

MINUTES
MIFFLIN COUNTY PLANNING COMMISSION REGULAR MEETING
THURSDAY, DECEMBER 22, 2011
MIFFLIN COUNTY COURTHOUSE, MEETING ROOM B – 3:30 P.M.

ATTENDANCE

Members

Susan Heimbach, Chair
John Pannizzo
Jim Spendiff
Brent Miller
Neal Shawver

Other

Lucas Parkes, The EADS Group

Staff

Bill Gomes, Director
Jim Lettiere, Community Development Administrator
Mark Colussy, Associate Planner
Millie Sunderland, Office Manager/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 November 17, 2011 meeting. Neal Shawver seconded the motion. All members voted aye.

Community Development Block Grant (CDBG) Update

Jim Lettiere gave an update on CDBG funded projects and provided a status report to the Planning Commission. Jim highlighted some of the projects in the report: The 2010 HOME Program funds in the amount of \$500,000 that is anticipated to be used to rehabilitate 18 homes; the SEDA-COG Mann Edge Terrace Senior Housing project that is currently underway; the Newton-Wayne Joint Municipal Authority sewer lateral project that is anticipated to be completed in January 2012 with the remaining 34 of the 64 eligible clients to be hooked onto the sewer system. Jim indicated that the 2011 CDBG application is under review at this time, and the 2012 funding cycle will begin shortly. He provided a tentative schedule for the 2012 funding cycle and will keep the Planning Commission apprised of changes to this schedule. Jim will also schedule the review meeting with the CDBG Advisory Committee for sometime after the proposals are presented to the Planning Commission in February. There were some questions of the Planning Commission related to the average cost of housing rehabilitation projects, the 2007 funds available for the homes nearly completed and the balance of funds for the Wayne Township Water Authority Holding Tank project. Jim also reported that Brown Township will get CDBG funds, and the Planning and Development Department will administer the program. Projects for the Brown Township funding will be eligible on a survey basis.

Subdivision and Land Development Review Committee Report

Mark Colussy reported that the Subdivision and Land Development Review Committee reviewed three plans, all under municipal ordinances for which the Planning Commission provides recommendations to the municipalities: Patrick S. McNeil plan in Brown Township, David S. Peight plan in Menno Township and Jeffrey S. Spickler plan in Oliver Township.

Mark discussed the Patrick S. McNeil plan in Brown Township. There was some discussion about the property frontage on a 12-foot public alley, which does not meet the township ordinance. A suggestion for a solution was provided in the comments. Mark also discussed the boundary information for the residual lot, which the surveyor has agreed to include on the plan.

John Pannizzo made a motion to approve the comments and recommendations of the Subdivision Review Committee for the municipal plans. Neal Shawver seconded the motion. All members voted aye.

The Subdivision Review Committee Report:

Name of Plan: McNeil, Patrick S.

Tax Map #: 14-15-263AA

Applicant Name: McNeil, Patrick S.

Plan Preparer: Wright Land Surveying

Action Taken: The County provides comments only.

Plan Summary: This plan proposes to create Lot 3 a single-family residence to be served by public sewer and public water. Access will be by an existing 50' Right-of-Way from Maple Street. The residual tract, Lot 1, has an existing residence with no new development proposed.

Review Comments (List from Review Committee):

Basic Plan Information - All abutters should be shown on the plan, as well as deed book and page numbers and tax parcel identification numbers (Hostetler). See Brown Township Subdivision and Land Development Ordinance, Section 7.302.A.17.

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 an inset map. (Brown Township Subdivision and Land Development Ordinance, Sections 7.302.A.5, A.7 and A.9)

Topographic information - Topographical contours at vertical intervals should be displayed on the plan (Brown Township Subdivision and Land Development Ordinance, Section 7.302. A23.).

Soils - Soils information should be shown on the plan. (Brown Township Subdivision Ordinance, Section 7.302. A10)

Setback Lines - The front setback should be provided in Note 3 on the plan. The plan references Section 804.2 of the Brown Township Zoning Ordinance, but doesn't give any more information than that. Has the Brown Township Zoning Officer given the proposal an administrative review to decrease the depth of the front setback? Additional information should be provided.

Right-of Way Widths - Is there a R/W associated with what is referenced as Instrument Number 2011-2001? Does this cover access to Lot 1 across Lot 2? *This instrument number is a right-of-way and provides access to Lot 1.

Cartway Widths - Based upon the Brown Township Subdivision and Land Development Ordinance, the cartway width of Maple Street 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 Brown Township Subdivision and Land Development Ordinance. *According to the surveyor, there are none known other than what is shown on the plan.

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 Brown Township Planning Commission. The public sewer line should be shown along Maple Street.

Water Service - A letter from the municipal water authority acknowledging availability of public water should be submitted to the Brown Township Planning Commission.

Features - The plan shows a house on Lot 1. Was this built after 2007? *According to the surveyor, the house on Lot 1 is a new house.

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. *According to the surveyor, there are no existing hydrants in the area. Are any needed?

Other Comments:

1. It appears that this proposal does not meet the Brown Township Subdivision and Land Development Ordinance's Road Frontage requirement (Section 4.205.B), which requires all lots to have access to either a public road or a private drive that meets the requirements of the ordinance (Table 1). It does not appear this can be met since frontage along an alley should not be counted towards road frontage. It appears that all the frontage is along an existing 50' R/W, which is not a permitted private street. How will this provision be met? One solution could be to have the Township accept the alley as a public road and have it named.

Name of Plan: Peight, David S.

Tax Map #: 18-09-104

Applicant Name: Peight, David S. & Katie

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.

