RESOLUTION NO. 2023-04

A RESOLUTION OF THE TOWNSHIP BOARD OF SUPERVISORS APPROVING THE PRELIMINARY/FINAL PLAN REPLOT OF TWO TRACTS OF LAND OF REBECCA B. NEARHOOF AND LOT ADDITION TO LANDS OF SIMONDALE EXCAVATING, LLC

WHEREAS, a subdivision plan entitled: *Preliminary/Final Plan Replot of Two Tracts of Land of Rebecca B. Nearhoof and Lot Addition to Lands of Simondale Excavating, LLC* (hereinafter, the "Plan"), consisting of 3 sheets, dated November 11, 2022, prepared by Mease Associates, Inc., Fred M. Henry, P.L.S., last revised February 14, 2023, has been submitted to Warriors Mark Township (hereinafter the "Township") by Rebecca B. Nearhoof, owner of two adjacent parcels of land located along State Route 550 ("Developer"). The parcels are identified as Huntingdon County Tax Parcels 52-09-7.3 and 52-09-17.6 and consist of 87.13 acres and 1.12 acres respectively. Parcel 52-09-17.6 is a long narrow strip of land which parallels SR 550 and, based on the lot configuration and current municipal zoning regulations, the parcel could not be built on. Developer's parcels are adjacent to a parcel of land owned by Simondale Excavating, LLC ("Simondale") that is identified as Huntingdon County Tax Parcel 52-09-15.2 and consists of 17.77 acres and is currently accessed via Simondale Lane, which is a 14-foot-wide gravel lane within a 40-foot right-of-way across Tax Parcel 52-09-7.3; and

WHEREAS, pursuant to the Plan, Developer desires to convey a portion of her parcel covered by the existing right-of-way of Simondale Lane, consisting of 0.23 acres, to Simondale which will add a "flagpole" from the Simondale parcel to SR550. Developer also desires to combine her two lots into one, which will result in a single parcel of 88.02 acres;

WHEREAS, pursuant to Developer's request for final approval for the Plan, the Township's engineering firm, KCI Technologies ("KCI") has reviewed the Plan, with the most recent KCI review letter being dated February 20, 2023, and a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference (hereinafter "KCI Letter") wherein KCI recommends that the Township approves the Plan subject to certain conditions; and

WHEREAS, the Developer has provided a copy of a review letter from the Huntingdon County Planning Commission dated January 13, 2023; and

WHEREAS, the Township Planning Commission has reviewed and recommended granting Developer's request for approval of the Plan conditioned upon the Developer satisfying all of the outstanding comments from the February 14, 2023 review letter; and

WHEREAS, the Board wishes to grant approval to the Plan subject to the hereinafter set forth conditions.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the Township of Warriors Mark, Huntingdon County, Pennsylvania, that the said Plan, as filed by the Developer, is hereby approved subject to the following conditions:

1. Acceptance by the Developer of the conditions of approval imposed by any other governing body which may have jurisdiction over the Plan.

2. Agreement by the Developer to obtain all required federal, state, and local permits upon final approval of the Plan by the Township, if and as applicable, prior to issuance of any building permits including, but not limited to, those relating to sewage treatment and water supply.

3. Payment by the Developer of all recording fees and fees related thereto incurred by the Township relative to the recording of the Plan, and payment by Developer of all professional review fees, including but not limited to attorney fees, consulting fees, and engineering fees, incurred by the Township. Said payment shall be made by Developer within thirty days of receipt by Developer of a bill for the same.

4. Complete execution of the Plan by Developer.

5. The Developer shall have thirty (30) days to either accept or reject these conditions and so notify the Township in writing. If the Developer fails to act within this time period, the Plan approval shall be rescinded automatically.

6. All comments (if any) contained in the KCI Letter being satisfactorily addressed, as determined solely by KCI.

RESOLVED by the Board of Supervisors of the Township of Warriors Mark this 7th day of March, 2023.

