

Citizen and Developer's Guide to the Permitting and Approval Process for Land Development in **Mifflin Township**, Columbia County, Pennsylvania



Contact Information

Mifflin Township
PO Box 359
Mifflinville, PA 18631
Phone: (570)752-4651

Township Supervisors *(Meets the Second Monday of each month at 6:00 PM at the Township Building.) (Supervisor's Work Session- Forth Monday of each month at 6:00 PM)*

Raymond Yachimowski, Jr.	(570)759-3055
George C. Welliver, Jr. (Roadmaster)	(570)759-9435
Ricky Lee Brown (Chair)	(570)759-3610

Township Secretary/ Treasurer

Raymond Yachimowski, Jr.	(570)759-3610
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Building Permit & Zoning Officer

Chris Bower	(570)458-0316
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Sewage Enforcement Officer

William C. Toth, Jr.	(570)458-0140
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Solicitor

Alvin Luschas	(570)784-4654
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Building Permit Inspection

Criterion Inspections	(570)752-8044
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Planning Commission

(Meets the First Tuesday of each month at 7:00 PM at the Township Building.)

Mark Young	(570)759-9509
Louis Lupini	(570)759-2143
David Erdman	(570)752-7350



Subdivision and Land Development

The following information is not all inclusive and is meant only to be a general guideline. For detailed requirements, applications and information consult the Mifflin Township Subdivision and Land Development Ordinance (SALDO) and speak with Zoning Officer

Definitions of “Subdivision” and “Land Development”

For a COMPLETE list of definitions of Subdivision and Land Development see the SALDO, Article 2, DEFINITIONS.)

Minor Subdivision: *A subdivision where lots suitable for building all have frontage on an existing public street.*

Major Subdivision: *A subdivision where one or more lots suitable for building do not have frontage on an existing public street.*

Land Development:

1. *The improvement of one or more contiguous lots, tracts or parcels of land for any purpose involving a group of two or more buildings or the division or allocation of land between or among two or more existing or prospective occupants by means or for the purpose of streets, common areas, leaseholds, building groups or other features.*
- 2.

(FOR EXCLUSIONS, see the definition of Land Development in the SALDO, Article 2, DEFINITIONS, Section 2.3 page 2-13 for definitions of Types of Land Development (Industrial, Campground, etc) see SALDO, Article 2, DEFINITIONS, Section 2.3 page 2-14)

Sketch Plan: *An informal plan, not necessarily to exact scale, indicating salient existing features of a tract and its surroundings and the general layout of a proposed subdivision or land development.*

Submittal and Review Process

Submittal Requirements:

1. *The developer shall submit:*
 - a. *Eight (8) copies of the preliminary plan and data.*

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- b. Three (3) copies of the application (Appendix "E") and the required fee and deposit to the Secretary.*
 - c. The Secretary shall check the submission for completeness. If incomplete, he shall immediately return the submission to the developer indicating deficiencies or if complete, accept the submission and immediately distribute two (2) copies of the plan to the Planning Commission.*
 - d. Two (2) copies of the plan and one (1) copy of the application to the Board of supervisors.*
 - e. One (1) copy of each plan to the Engineer.*
 - f. One (1) copy of the plan to any applicable municipal authority.*
 - g. Retaining one (1) file copy of the plan and application.*
- 2. Submit to the Columbia County Planning Commission: One (1) copy of the application along with three (3) copies of the plan and the required fees outlined in County SALDO, Article 9, Sec. 906, FEE SCHEDULE, page 138. The Municipalities Planning Code, Act 247-1968 requires all municipalities with adopted SALDOs to allow the County Planning Commission a thirty (30) day review and comment period, prior to final approval. After this review a County representative will sign the plans and return them to the municipality. The plans can not be recorded without the County representative's signature.*

Review Process:

