

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, DECEMBER 18, 2008
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Jim Spendiff, Chairman
Dan Dunmire
John Pannizzo
Don Kauffman
Christian Aumiller
Brent Miller

Staff

Bill Gomes, Director
Doug Marks, Housing Rehabilitation Specialist
Mark Colussy, Associate Planner
Jodie Barger, Community Development Bookkeeper

Item #1 – Call to Order

Jim Spendiff, Chairman, called the meeting to order at 3:30 p.m.

Item #2 – Record of Public Attendance

Jim reminded everyone to sign the attendance sheet.

Item #3 – Community Development Block Grant FFY 2009 Public Hearing

Jim turned the meeting over to Doug Marks to conduct the FFY 2009 CDBG public hearing. The public hearing minutes are separate from the regular meeting minutes. When the public hearing concluded at 4:32 p.m., the Planning Commission's regular meeting was reconvened.

Item #4 – Approval of Meeting Minutes

John Pannizzo made a motion to approve the minutes of the meeting of November 20, 2008. Don Kauffman seconded the motion. All members voted aye.

Item #5 – Subdivision and Land Development Committee Report

Mark Colussy presented the Subdivision and Land Development Review Committee's report. There were two plans under municipal ordinances for which the Planning Commission provides recommendations only. The Subdivision Review Committee recommended approval of the comments and recommendations for the following plans: Mabel I. Weaver Estate subdivision in Oliver Township and Derry Heights Phase I final plan in Derry Township.

Mark first discussed the Mabel I. Weaver Estate subdivision in Oliver Township. He went over some of the comments and recommendations in the report.

The Derry Heights Phase I final plan in Derry Township was also discussed. The Derry Township Engineer submitted comments that need to be addressed. The December 11 update did not fully address the comments from the committee meeting of December 11. Items mentioned during the discussion include soils, municipal driveway permits, street names, water and sewer service, plan narrative, unclear light standards, site location map, required utility sheet, updated cul-de-sac information, sidewalk variances, ADA parking spaces, demo plan and the NPDES permit. An additional comment was added concerning the final plan with revisions and response to comments being in writing to the Planning Commission.

John Pannizzo made a motion to approve the comments and recommendations for the plans under municipal ordinances as presented and discussed. Brent Miller seconded the motion. All members voted aye.

The Subdivision Review Committee report:

Name of Plan: Derry Heights Phase 1

File Number: 2008-08-007

Tax Map #: 16-01-113A

Municipality: Derry Township

Plan Preparer: Tri-Tech/Wagner Engineering & Surveying

Land Owner Name: Burnham Properties LP

Applicant Name: Burnham Properties LP

Action Taken: The County provides comments only.

Plan Summary: *Phase 1A and 1B were combined into one phase.

Narrative - This project is proposing a 5 story, 120 room Hampton Inn and Suites motel and also a 10,000 square foot Damon's Restaurant on the 8.02 acre tract of land. The tract is called the Row Tract of Land. An 8 plex movie theater is proposed for the adjoining tract, called the Northern Tract, a 57.377 acre tract. The proposed Facilities will have access from Ferguson Valley Road at two proposed locations. The site is located at 13153 Ferguson Valley Road, the Rowe Tract is currently zoned as General Commercial. There is an existing vacant residence on the tract which will be demolished. The Northern Tract is currently zoned Light Industrial. It is a vacant tract of land. The site will be served with public water and sewer.

Final Review Comments: Final Review Comments are based on the Final Land Development plans dated November 12, 2008. The original review comments are based upon two sets of revisions of the original plans dated August 28, 2008. The two revisions were on September 22, 2008 and September 2, 2008. Note that comments that state that the according to the surveyor, a particular issue will be addressed was based upon statements in the Subdivision Review Committee Meeting on December 11, 2008. These issues are considered to still be outstanding until a final set of plans is submitted with these corrections. An updated set of plans dated December 11, 2008 was submitted but it does not appear the vast majority of the comments were addressed. The county is still waiting on a final set of plans to be submitted with the comments addressed. The Mifflin County Planning Commission requests that the applicant respond in writing that the comments have been specifically addressed and be given the opportunity to review the final revision of the plan.