WARRIORS MARK TOWNSHIP
BOARD OF SUPERVISORS

L. Stewart Neff, Chair

Peter Liese, Vice Chair

Brian Hockenberry, Supervisor

ATTEST:

Julie Brenneman, Secretary

KCI TECHNOLOGIES

ISO 9001:2015 CERTIFIED

ENGINEERS • PLANNERS • SCIENTISTS • CONSTRUCTION MANAGERS

5001 Louise Drive, Suite 201 • Mechanicsburg, PA 17055 • Phone 717-691-1340 • Fax 717-691-3470

February 20, 2023

Warriors Mark Township Board of Supervisors
P.O. Box 114
Warriors Mark, PA 16877

TRANSMITTED VIA EMAIL ONLY

Re: PRELIMINARY/FINAL PLAN REPLOT OF TWO TRACTS OF LANDS OF REBECCA B. NEARHOOF AND LOT ADDITION TO LANDS OF SIMONDALE EXCAVATING, LLC
SALDO REVIEW #3

Board of Supervisors:

Per your request we have completed a third review of the above referenced plan. Plans were prepared by Mease Associates, Inc., Fred M. Henry, PLS, and the following information was provided to our office by the Consultant on February 20, 2023, Planning Commission meeting:

- Subdivision Plans (3 sheets), dated 11/22/2022 last revised 2/14/23

INTRODUCTION

Rebecca B. Nearhoof owns two adjacent parcels of land located along State Route 500. The parcels are identified as Huntingdon County Tax Parcels 52-09-07.3 and 52-09-17.6 and consist of 87.13 acres and 1.12 acres. Parcel 52-09-17.6 is a long narrow strip of land which parallels SR 550 and based on the lot configuration and current municipal zoning regulations the parcel could not be built on. Therefore, the Owner desires to combine the two tax parcels into a single parcel.

In addition, the Nearhoof parcels are adjacent to a parcel of land owned by Simondale Excavating, LLC. The Simondale parcel is identified as Huntingdon County Tax parcel 52-09-15.2 and consist of 17.77 acres. The Simondale property is currently accessed via Simondale Lane which is 14' wide gravel lane within a 40' right-of-way across Nearhoof parcel 52-09-7.3. Nearhoof proposes to convey a portion of their parcel covered by the existing right-of-way for Simondale Lane to Simondale. The area to be conveyed to Simondale is 0.23 acres which will add a "flag pole" from the Simondale parcel to SR 550.

The lot combination and lot addition will result the Nearhoof parcel being 88.02 acres and the Simondale parcel being 18.0 acres. The Simondale parcel Nearhoof parcel (52-09-17.6) are located within the Rural Residental (RR) zoning district. The Nearhoof parcel (52-09-07.3) is within both the Agriculture and Resource Protection (A) and Rural Residential (RR) zoning districts.

Our review was conducted in accordance with the following Warriors Mark Township Ordinances:

- Subdivision and Land Development Ordinance and amendments thereof (May 5, 1998 & November 1, 2005)

Our comments are as follows (text shown in ***bold italic*** print is the Developer's response; **bold** print is our response to the Developer:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE IV PLAN REQUIREMENTS

1. §402.k: Requires Class I & II agricultural soils to be shown on the plans. A written waiver request of this section of the ordinance was submitted. The request it to not be required to show the soils as the proposed plan proposes no new development.
   2/14/23: A waiver has been requested. **OPEN COMMENT PENDING BOARD ACTION OF WAIVER REQUEST.**
2. §402.l: Requires existing and proposed topography contours at intervals of 2 or 5 feet. A written waiver request of this section of the ordinance was submitted. The waiver request is to allow the existing contours to be provided at a 10' interval.
   2/14/23: A waiver has been requested. **OPEN COMMENT PENDING BOARD ACTION OF WAIVER REQUEST.**

