans. The applicant should contact the Derry Township Engineer to confirm if this is sufficient or if any further study will need to be completed, such as a traffic impact study. *According to the Township Engineer, nothing additional will be required.

E & S / Stormwater - According to the project engineer, since no new impervious is being generated, a stormwater plan was not required by the Derry Township Engineer. It appears that over 5000 square feet of earth disturbance is to occur. This proposal may require Erosion and Sedimentation (E & S) provisions included with the plan submission. The applicant should contact the Mifflin County Conservation District. *According to an email from the Conservation District on 11/16/11, the E&S plans have been approved.

Other Comments:

1. On August 23, 2011, Bill Gomes submitted the following questions in regards to the preliminary submission of the refueling station that have not already been addressed:

-When will deliveries be made? *According to the project engineer, deliveries will be made in off-peak hours.

-Have the owners of the shopping center agreed to this proposal? *A letter dated 10/17/11 has been provided from the landowner stating that they authorize the proposal.

-The turning movements for the truck as laid out are difficult to confirm whether this proposal will work. Were the turning movements done with the Auto Turn program, which should show the tire path and corner of the vehicles and center line? *According to the project engineer, Auto Turn was utilized in the development of the proposal.

-Have you looked at the path to exit behind the center? As I mentioned there are turning concerns around K-Mart in terms of width and sight visibility issues. *Traffic mirrors have been proposed near the K-Mart, which should help with visibility. However, is adequate amount of traffic lane provided to allow the proposed truck maneuvers? Traffic lane widths should be provided in this area, as well as turning radii. Please respond to these issues in how they are being addressed.

2. On October 15, 2011, Bill Gomes shared the following comments with Derry Township and Jeff Snook: In our preliminary review, we had questions on the access and proposed parking. I believe some of the access questions are now being addressed by the applicant, but the parking issue is still there. The applicant went to the trouble of developing a detailed parking analysis by a professional traffic consultant. This analysis showed that the number of spaces that are currently used is well under what is needed to meet the demands of the shopping center now and well into the future. In other words, the proposed loss of approximately 54 spaces from the proposed gas station

would not affect the functionality of the shopping center. We thought the applicant had a case for a variance, but Giant Super Market through their consultant has decided to create other spaces around the center. Some of the spaces may work, but some are problematic. The one area we are most concerned about is the two proposed parking rows that would parallel the side of the Giant Grocery Store. If you look at the site plan you will see that a tanker truck must maneuver around the store to exit the area. The concern we have is to allow parking stalls on both sides of the travel lane in this area. There appears to be room for parking stalls on one side of the travel lane, but not on both sides. If the Board is agreeable to the parking configuration as proposed to accommodate the lost parking stalls due to the proposed gas station this is the one area where creating a parking reserve area for the future if needed makes more sense than having the applicant actually stripe this area. *According to the project engineer, specific plan notes will be added to the plan in reference to the reserve parking spaces. As far as not striping the other areas I would question how this meets the spirit of the zoning ordinance. Again, if the applicant is just creating parking spaces that may or may not be useable and they can prove that the loss of spaces will not negatively affect the shopping center then the best choice is for the applicant to request a zoning variance.

3. Alan Wrye conducted a preliminary review of the Refueling station and developed several questions that needed to be resolved. The questions were in a letter dated August 21, 2011. Revised plans and studies were then submitted and Mr. Wrye completed a revised review letter dated September 28, 2011. The most recent plan submission should be submitted to Mr. Wrye to verify no further comments are outstanding. If there are further comments, they should be addressed prior to approval of the plan. *A letter from the Township Engineer, dated 11/14/11, states no further issues remain.

