MEETING MINUTES
CENTRE COUNTY PLANNING COMMISSION
November 15, 2011

Members Present: Robert Corman, Chairman; Jack Shannon, Bob Dannaker, Tom Poorman and Mimi Wutz

Members Absent: Kevin Abbey, Vice-Chairman; Freddie Persic, Secretary; Cecil Irvin and Tom Hoover

Staff Present: Sue Hannegan, Anson Burwell, Chris Schnure and Mary Wheeler

Others Present: None

1. Call to Order – Pledge of Allegiance

Chairman Corman called the meeting to order at 6:15 p.m.

2. Citizen Comments

None

3. Approval of Minutes

A motion was made by Mr. Shannon and seconded by Ms. Wutz to approve the minutes of October 18, 2011. Motion carried.

4. Planning Commission Member Updates

None

5. Old Business

None

6. New Business

☐ MPO Update – Sue Hannegan

Ms. Hannegan presented information regarding Metropolitan Planning Organization (MPO) Key Points of Discussion for November: Amendment for SR 3018 Whitehall Road / University Drive Extension Widening project; Uncertainty about federal and state funding is expected to result in a substantial decrease in funds; Proposed Changes to CCMPO Bylaws; Long Range Transportation Plan 2040; Unified Planning Work Program: Municipal Appointments / Reappointments Process and Roadway Safety Planning / Route Information Sheets as noted on (Attachment #1).
Ms. Hannegan reminded members that they needed to forward any edits / changes that they wanted incorporated into the Recreation Chapter Update to the County’s Comprehensive Plan.

Ms. Hannegan presented information to the Planning Commission regarding: Well Report - 57 wells drilled to date; the proposed Rush Township Subdivision / Land Development Ordinance Amendment; Educational / Training Opportunities and Source Water Protection Planning as noted on (Attachment #2).

7. **Review of Subdivision and Land Development Plans** - Anson Burwell and Chris Schnure (Attachments #3 & #4)

**Subdivisions:**

1. Dr. Gerald F. & Susan W. Clair Subdivision  
   Final Plan  
   2-Lots (Residential)  
   Benner Township

   A motion was made by Mr. Shannon and seconded by Ms. Wutz to table this plan with the intent to revisit at the December 20, 2011 Planning Commission meeting. Motion carried.

**Land Developments:**

2. Ram Centre, Inc. Land Development (previously tabled)  
   Final Plan  
   1-Building (Senior Citizen Center, Recreation Facility w/ Day Care, Physical Therapy Center and Medical Center)  
   Penn Township

   A motion was made by Mr. Dannaker and seconded by Mr. Poorman to remove this plan from the table for discussion. Motion carried.

   Discussion ensued.

   A motion was made by Ms. Wutz and seconded by Mr. Dannaker to approve staff’s recommendation of Conditional Final Approval of the above-mentioned Plan. Motion carried.

3. Dollar General (Millheim Borough) Land Development  
   Final Plan  
   1-Building (Dollar General Store)  
   Millheim Borough
A motion was made by Mr. Poorman and seconded by Mr. Shannon to table this plan with the intent to revisit at the December 20, 2011 Planning Commission meeting. Motion carried.

During discussion a request was made by Ms. Wutz for Mr. Burwell to include the Commission’s request that the applicant consider incorporating a compatible building design and façade consistent with the architectural character of the historical buildings in Penns Valley. Mr. Burwell stated that he would pass the request on to the developer.

**Time Extension Requests**

- Lions Gate Storage Land Development, Phases 1 & 2 (CPA) File No. 95-11 Benner Township.................................................................1st Request (No Fee Required)

- BEASD Additions and Alterations Land Development (CFA) File No. 4-09 Boggs Township.........................................................11th Request ($400.00 Fee Required)

- John Hull's Deitrich Road Land Development (CFA) File No. 45-07 Walker Township.........................................................18th Request ($750.00 Fee Required)

Note: CPA = Conditional Preliminary Plan Approval

CFA = Conditional Final Plan Approval

A motion was made by Mr. Dannaker and seconded by Mr. Shannon to approve the above-mentioned Time Extensions. Motion carried.

**Major Subdivision and Land Development Plan Sub-Committee Meeting** - The Thursday, November 17, 2011 meeting has been cancelled.

8. **Assistant Director's Report and Other Matters to Come Before the Commission**

None

With no further business to come before the Commission, a motion was made by Mr. Shannon and seconded by Ms. Wutz to adjourn at 7:37 p.m. Motion carried.

