RESOLUTION NO. 2020-03

A RESOLUTION OF THE TOWNSHIP BOARD OF SUPERVISORS APPROVING THE PRELIMINARY/FINAL SUBDIVISION PLAN FOR NEW ENTERPRISE STONE & LIME COMPANY

WHEREAS, a final plan for subdivision of two parcels, near the intersection of Ridge Road (SR 4025) and Pennington Road (SR 550), was submitted for review at the December 19, 2019 Planning Commission meeting with Warriors Mark Township (hereinafter "Township") by New Enterprise Stone & Lime Company (hereinafter referred to as the "Developer"). The parcels are identified as Huntingdon County Tax Parcel 52-12-5 and 52-8-4 and contain facilities, wooded lands and agricultural fields. Tax parcel 52-12-5 (Lot A) is approximately 124.9 acres and is situated on both sides of Pennington Road and tax parcel 52-8-4 (Lot B) is approximately 101.9 acres and is situated on both sides of Ridge Road; and

WHEREAS, pursuant to Developer's application for final plan approval, the Township's Engineer, Mark Haefner, of Stahl Sheaffer Engineering has issued to the Township a review letter dated December 31, 2019, a copy of which is attached hereto as Exhibit "A" and incorporated herein by this reference (hereinafter "Haefner Letter") wherein comments are made regarding certain deficiencies in the final plan; and

WHEREAS, the Township Planning Commission reviewed and recommended granting Developer's request for approval of the final plan for the Project; and

WHEREAS, the Board wishes to grant approval to the final Plan for the Development 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, are 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 this Project.

2. Agreement by the Developer to obtain all required federal, state, and local permits upon Final Plan Approval and 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 fees (amounting to $120.00). The Township shall hold the final plan until said $120.00 sum has been paid in full, nor shall any building permits be issued until all such fees are paid in full.

4. Complete execution of the Plans by all parties.

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. The above recitals are incorporated herein by this reference.

RESOLVED by the Board of Supervisors of the Township of Warriors Mark this 4th day of February, 2020.

WARRIORS MARK TOWNSHIP
BOARD OF SUPERVISORS

L. Stewart Neff, Chair

ATTEST:

Julie Brenneman, Secretary

Rodney L. Marshall, Vice Chair

Peter Liese, Supervisor

STAHL SHEAFFER ENGINEERING

Stahl Sheaffer Engineering, LLC
301 Science Park Road, Suite 333
State College, PA 16803
814.689.1562
www.sse-llc.com

December 31, 2019

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

Re: PRELIMINARY/FINAL SUBDIVISION PLAN FOR NEW ENTERPRISE STONE & LIME COMPANY, INC.
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE REVIEW #1

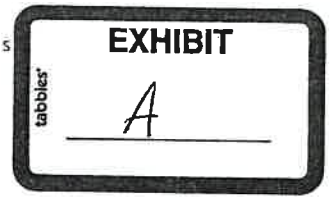
Board of Supervisors:

Per your request we have completed an initial review of the proposed Preliminary/Final Subdivision Plan for New Enterprise Stone & Lime Company, Inc. (NESL). Plans were prepared by Keller Engineers, Inc., Andrew Ebersole, PLS, and the following information was provided for our review at the December 19, 2019 Planning Commission meeting:

- Warriors Mark Township Application for Land Development/Subdivision
- Subdivision Plan, dated 12/12/19
- Project Narrative, dated 12/2019
- Waiver Request, dated 12/2019
- Copy of PADEP Request for Planning Waiver & Non-Building Declaration