Soils - No soil information is on the plan. According to the County GIS files, some portion of this property appears to have hydric soils. The hydric soils information should be shown on the plan and could affect the overall development layout. *Soil information is now shown but hydric soil information is still not delineated. Additionally, wetland information on the Riden property should be shown on the plan. **A hydric soil note was added to the soils legend on the September 22, 2008 plans. ***On the Final plan, the soils legend on Sheet 3 is recommended to be moved to a different location on the plan so it is easier to read.

Setback Lines - The specific setbacks should be listed on the plan (See section 403.2.K of the Derry Township Subdivision and Land Development Ordinance). Can the proposal meet the Access Drive requirements under Sections 311 of the Township Zoning Ordinance since there are setback requirements here as well? *This provision needs to be clarified by the Township Zoning Officer. **This provision was clarified by the Township Zoning Officer.

Right-of Way Widths - It is not clear whether or not the proposal meets the Township right-of-way provisions for Ferguson Valley Road or the private road. Will the private drive become a public road? If not, a private right-of-way agreement concerning access and maintenance should be in place. (See Section 402.2K of the Derry Township Subdivision and Land Development Ordinance.) *The right-of-way provisions for both roads are now clearly shown. However, whether the private road will remain private needs to be confirmed as well as a provision for a private right-of-way agreement.

Cartway Widths - It is not clear whether or not the proposal meets the Township's cartway requirements for Ferguson Valley Road or the private road. (See Section 402.2K of the Derry Township Subdivision and Land Development Ordinance.) *This was corrected on the September 2 revised plan.

Municipal Driveway Permit - A municipal driveway permit is required in Derry Township for access onto municipal roads, and a copy should be provided to the Derry Township Planning Commission. *This has been noted on the September 2 revised plan. A permit is supposed to be under review for access onto Ferguson Valley Road. **The Final plans make no reference as to if a permit has been issued. Has the permit request been reviewed to date? ***According to the surveyor, the driveway permits have been issued and the permit information will be added to the plans.

Street Names - Since more than one business will use this entrance, a street name is required. Street names are to be coordinated with the County GIS (Mapping) Department. There is a fee associated with the street naming. *A street name has been applied for, but has not been noted on the plan. **According to the surveyor, the street names will be added to the final plan upon approval. ***The Final plans do not list the road names of the proposed private drive. According to the Mifflin County GIS Department, the road names that have been applied for have been granted, thus the names should be on the plan. ****According to the surveyor, street names will be added to the plans.

Deed Restrictions and Easements - Deed restrictions and easements associated with the property, if any, should be provided in accordance with Section 402.2L of the Derry Township Subdivision and Land Development Ordinance.

**According to the surveyor, there are no deed restrictions on this property.*

*DEP Sewage Planning Module - A copy of the DEP Public Sewage Mailer should be provided. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form. *A copy of the mailer has been provided.*

*Sewage Service - A letter from the municipality acknowledging availability of public sewer should be submitted to the Mifflin County and Derry Township Planning Commissions. *A letter has been provided. Sewage service and provider information should be noted on the plan. *According to the surveyor, this information will be added to the plan.*

*Water Service - A letter from the municipal water authority acknowledging availability of public water should be submitted to the Mifflin County and Derry Township Planning Commissions. *A letter has been provided. Water service and provider information should be noted on the plan. *According to the surveyor, this information will be added to the plan.*

Signature Blocks on Plan - A signature block should be on the plan for the Mifflin County Planning Commission.