Respectfully submitted,

Susan B. Hannegan, Assistant Director

mlw

THESE MINUTES WERE APPROVED AT THE DECEMBER 20, 2011, CENTRE COUNTY PLANNING COMMISSION MEETING.
Key Points of MPO Discussion – November

1. Amendment for SR 3018 Whitehall Road/University Drive Extension Widening project.

In August 2011, PennDOT received bids for construction of the Whitehall Road/University Drive Widening project. Because the low bid exceeded the funds allocated on the TIP for the Construction Phase, PennDOT has proposed that the Highway Element of the 2011-2014 TIP be amended by shifting $1,359,385 from the SR 150 Congested Corridors project (in Bellefonte) and the Bridge Maintenance/Rehabilitation/Preservation Line Item to the SR 3018 Whitehall Road/University Drive Widening project.

The Route 150 project is still in the Preliminary Engineering (PE) phase, and a recommended program of improvements has not yet been prepared. Sufficient funds are included on the TIP to complete the PE phase. After the PE phase is completed, revised cost estimates will be prepared for the Final Design, Utility, Right of Way, and Construction phases, and funding may be included on a future TIP.

By amending the TIP, the full scope of the Whitehall Road / University Drive Extension Widening project will be maintained including the pedestrian / bike elements.

2. Preliminary Draft 2013-2016 Centre County Transportation Improvement Program (TIP)

Because the uncertainty about federal and state funding has resulted in a reduction in Centre County’s allocation, several issues have become apparent as PennDOT prepares the Preliminary Draft TIP, including:

- Only $2.9 million of the $4.5 million needed for the Construction phase of the Route 144 Betterment project is included on the new TIP in year 2016. The project will be ready for construction prior to year 2016.

- No funding is available for the next phase of several projects that are in the Preliminary Engineering (PE) or study phase on the current TIP:
  - Route 26 (Jacksonville Road) Betterment
  - Route 26 Pine Grove Mountain Phase II (lower escape ramp)
  - Route 144 Linn Street Wall reconstruction (Bellefonte Borough)
  - Route 150 Congested Corridors Improvement Program
  - Route 322 (Mount Nittany Expressway) paving project (College Twp.)
  - SR 3014 Atherton Street paving/drainage improvements
  - Moshannon Valley Park and Ride Lots project

- No funding is available to start new state bridge projects in years 2014 and 2015.
No funding is available to start new local bridge projects.

No funding is available for a pavement rehabilitation line item or new Betterment projects.

MPO members and staff are currently working to frame a strategy for including projects on the TIP, particularly if more funds are allocated in new federal and state transportation legislation.

3. Proposed Changes to CCMPO Bylaws (Second Discussion):

In September 2011, the Coordinating Committee received recommendations from the Membership Subcommittee about changes to the CCMPO’s Bylaws. By unanimous votes, the Coordinating Committee supported making two changes to the Bylaws:

1. Revising the membership structure to add one new voting member to the CCMPO to represent Bellefonte Borough, Marion Township, and Walker Township collectively.
2. Adding language to define a planning region

These two items will be voted upon at the November 22nd MPO Coordinating Meeting.

4. Other Important Topics on MPO’s agenda:

*Long Range Transportation Plan 2040* -- establishing goals/objectives, and the development of performance measures and implementation strategies to serve as a foundation for development of the plan.

*Unified Planning Work Program* -- The UPWP lists the work tasks to be completed by the CRPA and the Centre County Planning and Community Development Office (CCPCDO) on behalf of the CCMPO.

*Municipal Appointments / Reappointments Process* – Correspondence will be going out soon to municipalities concerning the two-year cycle for MPO appointments.

5. Other Tasks Underway in the Planning Office:

*Roadway Safety Planning / Route Information Sheets* – In support of the efforts underway by the Centre County Natural Gas Task Force, information is being collected to develop web-based mapping for routes of travel commonly used by the natural gas industry. These maps will identify route characteristics and potential hazards.
Centre County Natural Gas Industry Report
November 15, 2011

Well Report: NO CHANGE
- 57 total Marcellus Shale wells drilled to date (Source: DEP November 2011 Spud Report)

Rush Township Subdivision / Land Development Ordinance Amendment
- Proposed changes currently under review by staff.