INTRODUCTION

The New Enterprise Stone & Lime Company, Inc. (NESL), two parcels of land near the intersection of Ridge Road (SR 4025) and Pennington Road (SR 550). The parcels are identified as Huntingdon County Tax Parcel 52-12-5 and 52-8-4 and contain NESL facilities, wooded lands and agricultural fields. Tax parcel 52-12-5 (Lot A) is approximately 124.9 acres and is situated on both sides of Pennington Road and tax parcel 52-8-4 (Lot B) is approximately 101.9 acres and is situated on both sides of Ridge Road. NESL desires to subdivide Lot A along SR 550, creating Lots 1A and 2A and to subdivide Lot B into Lots 1B and 2B. Lot 1A, which is 55.725 acres and located entirely on the south side of SR 550 and Lot 1B which 8.102 acres and encompasses the existing a portion of a quarry operation will be retained by NESL. Lot 2A (69.138 acres) and Lot 2B (93.754 acres) are intended to be conveyed to Mr. Adam Clark. Lots 1A is located within the IC – Industrial/Commercial zoning district and the remainder of the property is within the A – Agriculture and Resource Protection 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: The plan shall be drawn at a scale of 1" = 100' or less. A written waiver request of this section of the ordinance was submitted due to the size of the property. The waiver request is to allow the plan to be drawn at a scale of 1" = 200'.
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.
3. §402.g: There appears to be an existing access road/driveway from Stover Road, located along the eastern property line of Lot 2A. If an easement exists for the driveway, it should be shown on the plans. If no easement currently exists for the access/driveway, one must be provided.
4. §403.1.3: A Request for Planning Waiver & Non-building Declaration has been submitted for subdivision and requires action by the Township SEO and Board of Supervisors.
5. §403.1.4: Add the following PennDOT Highway Occupancy Permit notation: Any new access via a State Highway to the lots shown on this subdivision plan will require the issuance of a PennDOT Highway Occupancy Permit (H.O.P.). PennDOT regulations provide that a Highway Occupancy Permit is required prior to constructing, altering, or exceeding the permitted capacity for any access connected onto a State Highway. Approval of this plan neither implies nor guarantees permit approval by PennDOT.

GENERAL

1. The plan must be review by the Township Zoning Officer prior to any action on the plan by the Board of Supervisors
2. Provide a copy of the Huntingdon County Planning Commission review letter.
3. Plan Certifications – ultimately all plan certifications must be executed.

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 814.689.1562 or via email at mhaefner@sse-llc.com should you have any questions or require additional information.

Sincerely,

Mark J. Haefner, P.E.
Stahl Sheaffer Engineering, LLC

XC: New Enterprise Stone & Lime Company
Andrew Ebersole, PLS (via email)
Dan Stants (via email)
Dan Durbin (via email)

GENERAL NOTES:

1. PROPERTY IS CURRENTLY OWNED BY NEW ENTERPRISE STONE & LIME COMPANY, INC., OF 3912 BRUMBAUGH ROAD, NEW ENTERPRISE, PENNSYLVANIA, AS PER THE FOLLOWING:

PROPERTY "A" HUNTINGDON COUNTY DEED BOOK VOLUME 680 AT PAGE 748, RECORDED AS TAX PARCEL NUMBER 52-12-5

PROPERTY "B" HUNTINGDON COUNTY DEED BOOK VOLUME 404 AT PAGE 223, RECORDED AS TAX PARCEL NUMBER 52-8-4 (PART OF DEED PLAINTIFF'S 5 & 6)

2. THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE THE TWO MAIN PARENT TRACT PARCELS ("A" AND "B") TO SEPARATE OFF THE WOODED HUNTING LAND FROM THE REMAINING TERRAIN AND QUARRY.
   - PROPERTY "A" TO BE DIVIDED INTO TWO PARCELS WITH STATE ROUTE 550 BEING THE DIVIDING LINE
   - PROPERTY "B" TO BE DIVIDED INTO TWO PARCELS WITH THE QUARRY BEING ON THE ONE PARCEL AND THE REMAINING LAND ON THE OTHER

3. SUBJECT PROPERTY IS CURRENTLY IN THE AGRICULTURAL AND RESOURCE PROTECTION ZONING DISTRICT (A) AND INDUSTRIAL/COMMERCIAL (IC)

4. ZONING DISTRICT (A) REQUIRED SETBACK RESTRICTIONS:
   FRONT = 40'
   SIDE = 30'
   REAR = 30'

   ZONING DISTRICT (IC) BUILDING SETBACK RESTRICTIONS:
   50' FROM ANY PROPERTY LINE, WITH A MINIMUM 20' BUFFER YARD WITHIN REQUIRED SETBACK

5. ACCORDING TO THE NATIONAL WETLAND INVENTORY MAPS THERE ARE WETLANDS ALONG THE BANKS OF LOGAN SPRING RUN. NO ON-SITE DELINEATION WAS PERFORMED.