**This was corrected on the September 2 revised plan.*

Other Comments:

*1. A motel is allowed under the conditional use provisions of the Derry Township Zoning Ordinance. This has not been approved by the Township and needs to be approved prior to final plan approval. *A conditional hearing has been held and should be noted on the plan. Also a note that a variance is needed to meet Section 432.5 of the Zoning Ordinance should be on the plan. **A note has been added to the September 22, 2008 plans to address this issue. 2. The proposed height according to the surveyor is 5 stories, which is taller than the height restrictions in the Derry Township Ordinance. The current height provisions call for 35 feet. This too needs to be resolved before final plan approval. *Plan proposal will require a variance and this needs to be stated on the plan. **A note has been added to the September 22, 2008 plans to address this point.*

*2. The proposed height according to the surveyor is 5 stories, which is taller than the height restrictions in the Derry Township Ordinance. The current height provisions call for 35 feet. This too needs to be resolved before final plan approval. *Plan proposal will require a variance and this needs to be stated on the plan. **A note has been added to the September 22, 2008 plans to address this point.*

*3. A separate sheet labeled 3 of 4 was submitted on August 14, 2008, providing an overview of the tax parcel 16-01-113A and its connection with tax parcel 16-04-105. There is already a sheet 3 of 4 with the Land Development Plan on it. If both plan sheets are to be part of the plan submittal, then the sheet numbering should be corrected. Since two tracts are involved, has there been any consideration of a lot consolidation? *This has been addressed with the September 2 revised plan.*

*4. The front sheet has an index, but individual sheets are not labeled to correspond with the index. This needs to be addressed. *This has been addressed with the September 2 revised plan.*

*5. Sheet 2 of 4, Existing Conditions, shows an existing recreation area and a house. Sheet 3, Land Development Plan, shows the recreation area is still present on the plan, which lies in the middle of the proposed right-of-way and a note that the existing structure is to be removed. What is being removed is not clearly shown on the plan. *The structure removal has been noted on the plan, but not the recreation area. **This has been corrected on the September 22, 2008 plans.*

*6. The existing abutters are not all listed on the plan. (See Section 402.2.o of the Township Subdivision and Land Development Ordinance.) *This has been addressed with the September 2 revised plan.*

7. The proposed right-of-way does not align with the existing road on the other side of Ferguson Valley Road. This should be corrected. Also, the road across Ferguson Valley Road, Reserve Lane, should be labeled on the plan.

**This has been addressed with the September 2 revised plan.*

*8. The plan has no narrative explaining what is proposed. This would be helpful particularly since this plan and the proposal involving a movie theatre on the adjoining property are inter-linked. *This has been addressed with the September 2 revised plan. **Based upon the comments by the Township Engineer, the plan narrative will be updated. ***The Final plans should update the project narrative to supply additional information on the project. Please consult the Township Engineer for additional information. ****According to the surveyor, the Township Engineer will be consulted to update the plan narrative.*

*9. Section 402.2.D of the Township Subdivision and Land Development Ordinance requires that the owner of the property be listed on the plan. *This has been addressed with the September 2 revised plan.*

*10. There are no provisions shown for exterior lighting both in terms of street lights and parking lot lighting. (See Section 312.3D of the Township Zoning Ordinance.) *There is now a lighting plan, but the plan and legend are not clear as to street lighting versus parking lighting. **On the Final set of plans, the lighting plan's symbols for the various proposed light fixtures are too small to see effectively. It is recommended that the symbols be increased in size. ***According to the surveyor, different symbols will be added to the plans that will distinguish between the different types of lights and increase the size of the symbols.*