Educational / Training Opportunities:
- Central PA Institute of Science and Technology (CPI) – Emerging Energy and Infrastructure Technology Center – Program opened September 2011
- CPI Transportation Training Center Building Project: Groundbreaking – February 2012
  - $10 million construction project (Spring Township)
- Centre County Public Safety Training Center: Expansion to include natural gas emergency response training.
  - Currently looking for sponsorships

Source Water Protection Planning:
- Snow Shoe Borough / Township and Burnside Township: MountainTop Regional Water Authority
- Rush Township / Philipsburg Borough: PA American Water
  Currently seeking participation from Cooper Township (Clearfield County), Oak Ridge Water Authority, Upper Halfmoon Water Company, and Black Moshannon State Park – all with source water in Rush Township.
Subdivisions:

1. Dr. Gerald F. & Susan W. Clair Subdivision
   Final Plan
   2-Lots (Residential)
   Benner Township

Land Developments:

2. Ram Centre, Inc. Land Development (previously tabled)
   Final Plan
   1-Building (Senior Citizen Center, Recreation Facility w/ Day Care, Physical Therapy Center and Medical Center)
   Penn Township

3. Dollar General (Millheim Borough) Land Development
   Final Plan
   1-Building (Dollar General Store)
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Time Extension Requests

- Lions Gate Storage Land Development, Phases 1 & 2 (CPA) ..............................................File No. 95-11
  Benner Township........................................1st Request (No Fee Required)

- BEASD Additions and Alterations Land Development (CFA) .............................................File No. 4-09
  Boggs Township........................................11th Request ($400.00 Fee Required)

- John Hull's Deitrich Road Land Development (CFA) .........................................................File No. 45-07
  Walker Township..........................................18th Request ($750.00 Fee Required)

Note: CPA = Conditional Preliminary Plan Approval
      CFA = Conditional Final Plan Approval
Dr. Gerald F. & Susan W. Clair Subdivision

Final Plan
2-Lots (Residential)
Benner Township

Location: At the eastern terminus of an existing private street called Clair Lane, approximately 200 yards west to its intersection with Township Road 376 (Rock Road).

Surveyor/Engineer: PennTerra Engineering, State College

Tract History: a) Parent tract (totaling 29.9 acres) acquired by the Dr. & Mrs. Clair as an existing lot of record. The lot contains an existing single-family residence and several outbuildings and recent litigation between Dr. & Mrs. Clair (plaintiffs) and the adjoining property owner and Benner Township (defendants) has taken place, whereby the Judge’s decision allows for a reduction of the Benner Township’s minimum private street right-of-way width (off-site, only) from the required 50 feet width to a 20 foot width.

Note: In the court documents it was clearly stated that all other local land use controls must be adequately accommodated. However, the plan as presently submitted shows a design that will require major adjustments in order to comply with the Benner Township Street Standards (i.e., maximum finished grade for a private street system -- 12% vs. the 13.1% depicted; 4% leveling area at the private street intersection with Rock Road; and, a required cul-de-sac turn-around in lieu of the proposed ‘hammerhead’ format); or, the developer must provide written evidence of municipal waivers.

b) This proposal represents a Final Plan submission showing a subdivision proposal within the parcel to create two lots from one, including the necessary internal and external infrastructure to service the building of a single-family residence on Lot 2.

Plan Requirements Pending:

ARTICLE V -- MAJOR RESIDENTIAL SUBDIVISION

512. Final Plan Submission

C. To guarantee the Applicant’s payment of all required plan reviews and corresponding site inspection fees, provide a partially completed Memorandum of Understanding for further processing.

D. Provide this office with a completed copy of the Department of Environmental Protection (DEP) Sewage Facilities Planning Module, including the required Pennsylvania Natural Diversity Index (PNDI) search results and corresponding written evidence of DEP approval.

517. Final Plan Requirements
A.1. The property being subdivided is primarily located in Benner Township but is also partially located in College Township; indicate this proposal as also being located in College Township.

A.2. Clarify the street address of the owner of the property being subdivided; Assessment Office records indicate the street address as being 146 Clair Lane; verify and amend accordingly.

A.6. The deed source for the property being subdivided (i.e., Record Book 661, Page 225) references multiple tracts of land; reference the specific tract of land being subdivided per this proposal.

A.6. (cont) Amend the source of title reference for the property being subdivided to be Record (in lieu of Deed) Book 661, Page 225 located on the plan schematic within Lot 1 on Sheet 1 of 3.

A.8. The adjoining properties north of this proposal are part of a previously approved subdivision plan entitled, “Plan of Development for Robert E. Delafeld” recorded in Plat Book 15, Page 5; graphically depict the lot lines for Lots 1 & 2 (owned by David Michael Panko; Tax Parcel 37-5-22) and Lots 3 & 4 (owned by Sandra T. Azar; Tax Parcel 37-5-15A).