6. THE APPROXIMATE LOCATION OF THE 100 YEAR FLOOD BOUNDARY IS BASED ON THE FLOOD INSURANCE RATE MAP FOR HUNTINGDON COUNTY, PANEL 13 OF 565, MAP NUMBER 42061C0013D WITH AN EFFECTIVE DATE OF OCTOBER 18, 2012

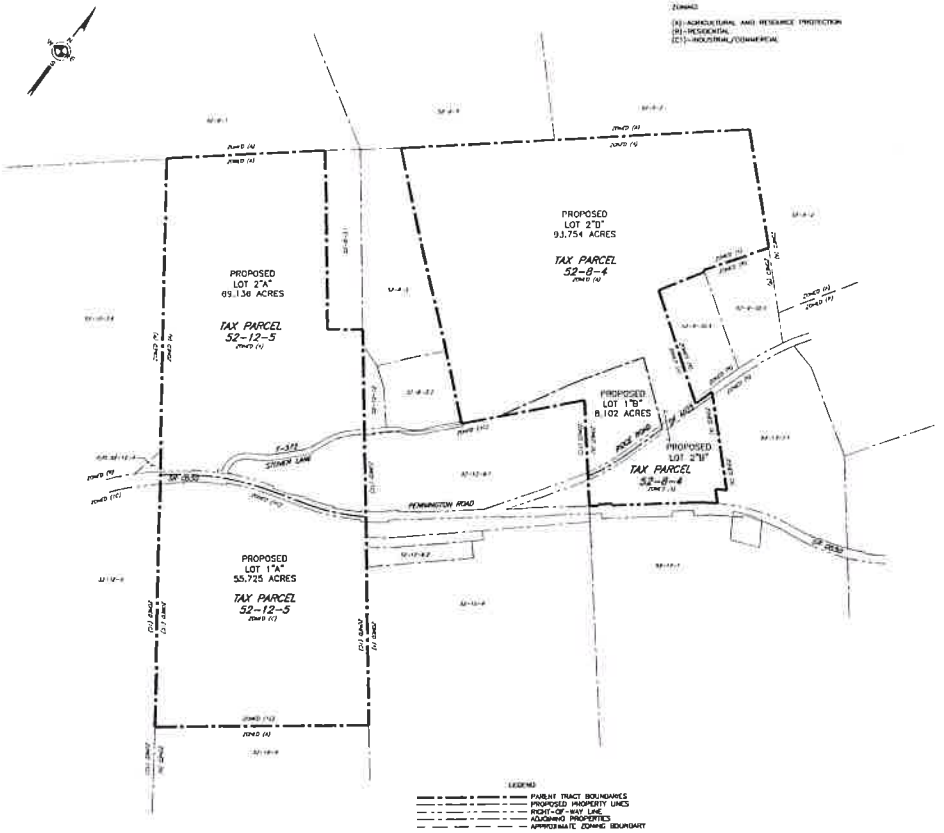
7. CONTOURS BASED ON LIDAR MAPPING

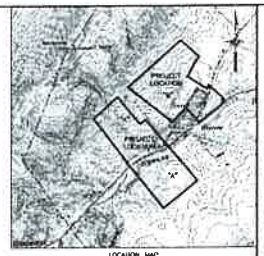
8. APPROVAL OF THIS PLAN DOES NOT GUARANTEE THE APPROVAL OF A HIGHWAY OCCUPANCY PERMIT, SEWAGE PERMIT, ZONING PERMIT OR BUILDING PERMIT. ANY FUTURE DEVELOPMENT OF SUBJECT LOTS WILL REQUIRE FURTHER TESTING AND/OR PLANNING.