4. Currently, the first entrance into the Giant Parking Lot does not line up with the travel lane around the parking lot. Based on knowledge of how the parking lot is currently utilized, cars travel through the striped parking stalls in the lot as opposed to the true circulation lanes that have been indicated on the plan. Could another configuration be considered since the proposed fueling station would add to conflicts with vehicle driving patterns? Would it be possible to re-align the travel lane with the entrance? The problem might also be solved by eliminating that first entrance into the parking lot all together and directing all traffic to enter from the direction of the Giant storefront. Another solution could be to change the entrance to one way traffic. Additional thought about overall vehicular movement throughout the site should be considered. *Based on a conversation at the Derry Township Planning Commission, the Project Engineer stated that the applicant's traffic engineer reviewed the opening and acknowledged that sight distance at the above mentioned entrance is 110 feet based on a 15 mph speed limit. The proposed refueling station will generate an additional car every two minutes. The applicant will consider adding additional speed limit signs and a caution sign alerting drivers to a driveway opening. Considering that there is already an issue with this driveway opening and the addition of vehicle trips due to the proposed development, the Planning Commission highly recommended that additional thought and measures be taken at this time to make the driveway opening safer. At an absolute minimum, the signage should be updated and Giant should monitor built conditions after the refueling station is built for safety issues. If there are added problems, Giant and/or the landowner should highly consider making safety changes at that time.

5. The plan lists the public road as Ferguson Valley Road. The road should be labeled West Freedom Avenue.

Name of Plan: Lundvall, Wm. V. & Carolyn F. Municipality: Granville Township (Municipal Ordinance)

File Number: 2011-11-003 Tax Map #: 17-02-107

Applicant Name: Lundvall, William V. & Carolyn F. Land Owner Name: Lundvall, William V. & Carolyn F.

Plan Preparer: Wright Land Surveying

Action Taken: The County provides comments only.

Plan Summary: This plan proposes to create Lots 2 and 3. Lot 2 is proposing a new single-family residence to be served by on-lot sewage disposal and private well. Lot 3 has an existing residence served by on-lot sewage disposal and private well. Lot 1, the residual tract, is to remain farmland and woodland with no development proposed at this time.

Review Comments (List from Review Committee):

Subdivision Information - Property boundary information should be shown for the entire property, including the residual property. If survey data is not available, this information could be supplied via the deed description and could be shown on the inset map. (Granville Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9, and 12)

Clean & Green / Agriculture - As stated in Note 7 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 property is in an Agricultural Security Area and should be noted on the plan.

Floodplain / Wetlands - As shown on the plan and according to County GIS information, the property lies within the 100-year floodplain. Future development in this area is discouraged.

Soils - According to the County GIS files, some portion of the residual 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)

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

Right-of Way Widths - Based upon the Granville Township Subdivision and Land Development Ordinance, the right-of-way width of Strodes Run Road is substandard (Table 1).

Cartway Widths - Based upon the Granville Township Subdivision and Land Development Ordinance, the cartway width of Strodes Run Road is substandard (Table 1).

PennDOT HOP / Municipal Driveway Permit - Note 3 on the plan references the need for a PennDot Highway Occupancy Permit (H.O.P.). Is access to Lot 2 to be off of Ferguson Valley Road? If it is to be off of Strodes Run Road, a driveway permit will be required. The proposed driveway should be shown 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 Granville 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 Granville Township Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form. There is a High Quality Stream on the property. A Stream Study may need to be conducted to get DEP approval.

Mark then discussed an extension request that was received for the Kish Bank land development in McVeytown Borough that was reviewed and given conditional approval in June. The extension was requested pending completion of the developer's agreement. Neal Shawver made a motion to approve a 90-day extension for this plan. Dan Dunmire seconded the motion. All members voted aye.

Public Comment

There was no public comment.

Other Business or Comments

Bill Gomes presented Millie Sunderland with a staff award for 10 years of service to the Planning and Development Department.

Bill reported that interviews for the consultant selection process for the Comprehensive Plan projects were held. The committee will meet to further discuss selection.

Bill mentioned that Jim Lettiere will provide a CDBG update at the next meeting.

Neal Shawver asked about the Chesapeake Bay strategy as it relates to treating the greens for golf courses. Dan Dunmire responded there has been talk in this area, but nothing has been done yet. He mentioned that Maryland has been talking about regulations on fertilizer in terms of regulating the manufacturers.

Bill asked for another volunteer from the Planning Commission to serve on the Comprehensive Plan Advisory Committee. Brent Miller volunteered to serve, and Dan Dunmire and Kent Spicher will also serve on the committee.

Adjournment

The meeting adjourned at 4:37 p.m. upon a motion by Brent Miller that was seconded by Jim Spendiff.

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