A.8. (cont) Amend the adjoining property lines to a different line style to clearly distinguish from the property being subdivided.


A.10. Label Clair Lane and Ellman Lane (on Sheet 1) and label the township road number for Rock Road (i.e., T-376).

A.10. (cont) Amend the right-of-way lines for Rock Road (T-376) to a different style to clearly distinguish from the property being subdivided.

A.10. (cont) Label the material type and width of the cartway within Rock Road (T-376).

A.10. (cont) Label the width of the existing paved driveways located within Lot 1 and within the panhandle of Lot 2.

A.10. (cont) Per Miscellaneous Book 41, Page 94 there is an existing 12-foot wide right-of-way that traverses through a portion of the northern corner of Lot 2; locate and label accordingly, noting the width of the right-of-way and source of title.

Also, locate and label the corresponding cartway within the 12-foot wide right-of-way, noting material type and width.

A.10. (cont) Per Plat Book 80, Page 158, there is an existing 50-foot wide private right-of-way that adjoins the northern corner of Lot 2, called “Ellman Lane” and is recorded in Record Book 2009, Page 919; locate and label, noting the width of this right-of-way, source of title and name.
A.11. Per the configuration of the lots being proposed by the applicant, there is now a building setback encroachment with an existing shed located in the northern portion of Lot 1; relocate the shed to eliminate the building setback encroachment.

A.11. (cont) Locate and label the existing on-site water supply (well) that services Lot 1.

A.14. Per Benner Township Street Standards Ordinance, Section 5.9 Private Streets, c.(4) **Maximum allowable grade:** The maximum allowable grade for private access streets shall be a finished grade of twelve (12) percent slope. Special drainage considerations shall be required to eliminate or control erosion, sedimentation and storm water management, especially on grades exceeding six (6) percent slope. These shall include special roadway cross sections, grading shoulder construction and stabilization, cross drainage and cut and fill slopes as approved by the Township Engineer.

The profile on Sheet 2 of 3 indicates the finished grade of a segment of Clair Lane is to be 13.1%, which exceeds the maximum allowable finished grade of 12%. The applicant will need to either amend the plan to meet the maximum finished grade of 12% or seek from the Benner Township Supervisors a waiver from this requirement of the Benner Township Street Standards Ordinance.

A.14. (cont) Per Benner Township Street Standards Ordinance, Section 5.9 Private Streets, c.(6) **Cul-de-sac turnaround area:** A turnaround area shall be provided at the terminus of all dead-end access streets and at other appropriate areas which shall have a minimum unobstructed maneuvering area equal to or equivalent of a forty (40) foot turning radius.

The applicant is proposing, in lieu of a cul-de-sac turnaround, a ‘hammerhead’ turnaround at the terminus of the private street. The applicant will need to either amend the plan to meet the cul-de-sac turnaround requirement or seek from the Benner Township Supervisors a waiver from this requirement of the Benner Township Street Standards Ordinance.

A.14. (cont) Per Benner Township Street Standards Ordinance, Table 2 – Intersection Design Specifications, a 4% leveling area for the first 50-feet is required for Clair Lane at its intersection with Rock Road (T-376). The applicant will need to either amend the plan to meet this leveling area requirement or seek from the Benner Township Supervisors a waiver from this requirement of the Benner Township Street Standards Ordinance.

A.14. (cont) Per Benner Township Street Standards Ordinance, Section 5.10 Private Driveway Access Easement, b.(3), such private right-of-way easement shall be fifty (50) feet in width.

The applicant is proposing a 20-foot wide access easement through the panhandle of Lot 2 to the benefit of Lot 1. The applicant will need to either amend the plan to meet the required 50-foot wide access easement width or seek from the Benner Township Supervisors a waiver from this requirement of the Benner Township Street Standards Ordinance.

A.14. (cont) Clarify if an easement exists for that segment of Clair Lane (private) located on lands of David Michael Panko (Tax Parcel 37-5-53A) at its intersection with Rock Road (T-376). If an easement exists, locate and label same on the plan schematic, noting the width and source of title.
If an easement does not exist, locate and label on the plan schematic using accurate bearings and distances, an access easement over lands of David Michael Panko (Tax Parcel 37-5-53A). Provide a draft copy of the access easement to this office for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) on the plot plan. Provide this office with a recorded copy for our file.

Another option, if applicable, would be for the applicant to provide evidence from their legal counsel of an ‘easement by prescription’ for that segment of Clair Lane (private) located partially on lands of David Michael Panko (Tax Parcel 37-5-53A).