11. The plan does not include a site location map as required under Section 402.2.P of the Derry Township Subdivision and Land Development Ordinance. *This has been addressed with the September 2 revised plan. **The location map will be updated by the surveyor to make it clear. ***The location map on the Final plans is inadequate as it does not show enough support information. Additionally, the location map should not be shown at "NTS" (Not to Scale) and should instead be at a scale of 400 feet to the inch. (Derry Township Subdivision and Land Development Ordinance, Section 402.2.P) ****According to the surveyor, a new location map at an appropriate scale will be added to the plan.
12. If there are man made features including electric power and gas lines, they should be shown as provided in Section 402.2J of the Derry Township Subdivision and Land Development Ordinance (SALDO). *Some features are shown but not all. A separate utility sheet including water and sewer lines would be helpful. **According to the surveyor, there are no gas lines on the tract and that a utility sheet will be provided with the final set of plans. ***The Final set of plans includes a sanitary sewer plan, but does not provide a utility sheet. ****According to the surveyor, a utility plan will be added to the set of plans.
13. If there are any existing or proposed fire hydrants to serve this tract they should be shown on the plan. (See Section 402.2J of Derry Township SALDO). *Fire hydrants are now shown but the plan symbol in the legend does not meet what is on the plan. **This has been corrected on the September 22, 2008 plans.
14. Will the proposal meet the street design standards under Section 504 of the Derry Township SALDO? This includes: right-of-way and cartway width, provisions for a cul-de-sac or turnaround area, street alignment at the intersection, street grades information and pavement design. There are also no road profile information provided, which needs to be reviewed by the Township Engineer. Further, does the proposal meet the lot grading provisions under Section 507 of the Township SALDO? *Right-of-way and cartway widths are shown but the other information including a cul-de-sac, street grades, and road profile information are not present. **According to the surveyor, this additional road information will be added to the final set of plans. ***The Final set of plans includes road profile information, yet the plans are dated September 5, 2008. Are these the most updated set of plans? Also, see comment number 29 concerning the cul-de-sac. ****According to the surveyor, the plans are the most updated plans, but the date was not changed. This will be corrected.
15. There are no stormwater management provisions at this time. This information needs to be provided and reviewed by the Township Engineer. This tract falls under the Kish Creek Stormwater Management Ordinance. *A plan was submitted to the Township Engineer and under review. The September 2 revised plan does show basins but no information on size or dimensions and if fencing around them will be included. **Volume size information for the stormwater basins has been added to the September 22, 2008 plans and the Township Engineer is satisfied with the plan for preliminary review purposes. ***Now that the final set of plans have been submitted, has the applicant met with the Township Engineer and addressed all potential stormwater issues? ****The surveyor will contact the Township Engineer to discuss any stormwater issues.
16. The primary opening to the proposed facilities is a driveway opening along a curve off Ferguson Valley Road. This driveway opening needs to meet requirements under Section 311.10 of the Derry Zoning Ordinance in terms of providing a clear sight triangle and provisions for adequate sight distance. A second entrance providing a right in and right out opening is also proposed and is less than a quarter of a mile from the main opening according to the traffic impact study conducted for this development. This information should be provided with the plan as well. *A clear sight triangle has been shown for the main entrance of Ferguson Valley Road, but nothing about vegetation clearance or sight information for second entrance. The plan needs to show how the site will be served by the second entrance. **The clear sight triangle information has been added to the September 22, 2008 plans, however, additional information should be supplied about the removal of vegetation at the main entrance on the final plans. ***The Final set of plans shows a significant grade cut into the bank alongside the road for the new entrance. This will definitely affect sight distances for the proposed road. Has the sight distance calculations taken this into account? ****According to the surveyor, a detail of the intersection will be added to the plans that shows that there is enough sight distance for the proposed private drive.
17. There is no traffic circulation plan for the proposal in terms of insuring safe ingress and egress within the property as well as traffic lane and parking space dimensions. Also how will the second driveway opening affect this tract? *A traffic plan has been provided but directional arrows for the main road should be shown. The plan should also show the travel widths around the movie theater. **This has been corrected on the September 22, 2008 plans.
18. This proposal should include an Erosion and Sediment Control Plan that needs to be reviewed by the Mifflin County Conservation District. (See Section 402.2T and 0512 A and C of the Township SALDO.) Also, this proposal will require an NPDES permit. *An NPDES permit has been requested. **At the time of the Final plan submittal, no update has been provided on the status of the NPDES permit. Plan approval should be contingent upon receiving a permit from DEP.
19. Can this proposal meet the block length requirements as provided in Section 508.2A of the Township SALDO? *The September 2 revised plan now states this requirement can be met.

