

**MINUTES**  
**MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING**  
**THURSDAY, NOVEMBER 20, 2014**  
**MIFFLIN COUNTY COURTHOUSE, MEETING ROOM A – 3:30 P.M.**

**ATTENDANCE**

**Members**

Michelle Bair  
Dan Dunmire  
Tom Lake  
Dave Pennebaker  
Kay Semler  
Neal Shawver  
Jim Spendiff  
Kent Spicher

**Staff**

Bill Gomes, Director  
Jim Lettiere, CD Administrator / Assistant Director  
Nicole Singer, Grant / Office Manager

**Others**

Dave Harmon  
William Conaway  
Lauren Kerstetter  
Lucas Parkes  
Jay Schreiberman

**Call to Order**

Dan Dunmire, Chair, called the meeting to order at 3:30.

**Record of Public Attendance**

Dan reminded everyone to sign the attendance sheet.

**Approval of Meeting Minutes**

Jim Spendiff made a motion to accept the minutes from October's meeting. The motion was seconded by Kay Semler. All members voted aye.

**DCNR – Recreation and Park Adviser**

Jay Schreiberman of the Department of Conservation and Natural Resources (DCNR) was in attendance to address the Planning Commission and members of the townships and boroughs in the audience of the grant opportunities through DCNR. He started his presentation with updates on successful applicants in Mifflin County with the help of a grant from DCNR including the proposed boat launch in McVeytown and the walking trail in Brown Township. As part of his presentation he discussed the various grant programs available through DCNR and the 2015 funding priorities through the Community Conservation Partnerships Program (C2P2). All their programs require cash or in kind match. Jay ended his presentation providing information on the 2015 timeline for programs which opens in January with an April 16, 2015 deadline.

**Subdivision and Land Development Review Committee Report**

Jim Lettiere stated the Subdivision and Land Development Review Committee reviewed five (5) applications on November 13, 2014. Four of the applications were under Municipal Ordinance and one was under County Ordinance. Municipal ordinance included Scott and Laure Girard (*Decatur Township*), Nathan and Heather Brought (*Derry Township*), Carolyn A. Miller (*Union Township*) and Christian T. Aumiller (*Armagh Township*). The county ordinance was Donald and Sarah White (*Wayne Township*). Jim reviewed one plan with the Planning Commission.

The plan that was reviewed was the Carolyn A. Miller plan for a construction of a new poultry barn with an associated egg room and a composting facility. Many of the preliminary review comments were addressed by the representative of Red Barn Consulting including plan narrative, right-of-way and cartway information. Some questions that remained included the use of a gravel right-of-way at the southwest corner of the property, no traffic circulation diagram and the need for a review of the stormwater plan by the township engineer.

There was no further discussion of the plan.

Dan asked for a motion to accept the review comments for four plans under municipal ordinance. A motion was made by Neal Shawver and seconded by Kent Spicher. All members voted aye with one abstention. Michelle Bair abstained from the Nathan and Heather Brought plan submitted by Landon and Maria Laub due to personal reasons.

Dan next requested a motion for conditional approval for the one plan under the county ordinance. A motion was made by Jim Spendiff and seconded by Neal Shawver. All members voted aye.

### **Subdivision and Land Development Municipal Reports**

#### ***Armagh Township***

Name of Plan: Christian T. Aumiller  
File Number: 2014-11-005  
Tax Map #: 12,10-0109  
Municipality: Armagh Township  
Plan Preparer: Taptich Engineering and Surveying  
Land Owner Name: Aumiller, Christian T.  
Applicant Name: Aumiller, Christian T.