A.18. The applicant’s engineer has indicated the improvements to Clair Lane (private) will create approximately 3,500 square feet of additional impervious area, which is less than the 5,000 square feet required for the preparation of a stormwater management plan (per the Spring Creek Stormwater Management Ordinance) as well as an erosion and sedimentation pollution control plan, as approved by the Centre County Conservation District. Further, the applicant’s engineer has indicated the additional runoff created will be filtered by sheet flow over existing vegetated and wooded areas. Given the access easement of Clair Lane (private) is 20-feet in width and the cartway will be improved to 18-feet wide, the additional runoff will appear to sheet flow over lands of others and unlikely to be contained wholly within the 20-foot right-of-way. To this end, locate and label on the plan schematic using accurate bearings and distances a stormwater management easement covering those areas where the additional stormwater will sheet flow. Provide this office with a draft copy of the stormwater management and maintenance easement agreement for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) on the plot plan. Provide this office with a recorded copy for our file.

A.19. Site Data: Clarify the square footage of the lots being subdivided -- Project Notes 1.d. differs from the square footage referenced on the plan schematic, amend accordingly; and, reference the minimum lot size required for this proposal.

A.19. (cont) Site Data: Reference the applicable building setback requirements per the College Township Zoning Ordinance; amend Project Notes 2.e. to indicate Sanitary Sewer (on-site existing Lot 1; on-site proposed Lot 2); amend Project Notes 2.f. to indicate Water (on-site existing Lot 1; on-site proposed Lot 2); and, amend Project Notes 5. to reference Tax Parcel 37-5-48.

A.21. Location Map (1” = 1,000’): Label the township road numbers for Rock Road, Big Hollow Road, Houserville Road, and Trout Road.

A.21. (cont) Location Map (1” = 400’): Amend the line style used to depict the adjoining properties to a different style to clearly distinguish from the property being subdivided; label Spring Creek and Rock Road (T-376).

A.23. All property corner pins must be set prior to Final Plan approval; amend the Symbols Legend to indicate the property corner pins are set rather than ‘to be’ set.

A.24. If applicable, amend the building setback lines depicted on the plan schematic within College Township to be consistent with the College Township Zoning Ordinance.
518. **Additional Supplemental Requirements**

A. **Supporting Data**

A.1. Awaiting receipt of the Municipal’s Engineer review and approval of the required engineering details.

A.3. Provide written confirmation from the Benner Township Zoning Officer indicating that the proposal meets or exceeds all applicable regulations per the Benner Township Zoning Ordinance.

A.3. (cont) Although no new lots are being created in College Township, provide written confirmation from the College Township Zoning Officer indicating that the bulk regulations so noted in the Project Notes are consistent with the College Township Zoning Ordinance.

A.3. (cont) Provide this office with a copy of an approved Benner Township Highway Occupancy Permit (HOP) for Clair Lane’s (private) access onto Rock Road (T-376), noting the permit number on the plot plan, if the township assigns numbers to their permits.

A.6. This office acknowledges receipt of a draft copy of a “Private Access Easement Agreement” for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) of the easement on the plot plan. And once recorded, provide this office with a recorded copy of the instrument for our file.

Also, locate and label the easement on the plan schematic using accurate bearings and distances.

A.6. (cont) Provide this office with a draft copy of a private right-of-way agreement for Clair Lane (private) for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) of the easement on the plot plan. And once recorded, provide this office with a recorded copy of the instrument for our file. Also, locate and label the easement on the plan schematic using accurate bearings and distances.

B. **Improvements**

B.1. & B.2. Upon satisfactory completion of the above plan requirements (per subsequent written concurrence from this office), the applicant shall construct all required improvements as a condition pending final plan approval; or in lieu of, post adequate surety to guarantee same. 
*Note: In either case, the applicant shall request a final site inspection (in writing) by the Municipal Engineer and County Planning Staff, with written correspondence noting approval to be generated by the Municipal Engineer upon satisfactory completion of all required improvements.*

C. **Certificates**

C.1. Obtain the signature of the Professional Land Surveyor responsible for the plan (i.e., Execute the Professional Land Surveyor Certification Block).
C.1. (cont) Obtain the seal of certification of the Professional Engineer responsible for the plan.

C.4. Obtain the original signature of the owners of the property being subdivided and execute the Certification of Ownership Block.

C.5. Provide the required Recorder of Deeds Block, per Appendix 8.G. of the County’s Subdivision and Land Development Ordinance.