20. Sheet 1 has a listing of the number of parking spaces proposed for the two facilities but it is unclear the proposal can fully meet Section 312 of the Derry Zoning Ordinance including screening provisions. *The September 2 revised landscaping plan appears to have addressed this question.

21. There are no provisions shown for an off street loading area as listed in Section 313 of the Township Zoning Ordinance. *This has been addressed with the September 2 revised plan, however, the plan should provide dimensional information. **Loading area dimensions have been provided on the Final plans.

22. There is no general landscape plan as provided for in Section 314 of the Township Zoning Ordinance. *This has been addressed on the September 2 revised plan.

23. Under Section 402.2Q of the Township SALDO, where the preliminary plan covers only a part of the subdivider's entire holding, a sketch shall be submitted of the prospective street layout for the remainder. This needs to be addressed. *The entire property is shown on the Final set of plans on the Existing Conditions plan.

24. The plan does not include provisions for outdoor signage as provided under Section 315 of the Township Zoning Ordinance. *The developer has not addressed this and should be on the final plan. **The Final set of plans has a note mentioning Section 315 of the Zoning Ordinance, yet it states that the exact location of the signs has yet to be determined. Considering this is a Final set of plans, this information should be finalized and included on the plan. ***According to the surveyor, the exact sign details have now been finalized and will be added to the plans with sign details.

25. At the time of the final plan, a developer's agreement will need to be in place. *At the time of the submission of the Final plans, this has still not been addressed. **According to the surveyor, a developer's agreement will be created is still being written. Plan approval should be contingent upon the developer's agreement being acceptable to the Derry Township Supervisors.

26. There are additional comments for the Traffic Impact Study. *Trans Associates submitted a response on September 9, 2008. Part of our concerns have been addressed.

27. The plan does not provide building height information. *This has been corrected on the September 22, 2008 plans.

28. Are there provisions for sidewalks? *This issue needs to be further discussed. At minimum, if the developer is not prepared to address this provision now, sidewalks should be part of the developer's agreement. Also, sidewalks should be clearly marked on the plan. **According to the surveyor, the developer will add sidewalks as part of the developer's agreement. ***The Final set of plans shows the proposed location for sidewalks. However, the scale of the drawings does not allow for detail to be shown on the plans as to widths, distance from the roadway of the road and curb widths, etc. This information should be shown in the set of plans, and be supplemented with a construction detail plan. Additionally, the sidewalks clearly need to be connected from the current proposed location along the private drive to the buildings. It appears based upon the current proposal that pedestrians have to walk through the travelway of the parking lots of the proposed buildings to get onto the sidewalk, which is a major safety concern. Also, have speed bumps been considered along the main road where pedestrian crosswalks are proposed? This could be one solution to make crossing the main drive safer. ****According to the surveyor, this will be corrected and added to the plans.

29. As large as the proposed development will be, a master plan of the overall site should have been prepared instead of what appears to be a piecemeal development. The Township should not take action on this plan until these items are addressed. *This has only been partially addressed. **The Final set of plans does not include an overall site master plan. This could be problematic since the cul-de-sac street that is proposed exceeds the maximum length allowable in Derry Township (See Derry Township Zoning Ordinance, Section 504.4.D). At the time of the preliminary plan review, it was mentioned that this would only be temporary, but without an overall master plan, there is no way to determine the amount of time the cul-de-sac street will exist. A waiver request should be made concerning the cul-de-sac with an explanation as to why the ordinance cannot be met. ****According to the surveyor, a master plan will be added to the set of plans and a waiver will be requested to allow a cul-de-sac to exceed the maximum length allowable by the Derry Township Zoning Ordinance.