#### **Plan Summary:**

This project involves the subdivision of two (2) lots from the lands of Christian T. and Sara J. Aumiller. Lot#2A is intended to be a non-building lot addition to the adjacent lands of Christian T. and Sara J. Aumiller (TM 12-10-0109). Lot #2B is intended to be a non-building lot addition to the adjacent lands of John E. and Wanda C. McCullough (TM 12-10-0109A). Access to Lot #2B will be via the existing 50' Ingress, Egress, Regress and Utility Easement off of Lower Creek Road. The Residue is presently vacant; however it is intended to be a stand alone lot that will be served with an on-lot water source as well as an on-lot sewage disposal system. Access to the Residue will be via the existing 50' Ingress, Egress, Regress and Utility Easement off of Lower Creek Road. These lands were previously subdivided and reviewed by the Mifflin County Planning Commission on November 21, 2013. The plan was recorded on June 5, 2014 Plat Book 2014 Page 2231. This was for the subdivision of three (3) lots. Lots 1 and 2 were proposed to be single-family homes served by on lot sewer and private wells.

#### **Basic Plan Information**

The tax parcel number for the John and Wanda McCullough property is missing the zero digit before the last three numbers.

#### **Administrative**

The subdivision application form should be signed by the municipality.

#### **Subdivision Information**

Tract number 2 identified as tax map parcel 12,-10-0109 appears to be tied to the John and Wanda McCullough property, tax parcel number 12,10-0109A. This should be clearer, since the subdivision does not involve a lot addition of tract number 2 to the John and Wanda McCullough parcel. Tract 2 is not contiguous with the residue of the Christian and Sara Aumiller property tax parcel number 12,10-0109.

#### **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.

#### **Right-of Way Widths**

Where private streets are provided they should meet all of the design and improvements of Tables 1 and 3, Armagh Township Subdivision and Land Development Ordinance (Article 3 Section 3.204 e.).

Based upon the Armagh Township Subdivision and Land Development Ordinance, the right-of-way of Lucky Hunter Lane should be shown on the plan (Article 6 Section 6.202 2. 10.).

It is acknowledged in note 12. that Lucky Hunter Lane's right-of-way is undefined.

#### **Cartway Widths**

Where private streets are provided they should meet all of the design and improvements of Tables 1 and 3, Armagh Township Subdivision and Land Development Ordinance (Article 3 Section 3.204 e.).

#### **Private Street / Shared Driveway**

This plan appears to be creating a shared driveway almost 2,500 feet long for two properties. The normal arrangement for a shared driveway is two lots. Lucky Hunter Lane appears to be substandard, since the travel i.e., the cartway width is twelve (12) feet. Is there assurance that two way traffic can be served by this road and that emergency vehicles can access this lane? The plan appears to show two (2) proposed houses as a result of this subdivision. If so, there should be some assurance to the Township that the private driveway is improved to meet the provisions of the Armagh Township Subdivision and Land Development Ordinance (Article 3, Section 3.204 e.).

**DEP Sewage Planning Module**

As noted in general note 17. all sewage facilities planning has been previously approved as part of the aforementioned subdivision (Instrument 2014-2231).

**Other Comments:**

1. Note number 11. appears to provide a shared driveway agreement for the residue, lots 2A and 2B, but what about former lot number 1, which should be tied to this arrangement.
2. Note number fourteen (14) states no further subdivision of these lots will be permitted.

***Derry Township***

Name of Plan: Brought, Nathan & Heather  
File Number: 2014-11-002  
Tax Map #: 16,08-0104A/16,08-0104B  
Municipality: Derry Township (Municipal Ordinance)  
Plan Preparer: Sarge Engineering and Surveying  
Land Owner Name: Brought, Nathan & Heather  
Applicant Name: Laub, Landon A. & Maria

**Plan Summary:**

The purpose of this plan is to create Lot 2, of 1.000 acres, for existing single-family residential use. Lot 1 with the addition of Lot A contains 10.000 acres and will remain in Agricultural use.

**Clean & Green / Agriculture**

The property is in an Agricultural Security Area and should be noted on the plan.  
\*The Sarge surveying representative provided revised plans on November 13, 2014 that include this statement as 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 this property appears to have prime farmland soils.

**Setback Lines**

The setback lines should be shown on the plan as prescribed in the Derry Township Subdivision and Land Development Ordinance (Section 403.2K).  
\*The Sarge surveying representative provided revised plans on November 13, 2014 that include the setback distances.

**Right-of Way Widths**

Based upon the Derry Township Subdivision and Land Development Ordinance, the right-of-way width Dry Valley Road is substandard (Section 504.2).