9. ANY NEW ACCESS VIA A STATE HIGHWAY TO THE LOTS SHOWN ON THIS SUBDIVISION PLAN WILL REQUIRE THE ISSUANCE OF A PENNDOT HIGHWAY OCCUPANCY PERMIT (H.O.P.). PENNDOT REGULATIONS PROVIDE THAT A H.O.P. IS REQUIRED PRIOR TO CONSTRUCTING, ALTERING OR EXCEEDING THE PERMITTED CAPACITY FOR ANY ACCESS CONNECTED INTO A STATE HIGHWAY. APPROVAL OF THIS PLAN NEITHER IMPLIES NOR GUARANTEES PERMIT APPROVAL BY PENNDOT.

PLANNING WAIVER & NON-BUILDING DECLARATION

"AS OF THE DATE OF THIS DEED/PLOT PLAN RECORDING, THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IS AND SHALL BE DEDICATED FOR THE EXPRESS PURPOSE OF RECREATIONAL USE. NO PORTION OF LOTS 1"A", 1"B", 2"A" AND 2"B" OF THIS PROPERTY/SUBDIVISION IS APPROVED BY WARRIORS MARK TOWNSHIP OR THE DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) FOR THE INSTALLATION OF SEWAGE DISPOSAL FACILITIES. NO PERMIT WILL BE ISSUED FOR THE INSTALLATION, CONSTRUCTION, CONNECTION TO OR USE OF ANY SEWAGE COLLECTION, CONVEYANCE, TREATMENT OR DISPOSAL SYSTEM (EXCEPT FOR REPAIRS TO EXISTING SYSTEMS) UNLESS THE MUNICIPALITY AND (DEP) HAVE APPROVED SEWAGE FACILITIES PLANNING FOR THE PROPERTY/SUBDIVISION DESCRIBED HEREIN IN ACCORDANCE WITH THE PENNSYLVANIA SEWAGE FACILITIES ACT (35 P.S. SECTIONS 750.1 ET SEQ.) AND REGULATIONS PROMULGATED THEREUNDER. PRIOR TO SIGNING, EXECUTING, IMPLEMENTING OR RECORDING ANY SALES CONTRACT ON SUBDIVISION PLAN, ANY PURCHASER OR SUBDIVIDER OF ANY PORTION OF THIS PROPERTY SHOULD CONTACT THE APPROPRIATE OFFICIALS OF WARRIORS MARK TOWNSHIP WHO ARE CHARGED WITH ADMINISTERING THE SEWAGE FACILITIES ACT TO DETERMINE WHAT TYPE OF SEWAGE FACILITIES PLANNING REQUIRED AND THE PROCEDURE AND REQUIREMENTS FOR OBTAINING APPROPRIATE PERMITS OR APPROVALS."





PENNSYLVANIA ONE CALL SYSTEM, INC.
1-800-242-1776

THE FOLLOWING UTILITY COMPANIES ARE ON RECORD WITH THE PENNSYLVANIA ONE CALL SYSTEM AS HAVING UTILITIES IN WARRIORS MARK TOWNSHIP, HUNTINGDON COUNTY

AMERICAN EAGLE PAPER MILLS
ATLANTIC BROADBAND LLC
CONTEMPORARY FORMERLY ONEST PENNSYLVANIA ELEC CO
VALLEY RURAL ELECTRIC COOPERATIVE INC
VERIZON PENNSYLVANIA LLC
WARRIORS MARK GENERAL AUTHORITY
WARRIORS MARK TOWNSHIP
WINDSTREAM

SURVEYOR'S CERTIFICATION

I, ANDREW H. EBERSOLE, A PROFESSIONAL LAND SURVEYOR OF THE COMMONWEALTH OF PENNSYLVANIA DO HEREBY CERTIFY TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THAT THIS PLAN CORRECTLY REPRESENTS THE LOTS, LANDS, STREETS, AND HIGHWAYS AS SURVEYED AND PLOTTED BY ME FOR THE OWNERS OR AGENTS.