30. A movie theatre is defined as Commercial Recreation and under the Commercial Zone considered a conditional use. The proposed theatre is to be located in a Light Industrial Zone which does not permit this use. This needs to be addressed. The applicant can either request a rezoning of the property to General Commercial or consider a use variance. From the development around the area, it is unclear why this property was zoned Light Industrial. This needs to be addressed before the plan is approved. *A use variance has been applied for and should be noted on the plan. The Planning Commission believes the applicant should request a rezoning to Commercial instead of asking for a use variance as is now being proposed. **A note has been added to the September 22, 2008 plans to address this issue.

31. There are high tension power lines over the parking lot. Has Penelec been consulted on this as to what is permitted under these lines? *This information should be noted on the plan. **A note was added to the Final set of plans as to what is allowable under a high tension power line. It was also mentioned that it was being looked into

about the possibility of moving the power lines. What is the status of this request? ***According to the surveyor, this possibility is still being researched.

32. Zoning boundary lines should be shown on the plan. *This has been addressed on the September 22, 2008 plans.

33. Traffic signage should be shown on the plan. *This has been addressed on the September 22, 2008 plans except for the right-in/right-out only signage for the second entrance. **This signage has not been addressed on the Final set of plans. This should be addressed prior to final plan approval. ***Traffic signage will be finalized and added to the final plans.

34. Please refer to the review of the Traffic Impact Study for the Proposed Derry Heights Development dated August 12, 2008 (and August 14 supplement) by the Mifflin County Planning and Development Department.
Additional Comments on the Final Land Development Plans (dated November 12, 2008):

35. Plan Notes 10, 13 and 14 should state the date(s) the variances have been granted. *According to the surveyor, this information will be added to the plans.

36. The site data states the parking calculations but fails to mention handicap spaces. Handicap space information should be provided. According to ADA accessibility guidelines, given the amount of spaces that have been provided, the following handicap spaces will need to be provided: 6 for the motel, 4 for the restaurant, and 6 for the theater. However, counting the spaces that are shown on the plan it appears the amount is short of what is required. Please verify. *The surveyor will look into the ADA regulations and adjust accordingly.

37. Is there only one way circulation proposed around the main entrance to the hotel? It appears as if the given 25 foot travelway throughout the site has not been provided at the front right corner of the hotel canopy. Please verify. *This will be adjusted on the plans.

38. Showing the existing structures that are to be removed on all sheets clutters the information provided on the plan. Showing this information on one sheet should be sufficient. There appears to be existing vegetation on multiple locations on the property that will also need to be removed. However, there is nothing that states what is to be removed. All this information could be provided on a site demolition plan which shows everything that is to be removed from the site. *The existing conditions plan will be converted into a demo plan.

39. There should be an Engineer or Surveyor's seal on the plans, and the statement of accuracy should be signed. *According to the surveyor, the seals will be added to the plans.

40. The Mifflin County Conservation District (MCCD) should be provided with the plans to review the Erosion and Sedimentation plans. Please see comment 18. *The plans have been submitted to the MCCD.

41. Based upon comments from the developer, the external road system will not become public roads. Since the roads will remain private, a private street agreement should be provided on the plans, such as the following: "The owners of lots ___ agree and understand that " _____ Road" is a private road and as such are responsible for maintenance, care, improvements, and snow removal at their own diligence and expense. Further, if at any time in the future, the property owners adjacent to this road desire to dedicate said road to Municipal ownership, then such owners shall be required at their own expense to improve said road to meet the public road and street specifications of the Municipality in place at such time. The maintenance and use of said private road shall be in accordance with the private road maintenance and use agreement recorded in Deed Book ___ Page ___ of the Mifflin County Recorder of Deeds Office." *According to the surveyor, an agreement will be added to the plan.