C.7. Obtain the original signature of the Benner Township Sewage Enforcement Officer and execute the Sewage Disposal Review Block.

C.2. Obtain the approval signatures of the Benner Township Planning Commission and Board of Supervisors.

C.3. Upon completion of the above, obtain the approval signatures of the Centre County Planning Commission.

General Comments

- Through routine review by the staff, the above-referenced property may be subject to the regulation per Act 319, entitled: *Pennsylvania Farmland and Forest Land Assessment Act of 1974*. (More commonly referred to as the “Clean & Green Law”).

Accordingly, the proposed subdivision activity might impact the property’s existing taxing structure, including the possibility of “rollback taxes”.

For clarification, we encourage the Applicant to contact the Centre County Assessment Office (as soon as possible) to obtain the necessary information pertaining to this matter -- Phone: (814) 355-6721.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Sub-Committee) and subject to the review comments from the Benner Township Engineer and Zoning Officer, staff recommends tabling at this time with the intent to revisit the plan at the Commission’s next scheduled meeting of December 20, 2011.
Ram Centre, Inc. Land Development

Final Plan
1-Building (Senior Citizen Center, Recreation Facility w/ Day Care,
Physical Therapy Center and Medical Center)
Penn Township

Location: Along the northern boundary of Penns Valley Road (State Route 45), approximately 0.2 mile east of its intersection with Green Grove Road (T-419).

Surveyor/Engineer: Nittany Engineering & Associates, Centre Hall

Tract History: a) Parent tract (totaling 51 acres) acquired by the owners (Penns Valley Area School District) as an existing lot of record, comprising the recent consolidation of all their property lying north of State Route 45 into one newly consolidated lot of record.

c) This proposal represents a Final Plan submission showing a land development proposal within a ‘designated land use area’ of seven acres to be sited behind the senior high school building complex, comprising a two-story (52,000 sq. ft.) multi-purpose building to employ uses including a senior citizens center (800 sq. ft.), recreation facility (YMCA/ day care -- 35,800 sq. ft.), physical therapy center (1,500 sq. ft.) and medical center (10,000 sq. ft.), including the necessary internal and external infrastructure to service the building and its proposed uses.

Plan Requirements Pending:

ARTICLE VII -- LAND DEVELOPMENT

713. Final Plan Submission

D. Per the recently executed Sewage Facilities Planning Module, provide this office with the corresponding DEP written approval notice.

718. Final Plan Requirements

Note: This office acknowledged receipt of a lot addition / replot plan for the property in which this land development activity is to occur. The lot addition / replot plan must be approved and placed on record prior to this land development plan being approved. Also, once completed, please note on the land development plot plan the new source of title, tax parcel number and plat book and page number of the approved lot addition / replot plan.

A.6. (As noted above), reference the new source of title and tax parcel number for the property being developed.

719. Additional Supplemental Requirements

A. Supporting Data
A.3. As is PennDOT policy, the required Scoping Meeting was held for PennDOT to determine the type of study (Traffic Impact Analysis or a Traffic Impact Study) to be conducted, depending upon the applicant’s proposal. According to PennDOT, the Scoping Application was signed by Penn Township indicating they are aware of the proposal, have reviewed the location and type of access, have provided their input on mitigation studies.

Note: Upon review of the Traffic Impact Study (TIS) Scoping Meeting Checklist, the data provided by the applicant indicating ‘proposed land uses’ list use types and building square footages have been updated and amended.

A.3. (cont) Provide this office with a copy of an approved Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP) for the access onto Penns Valley Road (State Route 45), noting the permit number on the plot plan.

A.6. This office acknowledges receipt of a draft copy of the Stormwater Management and Maintenance Easement Agreement for review. The draft has been found acceptable and the applicant has been instructed to execute, record, and note source of title (where recorded) on the plot plan. Provide this office with a recorded copy of the instrument for our file.

B. Improvements

B.1. & B.2. Upon satisfactory completion of the above plan requirements (with written concurrence from this office), the applicant shall construct all required improvements as a condition pending final plan approval; or in lieu of, post adequate surety to guarantee same. Note: In either case, the applicant shall request a final site inspection (in writing) by the County Engineer and County Planning Staff, with written correspondence noting approval to be generated by the County Engineer upon satisfactory completion of all required improvements.

C. Certificates

C.1. Execute the Stormwater Certification Block on Sheet 7 of 12.

C.2. Obtain the approval signatures of the Penn Township Planning Commission and Board of Supervisors.

C.4. Obtain the original signature of the owners of the property being developed and execute the Certification of Ownership Blocks.