GENERAL

1. The Township Application form that was submitted for the project indicated there the property(s) have easement agreements or deed restriction. Per the application form please provide copies of the easement(s) and/or deed restrictions.
   2/14/23: Agreement attached. **COMMENT RESOLVED.**
2. Please revise the Planning Commission portion of the Township Approval box from "Approved by" to "Recommended."
   2/14/23: Planning Commission Review Block has been amended to indicate "Recommended". **COMMENT RESOLVED.**
3. The plan must be reviewed by the Township Zoning Officer prior to any action on the plan by the Board of Supervisors.
   2/14/23: Zoning Officer comments are attached. **COMMENT RESOLVED.**
4. Provide a copy of the Huntingdon County Planning Commission review letter.
   2/14/23: Huntingdon County comments have not been received. Will forward once received. A COPY OF THE HCPC REVIEW LETTER WAS PROVIDED WITH THE RESUBMISSION. PER THE HCPC REVIEW LETTER COMMENT #5 PLEASE CORRECT TAX PARCEL REFERENCES IN THE PROJECT NARRATIVE ON THE COVER SHEET. IN ADDITION, PLEASE CORRECT THE TAX PARCEL REFERENED IN THE SEWAGE DISPOSAL NOTATION FOR JAMES SIMONDALE. OPEN COMMENT.
   2/20/23: **THE TAX PARCEL NUMBERS HAVE BEEN CORRECTED. COMMENT RESOLVED.**
5. Plan Certifications – ultimately all plan certifications must be executed.
   2/14/23: Plan Certifications will be executed prior to Township signatures. **OPEN COMMENT.**
6. **The Township SEO should review the plans, prior to any action on the plans by the Board of Supervisors, to determine if sewage facilities planning is required or if the sewage disposal notation shown on the plans is acceptable.**
   2/20/23: **AT THE FEBURARY 16, 2023 PLANNING COMMISSION MEETING THE TOWNSHIP SEO,**

DAVE PIPER, INDICATED THAT THE SEWAGE DISPOSAL NOTATION SHOWN ON THE COVER SHEET WAS ACCEPTABLE AND NO ADDITIONAL SEWAGE FACILITIES PLANNING IS REQUIRED. COMMENT RESOLVED.

This plan was reviewed for general conformance with the Township ordinances. We do not accept any liability for any potential design errors or omissions made by the design engineer and/or surveyor.

By copy of this letter to the Developer we hereby advise the Developer, to the extent that the Plan(s) fail to comply with the Township's Ordinances, the Township reserves the right to require that the Plan(s) comply with its Ordinances.

Please contact me at 717.516.7591 or via email at mark.haefner@kci.com should you have any questions or require additional information.

Sincerely,

Mark J. Haefner, P.E.
KCI Technologies Inc.

XC: Dan Stants
Dave Piper
Dan Durbin
Fred Henry, PLS (fredhenry1@gmail.com)
Rebecca Nearhoof (rbn4957@windstream.net)

PRELIMINARY / FINAL PLAN

REPLOT OF TWO TRACTS OF LAND OF

REBECCA B. NEARHOOF

Tax Parcel 52-09-07.3 and 52-09-17.6

INTO REPLOTTED TAX PARCEL 52-09-07.3

and

LOT ADDITION AND REPLOT

OF LANDS OF

SIMONDALE EXCAVATING, LLC

INTO REPLOTTED TAX PARCEL 52-09-15.2

LOCATED WITHIN

WARRIORS MARK TOWNSHIP, HUNTINGDON COUNTY, PENNSYLVANIA

PURPOSE OF PLAN

THE PURPOSE OF THIS PLAN IS AS FOLLOWS:

Rebecca B Nearhoof is replotting two agricultural parcels of land into one parcel. Tax Parcel #52-09-07.3, Instrument #2015-1085 and Parcel 52-09-17.6, Instrument #2017-2914 into one agricultural parcel. Total area of Replotted Parcel 52-09-07.3 will be 88.02 acres. No development activity is proposed on this parcel.

A portion of Parcel #52-09-07.3, Instrument #2015-1095 indicated as Lot Addition 'B' being 0.23 Acre is being added to lands of James M. Simondale, Simondale Excavating, LLC from lands of Rebecca B Nearhoof.

James M. Simondale, Simondale Excavating, LLC is combining Lot Addition 'B' and Parcel 52-09-15.2 into one parcel. Total area of Replotted Parcel 52-09-15.2 will be 18.00 Acres.