- A. The County Planning Commission and the Engineer review the preliminary plan and submit reports to the Township Planning Commission within thirty (30) day submission by the secretary.*
- B. At its first regular meeting following acceptance of the complete preliminary plan submission by the Board of Supervisors, The Planning Commission shall review the developer's submission, discuss the plan with the developer and consider the reports of the Country Planning Commission and the Engineer.*
- C. Following the review of the preliminary plan with the developer, the Planning Commission shall evaluate the plan in regards to the general purpose and specific provisions of this Ordinance and act thereon as submitted or modified; and, if approved, the Planning Commission shall express its approval and state the conditions of such approval, if any, or, if disapproved, shall express its disapproval and its reason therefor. The action of the Planning Commission shall be noted on three (3) copies of the preliminary plan, and the Commission's recommended conditions shall be attached thereto. The Planning Commission shall immediately forward both copies to the Supervisors for action.*
- D. At its first regular meeting following the Planning Commission's meeting at which action is taken on a plan, the Supervisors shall:*

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- *Review the Developer's submission, together with the reports of the Township Planning Commission, the Engineer, and the County Planning Commission;*
 - *Express its conditional approval, stating the conditions of such approval, or its disapproval, stating the reasons therefor;*
 - *Within five (5) days following the decision, inform the developer in writing. The actions of the Supervisors shall be noted on three (3) copies of the plan, together with its conditions, if any, or its reasons for disapproval. One (1) copy of the notated plan shall be forwarded to the developer, one (1) copy to the County Planning Commission and remaining copy returned to the Township Planning Commission.*
- E. *Conditional approval of the preliminary plan of lots shall not constitute approval of the final plan on lot. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plan of lots as a guide to the preparation of the final plan of lots which will be submitted for approval of the Planning Commission and the Supervisors and for recording.*
- F. *Failure of the Supervisors to render a decision and communicate it to the applicant within the time and in the manner required herein shall be deemed an approval of the application in terms as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of the presentation of communication of the decision; in which case, failure to meet the extended time or change in manner of the presentation of communication shall have like effect.*

Zoning

For detailed requirements, applications and information consult the Mifflin Township Zoning Ordinance and speak with the Zoning Officer.

State and Federal Requirements Associated With Subdivision and Land Development

State Contact Information

Department of Environmental Protection (DEP)

PA Dept of Environmental Protection
NC Regional Office
Office Hours 8 a.m. - 4 p.m.
Phone: 570 327-3636 (24 hours)



Department of Conservation and Natural Resources (DCNR)

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State Park Region 4 (East)
Kevin Fazzini, Regional Park Manager
Phone - 215-453-5000

Department of Community and Economic Development (DCED)

Email: ra-dcedcs@pa.gov
Phone: 866-GO-NEWPA (866-466-3972)



Pennsylvania Department of Transportation (PennDOT)

PennDOT Engineering District 3-0
Jim Krise, Permit Manager
Telephone: 570-368-4277



pennsylvania
DEPARTMENT OF TRANSPORTATION

Department of Labor and Industry

General information: 717-787-5279



Public Utility Commission (PUC)

General Information: 800-692-7380

Farm Bureau

General Information: 717-761-2740



State Approval and Permits

1. NPDES Permits for Discharge of Stormwater Associated with Construction Activities

- Columbia County Conservation District (570-784-1310) should be contacted at any time that you are going to be causing Earth Disturbance to check to see if a permit is required.

2. Water Obstruction and Encroachment Permits

- Columbia County Conservation District (570-784-1310) should be contacted if you are to be doing anything involving waters of the Commonwealth, *Chapter 105 regulations define this as any watercourse, stream or bodies of waters and their floodway.*

3. Sewage (Act 537) Approvals

- Any subdivisions or land developments should involve contacting the local municipal Sewage Enforcement Officer to determine if sewage planning is needed for what you are proposing. For general information a person could also contact DEP Sewage Office at 570-327-3668

4. Public Water Supply Permits

- When a involves the creation of a public water facility which is intended to distribute water to individuals a Public water supply permit is needed from DEP.

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Any questions can be referred to the DEP Northcentral Water Supply Offices at 570-327-3490.

