RESOLUTION NO. 2023-07

A RESOLUTION OF THE TOWNSHIP BOARD OF SUPERVISORS APPROVING THE PRELIMINARY/FINAL PLAN SUBMISSION RE-PLOT OF LANDS OF WARRIORS MARK TOWNSHIP, LANDS OF SIMONDALE EXCAVATING, LLC., AND LANDS OF JAMES M. SIMONDALE & CAROLYN S. UPDIKE

WHEREAS, a subdivision plan entitled: *Preliminary/Final Plan Re-Plot of Lands of Warriors Mark Township – Lot 1-A (Tax Parcel 52-10-03) (Of The Previous Retracement Survey Plan of Lot 1RR, Lots 1-A and Lot 1-B of Plat Book 8, Page 378C) and Re-Plot of Lands of Simondale Excavating, LLC Tax Parcel: 52-10-03.8 and Re-Plot of Lands of James M. Simondale & Carolyn S. Updike Tax Parcel: 52-10-03.15* (hereinafter, the "Plan"), consisting of 3 sheets, dated October 7, 2023, prepared by Mease Associates, Inc., Fred M. Henry, P.L.S., last revised November 17, 2023, has been submitted to Warriors Mark Township (hereinafter the "Township") by James M. Simondale and Carolyn S. Updike, owners of a parcel of land located along State Route 550 (Tax Parcel 52-10-03.15) consisting of 23.77 acres and Simondale Excavating, LLC, owner of a parcel of land located along State Route 550 (Tax Parcel 52-10-03.8) consisting of 39.59 acres ("Developers"). These properties are adjacent to land owned by Warriors Mark Township along State Route 550 (Tax Parcel 52-10-03) consisting of 8.69 acres. At some point in the past a garage was constructed on Tax Parcel 52-10-03.15 and a survey of Tax Parcel 52-10-03 revealed that the garage and access road on Developers' property encroach upon the Township's property; and

WHEREAS, pursuant to the Plan, the lot lines of the aforementioned properties will be adjusted to accommodate the encroachments, resulting in no change to the area of the Township's property, with the Simondale Excavating lot decreasing in size to 39.151 acres and the Simondale/Updike property size increasing to 24.209 acres;

WHEREAS, pursuant to Developers' 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 November 17, 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 November 15, 2023; and

WHEREAS, the Township Planning Commission has reviewed and recommended granting Developer's request for approval of the Plan at its meeting on November 9, 2023; 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 Developers, 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. Payment by the Developers of all recording fees and fees related thereto incurred by the Township relative to the recording of the Plan, and payment by Developers 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 Developers within thirty days of receipt by Developer of a bill for the same.

3. Complete execution of the Plan by Developers.

4. The Developers 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.

5. 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 5th day of December, 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

November 17, 2023

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

TRANSMITTED VIA EMAIL ONLY

Re: PRELIMINARY/FINAL PLAN SUBMISSION
REPLOT OF LANDS OF WARRIORS MARK TOWNSHIP, LANDS OF SIMONDALE EXCAVATING, LLC., AND LANDS OF JAMES M. SIMONDALE & CAROLYN S. UPDIKE
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 for our review on November 10, 2023 and November 15, 2023:

- Response Letter, dated 11/10/23
- Subdivision Plans (3 sheets), dated 10/7/2023 and last revised 11/15/23
- Copy of Zoning Officer Letter, dated 11/6/23
- Copy of Huntingdon County Planning Commission Letter, dated 11/15/23

INTRODUCTION

James M. Simondale and Carolyn S. Updike own a parcel of land located along State Route 550. The parcel is identified as Huntingdon County Tax Parcels 52-10-03.15 and consist of 23.77 acres. The property is adjacent to property owned by the Township of Warriors Mark which is identified as Huntingdon County Tax Parcel Parcel 52-10-03 and consists of 8.69 acres. In addition, SImondale Excavating, LLC., owns tax parcel 52-10-03.8, which is located to the north of the Townships parcel and consists of 39.59 acres. At some point in the past a garage was constructed on the tax parcel 52-10-03.15 and during the survey completed prior to the Townships purchase of tax parcel 52-10-03, it was determined that the garage and an access road between the Simondale Excavating and Simondale/Updike properties encroaches onto the Townships' property. In order to rectify the encroachments, the Applicant desires to adjust the property lines of the three tax parcels identified above.

The subdivision/lot line adjustments will result in no change to the area of the Townships property, with the Simondale Excavating lot decreasing in size to 39.151 acres and the Simondale/Updike property size increasing to 24.209 acres

Exhibit A

The Warriors Mark parcel (52-10-03) is within the Commercial (C) zoning district and the Simondale/Updike and Simondale Excavating parcels (52-10-03.15 and 52-10-03.8 respectively) are located within the Rural Residential zoning district.

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:

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

ARTICLE IV PLAN REQUIREMENTS

1. §402.b: The area calculation for Lot 1-AR found on Sheet 3 appears to be missing information.
   11/3/23: If you are referring to (a portion of Tax Parcel 10-52-03.9) under the zoning line, the wording has been removed. THE ORIGINAL COMMENT WAS IN REFERRENCE TO THE "MATH TABLE FOR PARCEL 52-10-03" FOUND IN THE NORTHERN PORTION OF LOT 1-AR AND DIRECTLY ABOVE THE "LOT 1-AR" LABEL. OPEN COMMENT
   11/10/23: No response provided. **THE MATH TABLE HAS BEEN REVISED. COMMENT RESOLVED**

GENERAL

1. The third replot recital found in the plan title on the cover sheet appears to be missing the last name of James M. Simondale.
   11/3/23: The 3rd replot on sheets has been corrected. **COMMENT RESOLVED**
2. Please revise the Planning Commission portion of the Township Approval box from "Approved by" to "Recommended."
   11/3/23: Planning Commission block has been amended. **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.
   11/3/23: Letter from Zoning Officer will be forwarded to you once received. OPEN COMMENT
   11/10/23: No response provided. **THE ZONING OFFICER REVIEW LETTER WAS PROVIDED. COMMENT RESOLVED**
4. Provide a copy of the Huntingdon County Planning Commission review letter.
   11/3/23: Letter from Huntingdon County Planning Commission will be forwarded to you once received. OPEN COMMENT
   11/10/23: Letter from Huntingdon County Planning Commission will be forwarded to you once received. **THE HUNTING COUNTY PLANNING COMMISSION REVIEW LETTER WAS PROVIDED ON 11/15/23. COMMENT RESOLVED**
5. Plan Certifications – ultimately all plan certifications must be executed.
   11/3/23 & 11/10/23: Plan certifications will be executed prior to Township signatures. **OPEN COMMENT**

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
Jim Simondale
Fred Henry, PLS (fredhenry1@gmail.com)