**Cartway Widths**

Based upon the Derry Township Subdivision and Land Development Ordinance, the cartway width for Dry Valley Road is substandard (Section 504.2 ).

**Deed Restrictions and Easements**

According to the surveyor, there are no known deed restrictions or easements associated with the property. However, the plan does mention a sewer easement.

**DEP Sewage Planning Module**

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

**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 parent and recipient lots will still meet the Subdivision and Land Development Ordinance requirements. Property boundary information should be shown for the entire property. Currently, no boundary information is provided for TM. 16-08-0104A. If survey data is not available, this information could be supplied via the deed description and could be shown on an inset map. (Derry Township Subdivision and Land Development Ordinance Sections 403.2F and N )

\*The Sarge surveying representative stated he does not wish to place a reference to the deed for the residue because of concerns that others may use this as a legal description.

**Other Comments:**

1. The Agriculture Zone provides for farm dwellings as an allowed use under the Township Zoning Ordinance.
2. Section 201.3 provides for single family detached non-farm dwellings as a conditional use. By creating Lot 2 with one acre for a residence is the applicant now triggering the

***Decatur Township***

Name of Plan: Girard, Scott L. & Laura J.  
 File Number: 2014-11-003  
 Tax Map #: 15-01-0107AA/15-01-0107LA  
 Municipality: Decatur Township (Municipal Ordinance)  
 Plan Preparer: Sarge Engineering and Surveying  
 Land Owner Name: Girard, Scott L. & Laura J.  
 Applicant Name: Girard, Scott L. & Laura J.

**Plan Summary:**

The purpose of this plan is to create Lot 2, of 1.000 acres, for single-family residential use, from the land of Scott L. and Laura J. Girard, Tax Parcel 15-01-0107AA.

**Clean & Green / Agriculture**

Lot 1 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 / Wetlands**

As noted in Note 2. and according to County GIS information, the property lies within a designated wetland. Future development in this area should be discouraged.

**Soils**

Soils information should be shown on the plan since on-lot sewage is proposed. Decatur Township Subdivision and Land Development Ordinance, (Part 6 § - 602.2.A.(8)).

\*The Sarge surveying representative provided revised plans on November 13. 2014 that include this information.

**Cartway Widths**

Based upon the Decatur Township Subdivision and Land Development Ordinance, the cartway width of Yoder Lane is substandard (Table 1).

**Deed Restrictions and Easements**

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 Decatur Township Planning Commission.

**Other Comments:**

1. A reference to the Pennsylvania Code § 73.13 should be noted under the provisions for the minimum isolation distances for sewage disposal and for the absorption area.

\*The Sarge surveying representative provided revised plans on November 13. 2014 that include this reference.

2. Note number 7. should be more specific as to what lots are linked to the shared driveway agreement.

\*The Sarge surveying representative provided revise

### ***Union Township***

Name of Plan: Miller, A. Carolyn Poultry Operation  
File Number: 2014-11-001  
Tax Map #: 20-05-0121  
Municipality: Union Township (Municipal Ordinance)  
Plan Preparer: Red Barn Consulting, Inc.  
Land Owner Name: Miller, A. Carolyn (Carrie)  
Applicant Name: Miller, A. Carolyn (Carrie)

#### **Plan Summary:**

The purpose of this project is to construct a new poultry barn (42'x600') with an associated egg room (42'x24'), and a composting facility (40'x20'). Additional improvements consist of gravel driveways and turn around areas and stormwater management controls.

#### **Basic Plan Information**

A plan narrative should be placed on the plan and should be a brief description stating the purpose of the project. Union Township Subdivision and Land Development Ordinance, (Article IV Section 401.1.).

The name of the registered surveyor and/or Engineer responsible for the plan should be on the plan, including an appropriate registered professional's seal. Union Township Subdivision and Land Development Ordinance (Article IV Section 403.1.e.)

\*The Red Barn representative indicated they generally do not sign and seal their plans until after the plans have been approved. This will be completed after municipal approval and prior to recordation.