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 an inset map. (Menno Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9, and 12)

Clean & Green / Agriculture - As noted on the plan, the parcel is enrolled in the Clean and Green program. The applicant or landowners should be aware rollback taxes can be applied in some subdivision situations, and if they have any questions, they should contact the Mifflin County Assessment Office for more information.

File Number: 2011-12-002

Municipality: Brown Township (Municipal Ordinance)

Land Owner Name: McNeil, Patrick S.

File Number: 2011-12-001

Municipality: Menno Township (Municipal Ordinance)

Land Owner Name: Peight, David S. & Katie

Floodplain / Wetlands - According to County GIS information, a portion of the residual 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. (Soil: Ma) According to the County GIS files, some portion of the residual property appears to have prime farmland soils. (Soil: HaB, HcB)

Right-of Way & Cartway Widths - Based upon the Menno Township Subdivision and Land Development Ordinance, the right-of-way width and cartway width of Bunker Hill Road is substandard (Table 1).

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 Menno Township Subdivision and Land Development Ordinance. Is the AT&T Easement indicated on the plan within the street R/W? It does not seem clear on the plan as to the location of this easement. *According to the surveyor, the exact location of the easement is unknown. The line has been indicated on the plan, but not the exact location of the edges of the easement. The easement description is not very detailed.

DEP Sewage Planning Module - A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to Menno Township. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form.

Water Service - There previously was a public water system in the area with waterlines traversing the site. Will these pipes be abandoned? Will anything special need to be done to place a new well in this area? *According to the surveyor, a standard well will be installed on the site.

Name of Plan: Spickler, Jeffrey S.

Tax Map #: 19-03-108

Applicant Name: Spickler, Jeffrey S.

Plan Preparer: Wright Land Surveying

File Number: 2011-12-003

Municipality: Oliver Township (Municipal Ordinance)

Land Owner Name: Spickler, Jeffrey S.

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 is accessed by extending the existing Twin Hollows Road.

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 an inset map. (Oliver Township Subdivision and Land Development Ordinance Sections 6.302.a.5, 7, 9 and 12)

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 - As indicated 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, a 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. (Soil: BrB) According to the County GIS files, some portion of the residual property appears to have prime farmland soils. (Soil: Po)

Cartway Widths - The cartway width of Twin Hollows Road does not meet the road provisions of the Oliver Township Subdivision and Land Development Ordinance (Table 1). Since the parcel has the potential for future development, road improvements should be considered prior to further development. At a minimum additional cartway should be provided by the applicant as a condition if there is future development along this road.

PennDOT HOP / Municipal Driveway Permit - Is the HOP mentioned in Note 4 adequate for the additional proposed traffic? *According to the surveyor, this proposal will only be the third dwelling on the lane. PennDOT does not require an upgraded HOP until additional development beyond three is done.

Private Street / Shared Driveway - Is there a private street agreement in place for Twin Hollows Road? If so, the deed book and page number should be provided. If not, one should be established, which could include the following language: "The owners of lots ___ agree and understand that " _____ Road" is a private road and as such are responsible for the 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 case 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."

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 Oliver Township Subdivision and Land Development Ordinance. *According to the surveyor, there are none known.

DEP Sewage Planning Module - A copy of the DEP Component 1 Sewage Facilities Planning Module should be submitted to the Oliver Township Planning Commission. Plan approval should be contingent upon receiving an approval from DEP following the filing of this form. There are High Quality streams in the area and a stream study may be required by the DEP.

Other Comments:

1. Does Mr. Ronald Pecht have access to Twin Hollows Road, making it an existing private road? Does Jeffrey Spickler own and maintain Twin Hollows Road exclusively currently? With the current proposal, any existing

agreement may need to be modified to include the new proposed lot. *According to the surveyor, both Mr. Spickler and Mr. Pecht use Twin Hollows Road. However, he does not know of an existing maintenance agreement being in place. One should definitely be established at this time since yet another user will be added to this drive.

2. As a result of the proposed arrangement of lots, Lot 2 will not have direct road frontage. Please refer to sections 3.207.b and 3.204 of the Oliver Township Subdivision and Land Development Ordinance. Twin Hollows Road may be required to have an upgraded cartway width and a maintenance agreement will have to be established. *If a waiver is requested for direct road frontage, the Township may want to consider requiring a note be put on the plan stating that if any additional future development is to occur, the road will need to be upgraded to township private drive standards.

Mark then discussed a situation that has come up related to original signatures necessary for recording plans. The County Register and Recorder's Office has a policy requiring original signatures on at least one copy of the plan to be recorded. This requirement means that the Planning Commission Chair's stamped signature will no longer be accepted on plans for recording purposes. Therefore, a change in how plans are signed is necessary, and options for a solution were discussed. After some discussion, Jim Spendiff made a motion for the Planning Commission to designate the Director and the Associate Planner to be authorized to sign plans on behalf of the Planning Commission, effective immediately, as well as revise the signature block for this change and also to include the file number associated with the plan. A policy should be drafted for signature by the Planning Commission, and Mark Colussy was instructed to send a letter to the area surveyors and engineers to provide the new signature block. John Pannizzo seconded the motion. All members voted aye.

Public Comment

There was no public comment.

Other Business or Comments

- Mark Colussy will report on the community survey results at the next meeting in January 2012.
- Bill Gomes reported that consultant negotiations are underway for Phases I and II of the Comprehensive Plan projects.

Adjournment

The meeting adjourned at 4:28 p.m. upon a motion by John Pannizzo that was seconded by Jim Spendiff.

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