C.3. Upon completion of the above, obtain the approval signature of the Centre County Planning Commission.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Subcommittee and correspondence received from the County Engineer and PennDOT, staff recommends Conditional Final Plan Approval subject to the completion of the items noted above and the approval signatures of the Penn Township Planning Commission and Board of Supervisors.
Dollar General (Millheim Borough) Land Development

Final Plan
1-Building (Dollar General Store)
Millheim Borough

Location: Along the southern boundary of East Main Street (State Route 45), approximately 0.5 mile west of its intersection with Tattletown Road in Aaronsburg (State Route 2016).

Surveyor/Engineer: CEI Engineering Associates, Inc., Bentonville, Arkansas

Tract History: a) Parent tract (totaling 3.99 acres) acquired by the equitable owner (Millheim DPPV, LLC) through a sales agreement with the present property owner (Hazel N. Warntz).

   b) This proposal represents a Final Plan submission showing a land development proposal (a Dollar General Store), including the necessary internal and external infrastructure to service the building and its proposed use.

Plan Requirements Pending:

ARTICLE VII -- LAND DEVELOPMENT

713. Final Plan Submission

D. Provide this office with a completed copy of the Department of Environmental Protection (DEP) Application Mailer and corresponding written evidence of DEP approval.

718. Final Plan Requirements

A.2. This office acknowledges receipt of an executed sales agreement between the Fee Simple Owner (Hazel N. Warntz) and the Equitable Owner (Franklin Land Associates, LLC). The Site Data Notes indicate the Equitable Owner as being Millheim DPPV, LLC; however, according to documentation provided by the developer, once the property is sold to Franklin Land Associates, LLC, they will then immediately transfer, sell and assign its right, title and interest in the property to Millheim DPPV, LLC. Per the executed sales agreement, amend the plan to reflect the Equitable Owner as being Franklin Land Associates, LLC in lieu of Millheim DPPV, LLC.

Also, amend the plan note to detail above.

A.6. Reference the source of title of the property being developed (i.e., Record Book 1110, Page 1002).

A.8. Clarify the name of the owner, source of title and tax parcel number for the adjoining property northeast of this proposal. Recorder of Deeds Office information indicates the owner as Laura L. & Tyler J. Welch with the source of title being Record Book 2079, Page 972 and Tax Parcel 33-06-23A; verify and amend accordingly.
A.8. (cont)  Clarify the name of the owner, source of title and tax parcel number for the adjoining property east of this proposal. Recorder of Deeds Office information indicates the owner as Craig R. & Lucily T. Bloom with the source of title being Record Book 1132, Page 747 and Tax Parcel 33-06-25A; verify and amend accordingly.

A.8. (cont)  Clarify the name of the owner and source of title for the adjoining property southeast of this proposal. Recorder of Deeds Office information indicates the owner as Barbara J. Schneider with the source of title being Record Book 1707, Page 119 and Tax Parcel 23-7-73; verify and amend accordingly.

Also, reference the plat book and page number of the approved subdivision plan for adjoining lands of Barbara J. Schneider (i.e., Lot 11 -- Plat Book 71, Page 61).

A.10.  Indicate if an easement exists for the stone driveway located on lands of this proposal that is used by the adjoining property (Laura L. & Tyler J. Welch -- Tax Parcel 33-06-23A) that lie east of this proposal. If an easement exists, note the source of title (where recorded) on the plot plan.

If an easement does not exist, locate and label on the plan schematic using accurate bearings and distances an access easement on lands of this proposal to the benefit of Tax Parcel 33-06-23A. Also, provide this office with a draft copy of the access easement for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) on the plot plan. Provide this office with a recorded copy for our file.

A.11.  Label the material type of the existing 6” water line main in which this proposal intends to tie into for service.

A.11. (cont)  Clarify the size of the above-mentioned existing 6” water line. It is the planning offices’ understanding that the water line is only 4” in diameter. Contact Millheim Borough for further clarification and amend accordingly.

A.11. (cont)  Label the material type and size of the existing sanitary sewer main in which this proposal intends to tie into for service.

A.14.  Clarify the ‘construction easement’ located northwest of this proposal and being on lands of Donald G. & Alma D. Confer (Tax Parcel 33-06-42). Is this construction easement intended solely for the relocation of the Confer’s existing driveway (?) or is this construction easement also intended to be used by the developer in the construction of the Dollar General (?)

Locate and label on the plan schematic using accurate bearings and distances a temporary construction access easement. Also, provide this office with a draft copy of the temporary construction access easement for staff review. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) on the plot plan. Provide this office with a recorded copy for our file.