#### **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.

#### **Floodplain / Wetlands**

According to County GIS information, the property lies within a designated wetland, as acknowledged on Sheet 102. Future development in this area should be discouraged.

Although there is a Floodplain Information Note, it is not clear whether or not the site lies within a 100 year floodplain or designated wetland. Union Township Subdivision and Land Development Ordinance (Article IV Section 402.1.e.).

\*The Red Barn representative stated he will place a note on the plan that the site is not within the 100 year floodplain.

#### **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 prime farmland 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.

#### **Setback Lines**

The setback provisions contained on Sheet No. 101 are not in accordance with the zoning setbacks of the Residential Agriculture District. Are these setback provisions from another code?

\*The Red Barn representative indicated the revised plans provided on November 13, 2014 indicate the correct zoning setbacks and that the two-hundred (200) foot setback is the nutrient management setback from the property line for the manure storage building.

#### **Right-of Way Widths**

What is the right-of-way width for the private drive that intersects East Back Mountain Road (SR-4006). Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.a.).

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

There appears to be an existing right-of-way from the southeast corner of the property that connects to East Back Mountain Road (SR-4006) and connects to the Wilmer and Miriam Zook property. The right-of-way width should be shown. Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.a.).

### **Cartway Widths**

What is the cartway width for the private drive that intersects East Back Mountain Road (SR-4006). Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.a.).

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

There appears to be an existing drive north of the Dwight and Nancy Yoder property. The cartway width should be shown. Union Township Subdivision and Land Development Ordinance (Article IV Section 402.2.a.).

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

### **PennDOT HOP / Municipal Driveway Permit**

Is there an existing Highway Occupancy Permit (HOP) for access to this land from East Back Mountain Road State Route (SR-4006)? If so, a notation should be noted on the plan.

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

### **DEP Sewage Planning Module**

Since this project does not propose any type of sewage treatment and disposal system, are there any procedures that must be followed relative to the DEP Sewage Planning Module Process? Will an outhouse or outhouses be placed on the property?

\*The Red barn representative and the property owner indicated that a porto-poti is located on the property.

### **Signature Blocks on Plan**

A signature block should be on the plan acknowledging the review of for the municipal Planning Commission.

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

The Mifflin County Review Certificate is not worded accurately. A copy of the certificate can be obtained from the Mifflin County Planning and Development Department.

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

A signature block should be on the plan acknowledging the approval of the municipality.

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

### **Zoning**

The zoning is Residential Agriculture not Agriculture as noted on Sheet 101.

\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.

### **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.

\*The Red Barn representative stated the fire company would utilize the pond water on the Miller residence property for fire suppression.

Parking provisions if any should be indicated on the plan.

A traffic circulation diagram should be included with this plan submission to verify adequate site circulation.

### **E & S / Stormwater**

As noted on Sheet 101, an NPDES and Erosion and Sedimentation Control Plan has been submitted to the Mifflin County Conservation District. What is the status of these?

\*The Red Barn representative indicated both plans have been approved by the Conservation District and are under technical review by the PA-DEP.

There should be a stormwater management plan provided with this plan and reviewed by the Township Engineer to insure it meets the Township's stormwater requirements.

\*The Red Barn representative stated Daniel Taptich, the Township's Engineer is currently reviewing the plans and the stormwater plans are located on pages 203 and 204 of the revised plans provided on November 13, 2014.

### **Other Comments:**

1. There appears to be a gravel driveway southwest of the poultry barn. Does this connect to a private right-of-way and will this be a shared right-of-way? It is not clear how the traffic circulation of the private right-of-ways interface with this project. The plan should clearly show access routes from East Back Mountain Road to and around the project site.

\* The Red Barn representative stated there is a shared driveway agreement within the deed and he will make reference to this on the plan.