James M. Simondale, Simondale Excavating, LLC replotted parcel 52-09-15.2 has an existing garage and sheds serviced by existing on-site water and existing on-site sewage disposal. No additional development activity is proposed.

SITE DATA

Tax Parcel No.	52-09-07.3
Title Source	Instrument #2015-1085
Tax Parcel No.	52-09-17.6
Title Source	Instrument #2017-2124
Property Owner	Robert Nearhoof, II (deceased)
	Rebecca B. Nearhoof
Owner's Address	2126 Ridge Road
	Tyrone, PA 16686
Owner's Phone No.	814-932-7415
Present Land Use	Agriculture
Proposed Land Use	Agriculture
Proposed Water	None Proposed
Proposed Septic	None Proposed
Zoning	Agriculture and Resource Protection District (A)

LOT DATA

Total Number of Lots: Two (2) Parcels Replotted into Two (2) Parcels

Total Area of Lots:

Parcel #52-09-07.3
87.13 ACRES - ORIGINAL (INST. 2015-1085)
+0.12 ACRES - LOT ADDITION 'A' (all of Parcel 52-09-17.6)
-0.23 ACRES - LOT ADDITION 'B' (a portion of 52-09-07.3)
88.02 Ac. - Replotted Parcel 52-09-07.3

SITE DATA

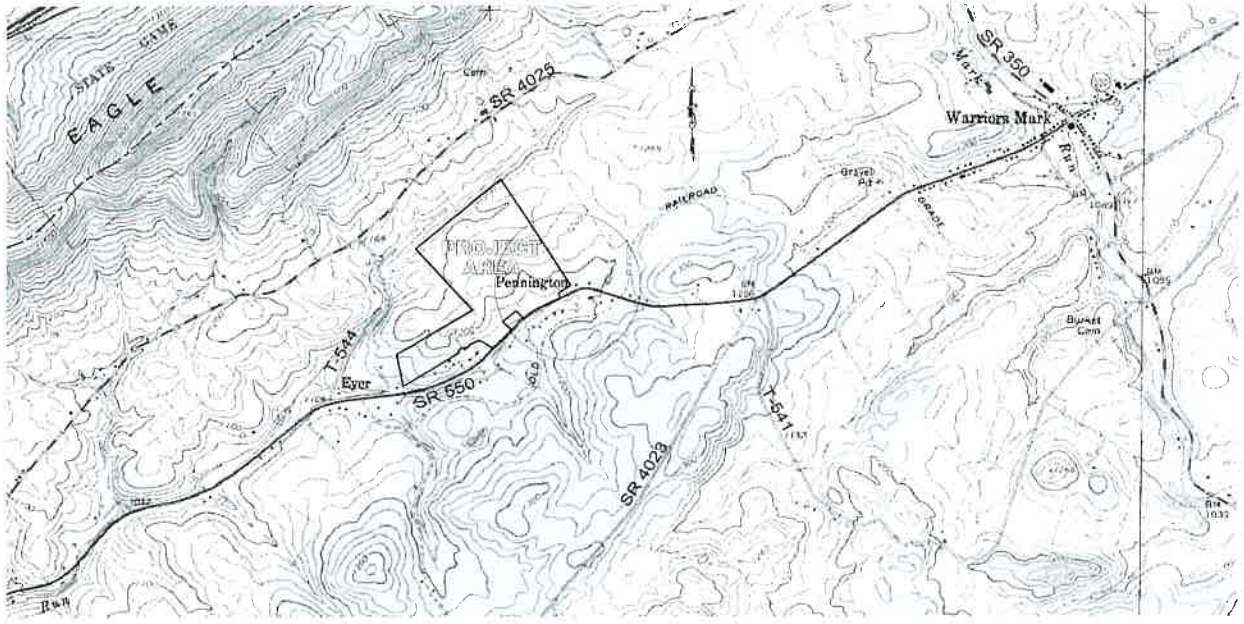
Tax Parcel No.	52-09-09-15.2
Title Source	Instrument #2015-001093
Property Owner	James M. Simondale Simondale Excavating, LLC
Owner's Address	2331 Simondale Lane Tyrone, PA 16686
Owner's Phone No.	814-935-8501
Present Land Use	Garage, sweling
Proposed Land Use	Garage, sweling
Proposed Water	On-Site existing
Proposed Septic	On-Site existing
Zoning	Agriculture and Resource Protection District (A)