_____ _____
DATE REGISTRATION NO SU 038398-E

CERTIFICATION OF OWNERSHIP
COMMONWEALTH OF PENNSYLVANIA } SS:
COUNTY OF HUNTINGDON }

ON THIS, THE _____ DAY OF _____ 20__,
BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COMMONWEALTH OF PENNSYLVANIA, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED

NEW ENTERPRISE STONE & LIME COMPANY, INC. WHO BEING DULY SWORN ACCORDING TO LAW DEPOSES AND SAYS THAT HE/SHE IS THE OWNER OF THE PROPERTY SHOWN ON THIS PLAN, THAT THE SUBDIVISION PLAN THEREOF WAS MADE AT THEIR DIRECTION, THAT THEY ACKNOWLEDGES THE SAME TO BE THEIR ACT AND PLAN AND DESIRES THE SAME TO BE RECORDED AS SUCH according TO LAW WITNESS MY HAND AND SEAL THE DAY AND DATE ABOVE WRITTEN.

_____
LANDOWNER OF PROPOSED DEVELOPMENT

_____
NOTARY PUBLIC COMMISSION EXPIRES

APPROVED BY THE
WARRIORS MARK TOWNSHIP BOARD OF SUPERVISORS

_____ DAY OF _____ 20__

_____
CHAIRMAN

_____
SUPERVISOR

_____
SUPERVISOR

_____
SECRETARY

REVIEWED BY THE
WARRIORS MARK TOWNSHIP PLANNING COMMISSION

_____ DAY OF _____ 20__

_____

_____

_____

HUNTINGDON COUNTY PLANNING COMMISSION

THE HUNTINGDON COUNTY PLANNING COMMISSION REVIEWED THIS PLAN ON _____ 20__, #3 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

KELLER ENGINEERS, INC.
420 ALLEGHENY STREET
HOLLIDAYSBURG, PA 16648
PHONE: 814-696-7430
FAX: 814-696-0150
KELLER ENGINEERS

ANDREW H. EBERSOLE
SU 038398-E
REGISTERED PROFESSIONAL LAND SURVEYOR

DATE	REVISION DESCRIPTION
11-15-22	TOWNSHIP REVIEW COMMENTS

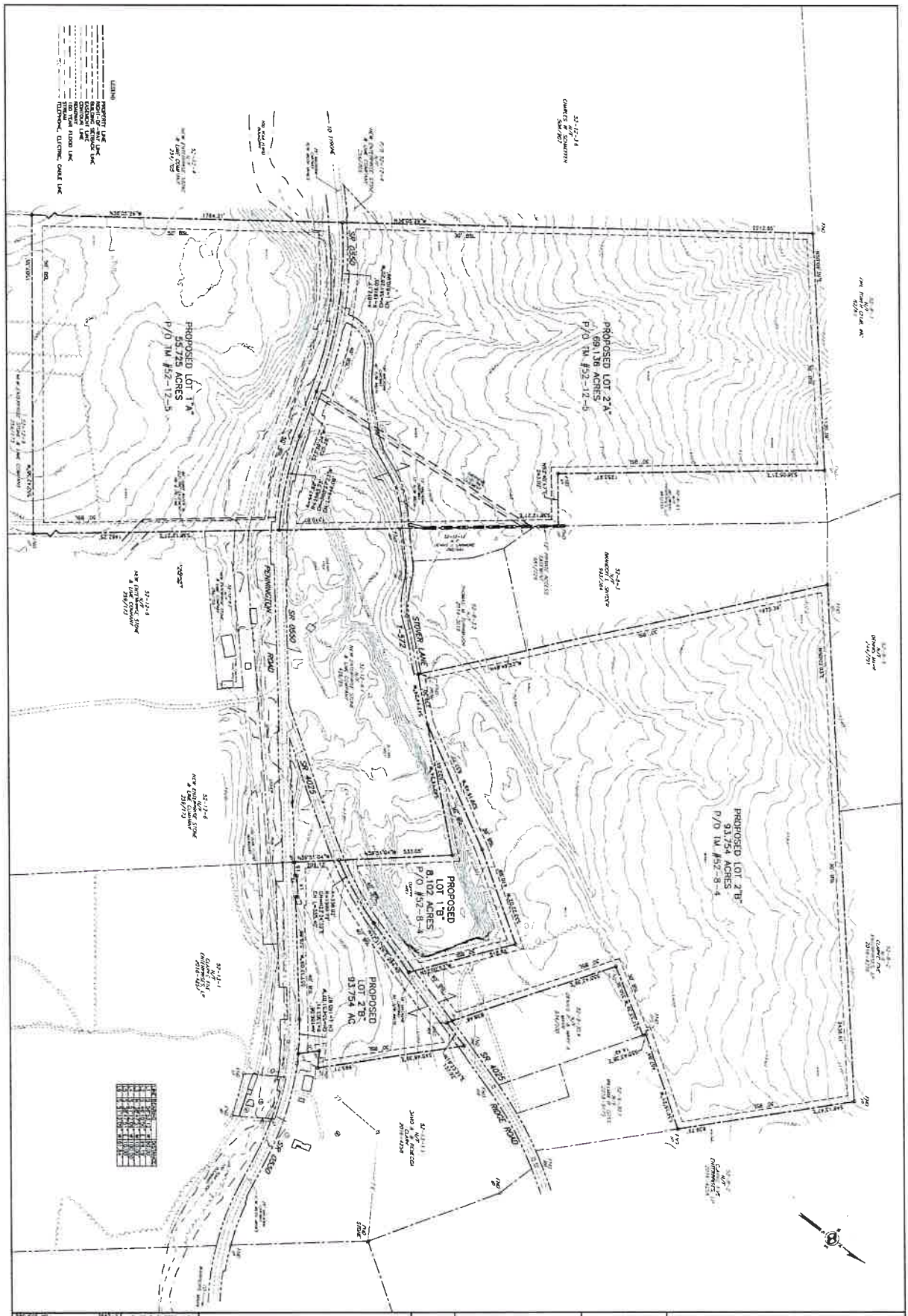
SCALE: 1" = 400'
400' 0 400'