2. Will there be any free standing light fixtures or lighting that is to be attached to the buildings?  
\*The revised plans provided on November 13, 2014 by the Red Barn representative provides this information.
3. If there is a proposed dumpster, it's location should be on the plan.  
\*The Red Barn representative stated no.
4. Will this facility be used as a wholesale or retail business? If it has a retail component, then Union Township Subdivision and Land Development Ordinance (Article 111 Section 300.C.) is applicable.  
\*The Red Barn representative stated no
5. Will there be signage as part of this land development plan? If so, this should be shown in the plan and the Union Township Subdivision and Land Development Ordinance (Article IV) is applicable.  
\*The Red Barn representative stated no
6. On lot water and sewer service provisions should be shown for the existing Miller dwelling.

### ***Wayne Township***

Name of Plan: White, Donald R. & Sarah K.  
 File Number: 2014-11-004  
 Tax Map #: 21-07-0124C  
 Municipality: Wayne Township (County Ordinance)  
 Plan Preparer: Wright Land Surveying  
 Land Owner Name: White, Donald R. & Sarah K.  
 Applicant Name: White, Donald R. & Sarah K.

#### **Plan Summary:**

This plan proposes to create Lot Addition A. No new development is proposed.

#### **Administrative**

The narrative should be more explicit than what is provided.

\*The Wright surveying representative stated he will add additional language to the narrative.

#### **Subdivision Information**

The metes and bounds of the residual tract are missing the bearing and distances of lines 6 and 7.

\*The Wright surveying representative stated the bearing and distances are correct, but the reference to lines 6 and 7 are not accurate on the plan and he will make this change.

#### **Floodplain / Wetlands**

According to County GIS information, a small portion of the residual lies within the 100-year floodplain, and the flood plain should be delineated on the plan. Future development in this area should be discouraged.

#### **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.

#### **Right-of Way Widths**

Based upon the Mifflin County Subdivision and Land Development Ordinance, the right-of-way width of Ferguson Valley Road is substandard (Section 4.204.F).

#### **Cartway Widths**

Based upon the Mifflin County Subdivision and Land Development Ordinance, the cartway width of Ferguson Valley Road is 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 Sections 7.302.A.6 and 7.302.B.7 of the Mifflin County Subdivision and Land Development Ordinance.

\*The Wright surveying representative indicated there are no deed restrictions or easements.

#### **DEP Sewage Planning Module**

In accordance with DEP's Request for Planning Waiver and Non-Building Declaration, neither this declaration nor a Sewage Facilities Planning Module is required to be submitted for a side lot addition when a local ordinance requires such a side lot addition to be legally merged into the tract to which it is being added and any future proposal to subdivide any portion of the merged tracts to be in accordance with the provision of the Municipalities Planning Code (53 P.S.A. sub section 10101 et seq.).

**Other Comments:**

What is the purpose of adding the additional 0.191 acres to the church property?

\*The Wright surveying representative stated the additional

**Public Comment**

None

**Other Business**

Jim made the Planning Commission aware of a gentleman who came in to speak with him about developing a campground in Decatur Township. The campground would feature cabins in the trees and an ATV trail. Neal asked about funding. Jim said he did not have all the details.

Jim also informed the Planning Commission that Bill and he met with the WODA group who is proposing to convert the former Buchanan School into 50 affordable rental units.

Bill addressed the Kish Railroad right-of-way trail survey and letter that was sent out after the October Planning Commission meeting. Bill presented each member a packet showing the property owners who had responded, a map showing the locations of responders, and a memo prepared by Tyler Gum of the Planning Commission who reviewed each survey response. The results of the returned surveys indicated 17 no, 2 maybe and 1 yes.

Kay commented that the surveys show this trail is not one that we should continue to try and develop and maybe we should look at a different one. She supported sending a letter to the land owners letting them know of the results of the surveys.

Jay Schreibman, from DCNR, commented that just because there were many negative responses, that there is a need for trails like this in the area and that funding is available to consider in the future.

Bill had drafted a letter for the Planning Commission to send out to the residents explaining the outcome. Bill read the letter out loud to the Planning Commission.

Kay Semler then made a motion to mail the letter to those who received the survey. The motion was seconded by Thomas Lake and the Planning Commission Members voted aye.

**Adjournment**

The meeting adjourned at 5:00 p.m. upon a motion by Dave Pennebaker that was seconded by Jim Spendiff.