A.17.  Locate and label on the plan schematic (using accurate bearings and distances per the perimeter description) the required stormwater management easement -- around all drainage swales, piping, detention ponds, etc. This easement shall connect with a public street for vehicular access for maintenance and repair.
A.18. Site Data: Locate and label the municipal boundary line between Penn Township and Millheim Borough; and, reference the minimum lot size required for this proposal per the Millheim Borough Zoning Ordinance.

A.23. Provide a painted striped pedestrian cross-walk at the entrance along East Main Street (State Route 0045) in conjunction with the 5-foot wide concrete sidewalk.

719. Additional Supplemental Requirements

A. Supporting Data

A.1. Awaiting receipt of the County’s Engineer review and approval of the required engineering details.

A.3. Provide written confirmation from the Millheim Borough Zoning Officer indicating that the proposal meets or exceeds all applicable regulations per the Millheim Borough Zoning Ordinance.

A.3. (cont) Provide this office with a copy each of the formal Pennsylvania Department of Transportation (PennDOT) Highway Occupancy Permit (HOP) Application Form (Dollar General Drive and the relocated private drive -- Confer, and the existing driveway encroachment -- Welch) for the County’s required review and comment and provide this office with a copy each of the approved PennDOT Highway Occupancy Permits (HOPs) for all three of the driveway accesses onto E. Main Street (State Route 0045), noting the permit number of each on the plot plan.

A.5. Awaiting receipt of the County Conservation District’s review and approval of the required Erosion and Sedimentation Pollution Control Plan.

A.6. Provide this office with a draft copy of the Stormwater Management and Maintenance Easement Agreement. Once found acceptable, the applicant will be instructed to execute, record, and note source of title (where recorded) of the easement on the plot plan. And once recorded, provide this office with a recorded copy of the instrument for our file.

B. Improvements

B.1. & B.2. Upon satisfactory completion of the above plan requirements (per subsequent written concurrence from this office), the applicant shall construct all required improvements as a condition pending final plan approval; or in lieu of, post adequate surety to guarantee same. Note: In either case, the applicant shall request a final site inspection (in writing) by the County Engineer and County Planning Staff, with written correspondence noting approval to be generated by the County Engineer upon satisfactory completion of all required improvements.

C. Certificates
C.1. Execute the Engineer’s Certification Block and the Stormwater Certification block, per Section 412.C.14. of the County’s Subdivision and Land Development Ordinance.

C.1. (cont) Obtain the seal of the Professional Land Surveyor responsible for the plan. Provide the seal of certification on all applicable plan sheets.

C.2. Obtain the approval signatures of the Millheim Borough Planning Commission and Borough Council.

C.4. Obtain the original signature of the owners of the property being developed and execute the Certification of Ownership Blocks.

C.3. Upon completion of the above, obtain the approval signatures of the Centre County Planning Commission.

General Comments

- Clarify the type of lighting to be used on site; will the lighting be free-standing poles or wall-mounted? Any lighting to be used should be downward direction, full cut-off shielded to avoid any spillover onto the adjoining properties or onto the public road; provide a detail schematic showing the type(s) of lighting to be used.

- Per correspondence from the applicant’s agent (Rick Shelton of CEI Engineering, email dated November 10, 2011), the developer is now opting to amend the land development plan by employing a lot addition and replotting action between the present property owner and the adjoining property owner to eliminate ownership of the existing private drive serving the Welch property. To date, no formal request has been received by the planning office staff.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Sub-Committee and subsequent correspondence from the developer’s agent in regard to a proposed plan change and a request for tabling action, staff recommends tabling at this time with the intent to revisit the plan at the Commission’s next scheduled meeting of December 20, 2011.
Time Extension Requests:

- Lions Gate Storage Land Development, Phases 1 & 2 (CPA)  
  Benner Township.................................................................1st Request (NoFee Required)

- BEASD Additions and Alterations Land Development (CFA)  
  Boggs Township..............................................................11th Request ($400.00 Fee Required)

- John Hull’s Deitrich Road Land Development (CFA)  
  Walker Township...........................................................18th Request ($750.00 Fee Required)

This office acknowledges receipt of written requests from the above-referenced applicants asking the Commission to favorably consider the granting of ninety (90) day time extensions for the completion of the remaining conditions pending plan approval.

Accordingly, we recommend the granting of ninety (90) day time extensions.

Note:  CPA = Conditional Preliminary Plan Approval  
       CFA = Conditional Final Plan Approval