LOT DATA

Total Number of Lots: Two (2) Parcels Re-Plotted into Two (2) Parcels

Total Area of Lots:

Parcel #52-09-15.2
17.77 ACRES - ORIGINAL (INST. 2015-001093 52-09-15.2)
+0.23 ACRES - LOT ADDITION 'B' (a portion of 52-09-07.3)
18.00 ACRE - REPLOTTED PARCEL 52-09-15.2



LOCATION MAP

SCALE 1" = 1000'

OWNERSHIP BLOCK

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

On this, the _____ day of _____, before me, the undersigned officer, personally appeared REBECCA B. NEARHOOF, who being duly sworn according to law, deposes and says that she is the owner and/or equitable owner of the property shown hereon, and that she acknowledges the same to be her act and plan for the purposes therein contained.

PROPERTY OWNER

Witness my hand and notarial seal the day and date above written.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

OWNERSHIP BLOCK

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CLEARFIELD

On this, the _____ day of _____, before me, the undersigned officer, personally appeared JAMES M. SIMONDALE, SIMONDALE EXCAVATING, LLC, who being duly sworn according to law, deposes and says that they are the owners and/or equitable owners of the property shown hereon, and that they acknowledge the same to be their act and plan for the purposes therein contained.

PROPERTY OWNER

Witness my hand and notarial seal the day and date above written.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

HIGHWAY OCCUPANCY PERMIT NOTATION

Any use of a State Highway right-of-way requires a Highway Occupancy Permit pursuant to Section 420 of the Act of June 1, 1945 (P.L. 1242, No. 428), known as the State Highway Law. Before driveway access to a State Highway is permitted, a Highway Occupancy Permit must be obtained from the Department. A Highway Occupancy Permit is required for, but not limited to, constructing a driveway, relocating an existing driveway, changing the use of a property, or making any improvements within the highway right-of-way. The location of the driveway may not be changed without the prior approval of a PennDOT Highway Occupancy Permit.

HUNTINGDON COUNTY PLANNING COMMISSION REVIEW COMMENTS

The Huntingdon County Planning Commission reviewed this Plan on _____, _____, as required by the Pennsylvania Municipalities Planning Code, Act 247 of 1968 as amended. A copy of the review is on file at the office of the Huntingdon County Planning Commission. The Commission does not represent or guarantee that this plan complies with the various ordinances, rules, regulations or laws of the local Municipality, the Commonwealth, or the Federal Government.

Plan Tracking Number _____ Chairman or Designated Representative

RECORDER'S BLOCK

Recorded on the _____ day of _____, within Huntingdon County Instrument No. _____

Recorder of Deeds

The Original Plan is the property of Mease Associates, Inc. and is to be returned to said office after recording.

TOWNSHIP APPROVAL BLOCK

Warriors Mark Township Planning Commission recommended approval this _____ day of _____

Chairman _____ Secretary

Approved by the Warriors Mark Township Board of Supervisors on this _____ day of _____

Chairman _____ Secretary

SURVEY CERTIFICATION

I hereby certify that the survey and plan shown hereon is true and correct to the best of my knowledge and that the work has been done in accordance with the professional standards of practice as spelled out by the Pennsylvania Society of Land Surveyors in their Surveying Standards of Pennsylvania.