5. Pennsylvania Historic and Museum Commission (PHMC) Review

- The role of the Pennsylvania Bureau for Historic Preservation is to advise and assist state and federal agencies in complying with their responsibilities under various legislation, such as the National Historic Preservation Act and the PA History Code, that protect historic properties. To meet this goal, the Bureau has established the Environmental Review process, through which it reviews projects for their potential to affect historic properties. Any questions should be directed to Cheryl Nagle, (Central PA) 717.772.4519

State Approval and Permits (continued)

6. Pennsylvania Natural Diversity Inventory (PNDI) Review

- PNDI stands for **P**ennsylvania **N**atural **D**iversity **I**nventory which is the Environmental Review (ER) function of the Pennsylvania Natural Heritage Program (PNHP). It is set up to help identify impacts to threatened, endangered or rare plants, animals, natural communities, and geologic features throughout Pennsylvania. Any questions or to conduct a PNDI search please visit: <http://www.naturalheritage.state.pa.us/HomePage.aspx>
- A PNDI search is needed for all subdivision and land developments. Additionally it is required in order to obtain several different types of permits from DEP including but not limited to a Sewage Permit.

7. Highway Occupancy Permits

- Any access, driveways or work to be done with in a State Right-of-Way requires a Highway Occupancy Permit to be obtained from The Pennsylvania Department of Transportation. Any and all questions regarding the need for a permit should be directed to the PennDOT Permit Manager Jim Krise at 570-368-4277

FEDERAL CONTACT INFORMATION

U. S. Environmental Protection Agency (EPA)

Call the Mid-Atlantic Region
(800) 438-2474 (from *within Region 3*)
(215) 814-5000 (from *outside Region 3*)



Department of Agriculture (USDA)

Bloomsburg Service Location
(570) 784-1062 ext 2



Federal Aviation Administration (FAA)

Harrisburg Region
(717) 774-8271



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Army Corps of Engineers

General Questions
202-761-0011
Regulatory (Permits)
202-761-5903



**US Army Corps
of Engineers®**

U.S. Fish and Wildlife Service (USFWS)

Northeast Region- Pennsylvania's Field Office
814.234.4090

FEDERAL APPROVAL AND PERMITS

1. **Section 404 Clean Water Act Permits** – If the applicant needed a state Chapter 105 Permit from DEP (concerning Water Obstruction and Encroachment) and additional federal permit may be needed (Section 404 Permit). Section 404 Permits are issued by the U.S. Army Corps of Engineers. This permit is required for any discharge of dredged or fill material into navigable waters of the United States.

Projects that impact less than 250 feet of a stream or less than one acre of wetlands may avoid Section 404 permit review by the Corps if they determine it qualifies for a joint permit review. This means that DEP will take the lead in reviewing the permit application. If the DEP feels the permit is acceptable they will issue a state Chapter 105 Permit and a federal Section 404 Permit known as the "Pennsylvania State Programmatic General Permit".

If the proposed project does not qualify for a joint permit then DEP and the Corps will do independent permit reviews and issue separate decisions.

2. **National Environmental Policy Act (NEPA) Review** – The National Environmental Policy Act (NEPA) requires federal agencies to integrate environmental values into their decision making processes by considering the environmental impacts of their proposed actions and reasonable alternatives to those actions.

To meet NEPA requirements federal agencies prepare a detailed statement known as an Environmental Impact Statement (EIS). EPA reviews and comments on EISs prepared by other federal agencies, maintain a national filing system for all EISs, and assure that its own actions comply with NEPA.

3. **Endangered Species Act**-The applicant should contact Fish and Wildlife Service if they get a "hit" on the PNDI (Pennsylvania Natural Diversity Inventory) for a federally listed threatened or endangered species.

4. **Federal Aviation Administration**- Applicant should contact FAA if:

- any construction or alteration exceeding 200 ft above ground level
- any construction or alteration:

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- within 20,000 ft of a public use or military airport which exceeds a 100:1 surface from any point on the runway of each airport with its longest runway more than 3,200 ft
- within 10,000 ft of a public use or military airport which exceeds a 50:1 surface from any point on the runway of each airport with its longest runway no more than 3,200 ft
- within 5,000 ft of a public use heliport which exceeds a 25:1 surface
- any highway, railroad or other traverse way whose prescribed adjusted height would exceed the above noted standards
- when requested by the FAA
- any construction or alteration located on a public use airport or heliport regardless of height or location.

Disclaimer: *This guide is meant to be a general guideline for development in the Borough of Berwick. It should **NOT** be considered all-inclusive. For specific details and requirements concerning land development and subdivision contact the Berwick Borough Codes Enforcement Office.*

*Prepared by the Columbia County Planning Office staff.
Information contained within is relevant as of July, 2014.*