42. Since the Final plans propose improvements the "Riden Tract," this tract of land should be labeled on the plans. *According to the surveyor, this information will be added to the plan.

43. The Derry Township Zoning Ordinance (Section 207.13) calls for a minimum of a 10 foot wide landscaped strip along all property lines, including street frontage. It does not appear evident from the Landscaping plan that this will be addressed. Please confirm. Additionally, it is undeterminable what vegetation is to remain. This should be clarified on the plans. *According to the surveyor, clarification is needed as to the location of the landscaping strip. Additional research will be made.

Name of Plan: Weaver, Mabel I., Estate

File Number: 2008-12-001

Tax Map #: 19-13-109

Municipality: Oliver Township (Municipal Ordinance)

Plan Preparer: Wright Land Surveying

Land Owner Name: Armstrong, Linda Exec.

Applicant Name: Armstrong, Linda Exec.

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 house, well and on-lot system.

Review Comments (List from Review Committee):

Soils - According to the County GIS files, some portion of the residual property appears to have prime farmland soils (HaB, MuB). This should not affect the current proposal.

Cartway Widths - If the existing driveway is to be used as a shared driveway, the cartway width should be shown on the plan (Oliver Township Subdivision and Land Development Ordinance, Section 6.202.a.11).

Driveway - The proposed driveway location to access Lot 2 should be shown on the plan. Considering that an existing driveway crosses a potential location for the driveway, knowing the location of the driveway would remove

question as to potential access problems. The existing driveway is also in question because it already crosses two properties, including the residual property and the Lauri Crosson property, T.M. 19-13-108. Is there an easement in place to allow access to the Weaver property over the Crosson property? *According to the surveyor, no easement is in place at this time, and there is a verbal agreement between the two parties to allow access to the Weaver property. The property owners should consider a more formal agreement.

PennDOT HOP/Municipal Driveway Permits - As mentioned in Note 4 on the plan, a PennDOT Highway Occupancy Permit (HOP) is required as prescribed in the Municipalities Planning Code (Section 508 (6)). A copy of the permit should be provided to the Oliver Township Planning Commission. *According to the surveyor, there is no HOP in place and the driveway is grandfathered.

Shared Driveway - If proposed Lot 2 and the residual lot are to use the existing driveway on the site, a shared driveway agreement will need to be put in place. A shared driveway agreement for the private right-of-way should then 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." (Mifflin County Subdivision and Land Development Ordinance, Section 4.205.G.4c) *Though the surveyor did not know at this time when the subdivider was to create a shared driveway, a shared driveway agreement statement should still be put on the plan for the future when the shared driveway is to be established.

Street Names - If more than one party is to use the proposed private right-of-way, then it 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.

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 Mifflin County Planning Commission. Plan approval is contingent upon receiving an approval from DEP following the filing of this form.

Required Signatures on Application - The landowner's signature needs to be on the subdivision application form, and the subdivision application form should be signed by the municipality.

Other Comment(s):

1. The proposed lot has no frontage on a public street. It is concerning that it is unclear as to the proposed driveway setup and that the proposed access easement does not go directly to the property. All lots shall front on a public street. (See section 3.207.b of the Oliver Township Subdivision and Land Development Ordinance) *The surveyor said he will look into getting a waiver on this requirement from the Oliver Township Supervisors.

2. It seems curious that the Eastern-most lot line for Lot 2 is offset 8.55 feet from the Crosson property, T.M. 19-13-108. Is there a reason behind this layout not being aligned? *According to the surveyor, the offset was needed to get the lot to be the size the landowner wanted it to be. In order to settle the estate, the property that is to be subdivided had to be 20% of the total parcel, and the lot lines needed to be parallel.

Item #6 – Public Comment

There was no public comment at the meeting.

The meeting adjourned at 5:07 p.m. upon a motion by Dan Dunmire that was seconded by Don Kauffman.

mjs