Fred W. Hawk, P.L.S.
022851-E

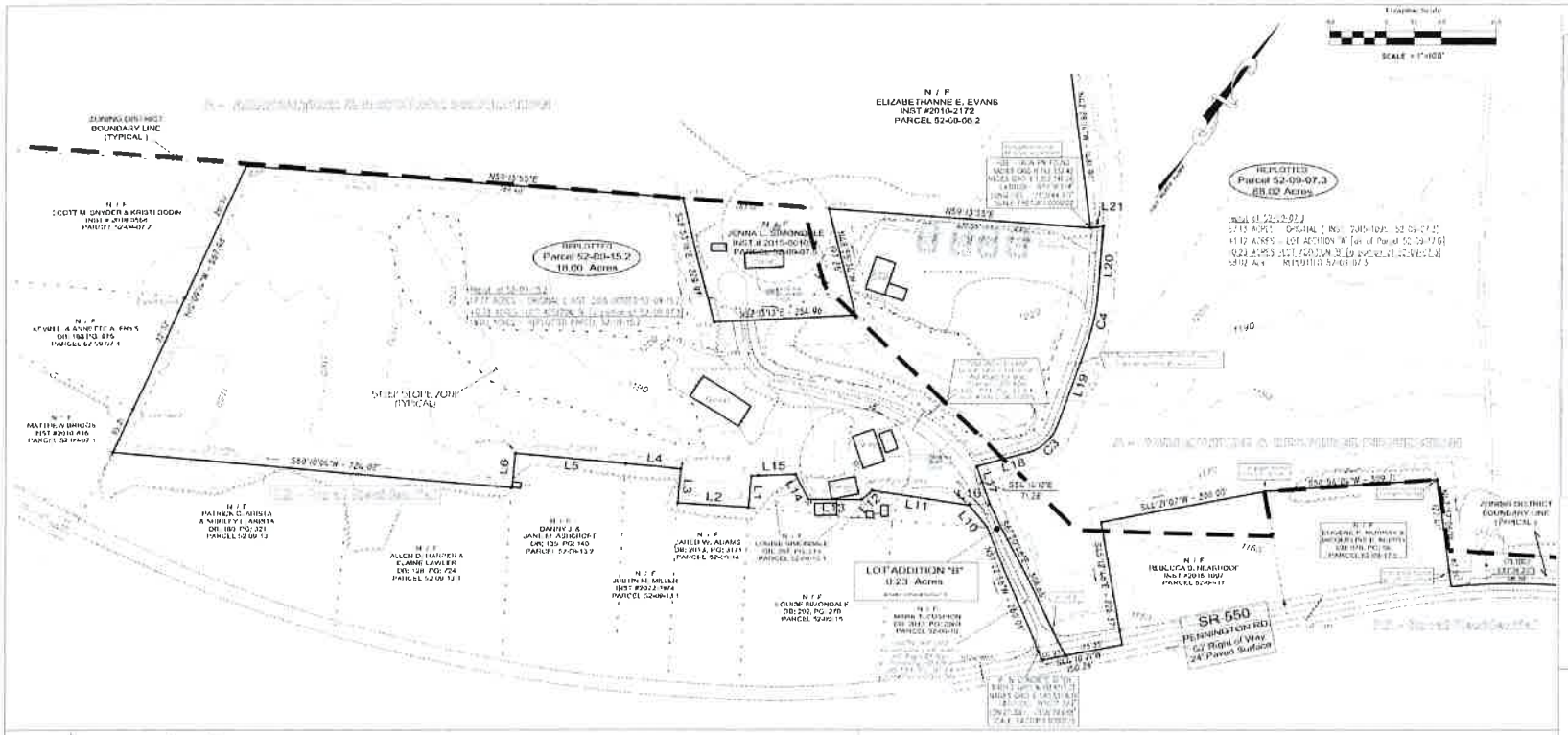
ACRICULTURAL NUISANCE DISCLAIMER

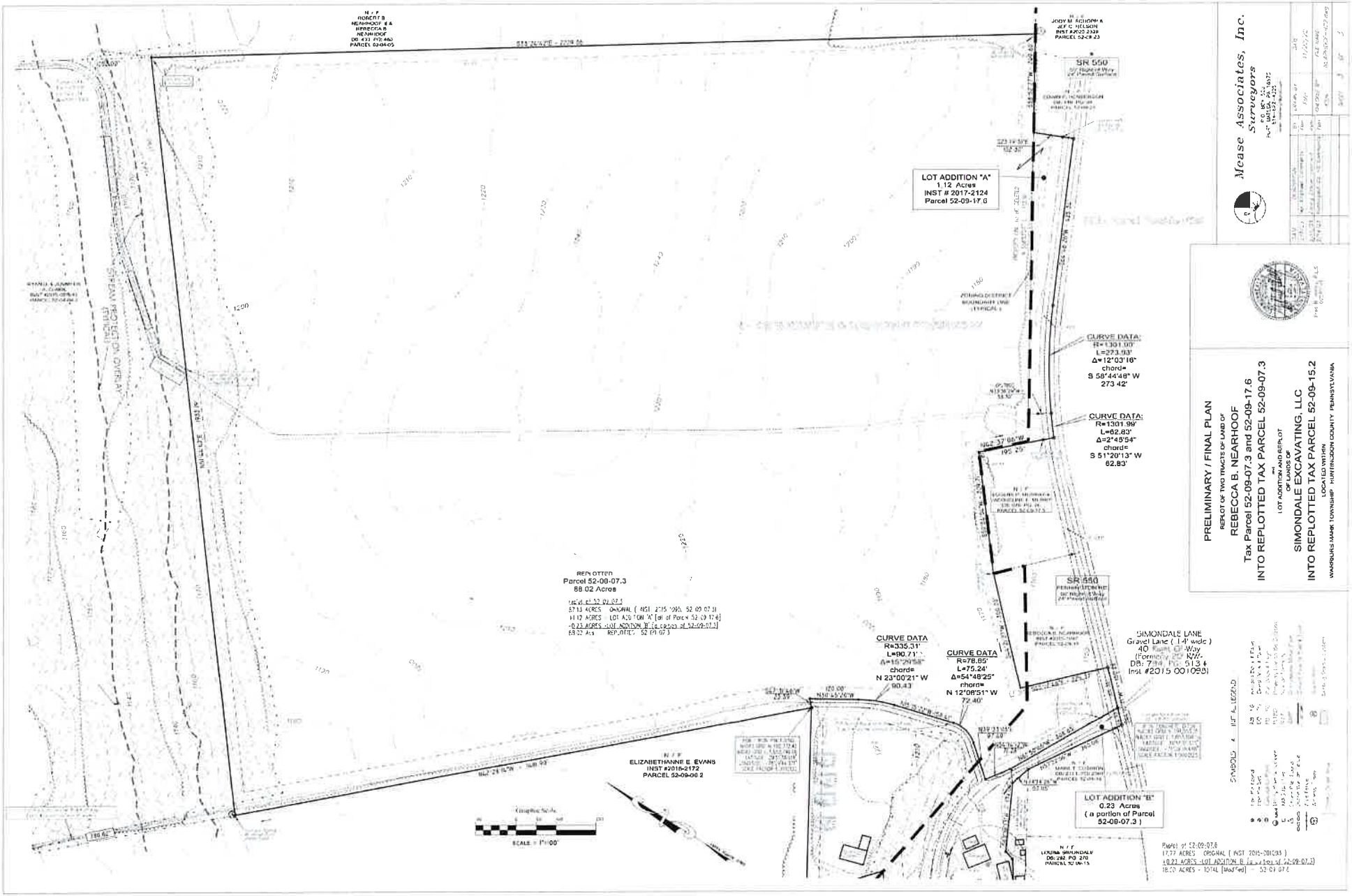
SEWAGE DISPOSAL NOTATION - REBECCA B. NEARHOOF REPLOTTED PARCEL 52-09-07.3

SEWAGE DISPOSAL NOTATION - JAMES M. SIMONDALE REPLOTTED PARCEL 52-09-15.2

Mease Associates, Inc.
Surveyors
P.O. BOX 320
POINT MATILDA, PA 16870
814-692-4225

DATE	DESCRIPTION	BY	DRAWN BY	DATE:
2/1/23	Twp. Engineer Comments	FWH	FWH	11/22/22
2/10/23	Zoning Officer comments	FWH	CHECKED BY:	FILE NAME:
2/16/23	Huntingdon Co. PC Comments	FWH	KSH	NEARHOOF-R22.dwg
			SHEET	1 OF 3