PRELIMINARY / FINAL SUBDIVISION PLAN
FOR
NEW ENTERPRISE STONE & LIME COMPANY, INC.
WARRIORS MARK TOWNSHIP, HUNTINGDON COUNTY, PENNSYLVANIA

SURVEY NO.	2021-2
FIELD BOOK	2021-2, 2022-1
DATE	12-13-22
SURVEYED BY	
DRAWN BY	
CHECKED BY	

KELLER ENGINEERS, INC. EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER PROPERTY RIGHTS IN THESE PLANS CONTAINED IN THESE PLANS NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION AND CONSENT OF KELLER ENGINEERS, INC.

1 OF 2
PARENT TRACTS



PROJECT NO.	3567-2
FILE NAME	3567-2 SUB_2.DWG
DATE	12-12-18
DESIGNED BY	
DRAWN BY	JEE
CHECKED BY	AWE

2 OF 2
SUBDIVISION

KELLER ENGINEERS, INC. EXPRESSLY RESERVES ITS COMMON LAW COPYRIGHT AND OTHER RIGHTS CONTAINED IN THESE PLANS AND DESIGNS. THEY ARE NOT TO BE REPRODUCED, CHANGED, ALTERED OR COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED WITHOUT WRITTEN PERMISSION AND CONSENT OF KELLER ENGINEERS, INC.

PRELIMINARY / FINAL SUBDIVISION PLAN

FOR

NEW ENTERPRISE
STONE & LIME COMPANY, INC.

WARRIORS MARK TOWNSHIP, HUNTINGDON COUNTY
PENNSYLVANIA

DATE & INITIALS	REVISION DESCRIPTION
1-11-19 AWE	TOWNSHIP REVIEW COMMENTS

SCALE: 1"=200' (200' 0' 200')

COMMONWEALTH OF PENNSYLVANIA — ANDREW W. EBERSOLE — REGISTERED PROFESSIONAL

KELLER ENGINEERS, INC.
420 ALLEGHENY STREET
HOLLIDAYSBURG, PA 16648
PHONE: 814-695-7430
FAX: 814-695-0150

KELLER ENGINEERS