ZONING DISTRICT BOUNDARY LINE (TYPICAL)
N / F
ELIZABETHANNE E. EVANS
INST #2010-2172
PARCEL 52-09-09.2
REPLOTTED
Parcel 52-09-15.2
18.00 Acres
REPLOTTED
Parcel 52-09-07.3
88.02 Acres
N / F
JENNA L. SIMONDALE
INST # 2015-06010
PARCEL 52-09-07
N / F
SCOTT M. SNYDER & KRISTI DODIN
INST # 2018-2564
PARCEL 52-09-07.2
N / F
APPEL A ANNETTE A. PHYS
DB: 192 PG: 815
PARCEL 52-09-07.4
N / F
MATTHEW BRIDGES
INST #2010-416
PARCEL 52-09-07.1
SEPTIC NOTE ZONE (TYPICAL)
N / F
PATRICK D. ARNOLD & SHIRLEY L. ARNOLD
DB: 180 PG: 321
PARCEL 52-09-13
N / F
ALLEN D. HARPER & ELAINE LAWLER
DB: 198 PG: 724
PARCEL 52-09-12.1
N / F
DANNY J. & JANE M. ASHCROFT
DB: 139 PG: 140
PARCEL 52-09-13.2
N / F
JUSTIN M. MILLER
INST #2022-7974
PARCEL 52-09-13.1
N / F
CALEB W. ALAMS
DB: 2013-A PG: 2121
PARCEL 52-09-14
N / F
LOUISE RIGONDALE
DB: 202 PG: 270
PARCEL 52-09-15
LOT ADDITION "B"
0.23 Acres
N / F
MARK T. CUSHION
DB: 2013 PG: 2369
PARCEL 52-09-16
N / F
REBECCA D. NEARHOOF
INST #2015-1097
PARCEL 52-09-17
N / F
EUGENE F. MURRAY & MICHELLE R. NORTH
DB: 2018 PG: 1536
PARCEL 52-09-17.2
ZONING DISTRICT BOUNDARY LINE (PARCEL)
SR 550
PENNINGTON RD
66' Right of Way
24' Paved Surface
L1
L2
L3
L4
L5
L6
L7
L8
L9
L10
L11
L12
L13
L14
L15
L16
L17
L18
L19
L20
L21
C1
C2
C3
C4
N59°13'53"E
S59°13'53"W - 254.96'
S30°10'07"W - 726.07'
S59°13'53"W - 200.00'
N30°10'07"E - 200.00'
N59°13'53"E - 200.00'
S30°10'07"W



Mease Associates, Inc.
Surveyors
P.O. BOX 1328
HUNTINGDON, PA 16652
814-643-4335

PRELIMINARY / FINAL PLAN
REPLOT OF TWO TRACTS OF LAND OF
REBECCA B. NEARHOOF
Tax Parcel 52-09-07.3 and 52-09-17.6
INTO REPLOTTED TAX PARCEL 52-09-07.3
AND
LOT ADDITION AND REPLOT
OF LANDS OF
SIMONDALE EXCAVATING, LLC
INTO REPLOTTED TAX PARCEL 52-09-15.2
LOCATED WITHIN
WARRIORS MARK TOWNSHIP HUNTINGDON COUNTY PENNSYLVANIA

Windstream Webmail **wrmrtwp@windstream.net**

Re: Pumping Receipt

From : Susan Wasson <honeydiper@yahoo.com> Sat, Feb 18, 2023 01:11 PM
Subject : Re: Pumping Receipt
To : wrmrtwp@windstream.net

Hickory ridge is his actual home

2/10 was ballfield alley that double wide on the corner.. can't remember the house number

Sent from Yahoo Mail for iPhone
Susan Wasson
Wasson's Septic service
814-777-5001
PSMA# 101637

On Saturday, February 18, 2023, 11:26 AM, wrmrtwp@windstream.net <wrmrtwp@windstream.net> wrote:

> Sue,
> On 2/10/22 you pumped a property for Chad Shirey.
> He owns multiple properties.
> Can you help me identify where this property was located?
> Was it 2002 Hickory Ridge?
> If not, I can send him a letter.
> Thanks,
> Julie