MEETING MINUTES
CENTRE COUNTY PLANNING COMMISSION
August 21, 2012

Members Present: Freddie Persic, Chair; Mimi Wutz, Secretary; Denny Hameister, Tom Poorman, Chris Kunes

Members Absent: Bob Dannaker, Vice-Chair; Jack Shannon and Kevin Abbey

Staff Present: Robert Jacobs, Sue Hannegan, Anson Burwell, Chris Schnure, Mike Bloom and Mary Wheeler

Others Present: None

1. Call to Order – Pledge of Allegiance

Chair Persic welcomed everyone to the Planning Commission meeting and called the meeting to order at 6:00 p.m.

2. Citizen Comments

None

3. Approval of Minutes

A motion was made by Mr. Poorman and second by Mr. Hameister to approve the minutes of July 17, 2012. Ms. Persic abstained. Motion carried.

4. Planning Commission Member Updates

None

5. Old Business

None

6. New Business

□ MPO Update – Mike Bloom

Mr. Bloom updated the Commission members on the Penns Valley Rails to Trails Feasibility Study; and the Metropolitan Planning Organization (MPO) Local Funding Shares issues as noted on (Attachment#1).
7. **Review of Subdivision and Land Development Plans** – Anson Burwell and Chris Schnure  
   (Attachment #2 & #3)

**Subdivisions:**

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

No action needed on the above mentioned plan and plan remains tabled to be revisited at the September 18, 2012 meeting.

**Land Developments:**

2. The Village of Nittany Glen Land Development, Phase III-A Extension  
   Final Plan  
   5-Units (Manufactured Homes)  
   Benner Township

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

**Waiver Request:**

- Per written request of July 5, 2012, the developers of a land development proposal entitled: Louis J. & Naomi R. Peachey Land Development -- Wood Drying Facility (comprising ten wood drying building units and located in Miles Township) have petitioned the Commission to allow for waiver of the Preliminary Plan format and to allow for the formal submission of a Final Plan subsequent to the staff’s standard pre-submission review of a detailed sketch plan.

A motion was made by Mr. Kunes and seconded by Mr. Poorman to approve the Waiver Request as noted above. Motion carried.

   Final Plan (per waiver request)  
   10-Units (Office, Kilns, Tool Room/Lumber Grading/Restrooms, and Storage Buildings)  
   Miles Township

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

- Hanover Foods Corporation – Freezer Expansion Land Development (CFA) File No. 3-12
  Potter Township.......................................................... 2nd Request (No Fee Required)
- Tavern Terrace Townhomes Land Development (CFA) File No. 142-10
  Boggs Township.......................................................... 2nd Request (No Fee Required)
- Ram Centre, Inc. Land Development (CFA) File No. 135-11
  Penn Township........................................................... 3rd Request (No Fee Required)
- BEASD Additions and Alterations Land Development (CFA) File No. 4-09
  Boggs Township......................................................... 14th Request ($550.00 Fee Required)

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

A motion was made by Ms. Wutz and second by Mr. Hameister to approve the above-mentioned Time Extensions. Motion carried

Major Subdivision and Land Development Plan Sub-Committee Meeting - The Thursday, August 30, 2012 meeting has been cancelled.

8. Director’s Report and Other Matters to Come Before the Commission

Norm Lathbury will be retiring and Sarah Parker will be taking over Norm’s duties and also other projects within the office. She may be attending the Planning Commission meetings in the future. She will be starting August 27, 2012.

Zoning Ordinances - Worth Township adopted their Zoning Ordinance in July at a Public Hearing. Haines Township is finishing their Ordinance and will be advertising for a Public Meeting with their Planning Commission. Milesburg Borough has finished the revisions to their Zoning Ordinance. Miles Township has requested assistance with their Zoning Ordinance. Curtin Township has inquired about an interest in Zoning for their township.

Act 13 – Mr. Jacobs noted that Ms. Hannegan and Ms. Marshall have been keeping after the Act 13 updates because of the potential to receive funding for an affordable housing project in the county. In addition there are other changes in the news. The Courts ruled in favor of several western PA municipalities that sued the Commonwealth over the Act 13 Law. Essentially the Court found that the restrictions on local governments’ ability to zone and regulate natural gas drilling violated municipalities’ constitutional right to due process; thereby, the Act 13 zoning requirements to permit natural gas drilling operations in every municipal zoning district are invalid. The State has appealed this decision to the PA Supreme Court. Ms. Hannegan noted that the Supreme Court is expected to hear the case in October. Mr. Jacobs noted that he hopes that the Supreme Court either doesn’t hear it or they basically side with the Commonwealth Court. It is unprecedented, in his opinion, that the State is basically directing all of the municipalities to modify their zoning to allow for drilling in every zoning district.
West Nile Virus – Mr. Lavan, West Nile Virus Program Coordinator, has been very busy; there have been a lot of “positives” as you have seen in the news. He sprayed approximately 6 neighborhoods in Boalsburg the week of August 12th; he will be spraying Spring Township the week of August 26th and he did spray at Ag Progress prior to the event to take care of any issues there.

Mr. Hameister wanted to thank Mr. Lavan for personally calling his wife because she has honey bees and he wanted to be sure that she knew that spraying would occur after 8:30 p.m. when the bees were back in the hive. Mrs. Hameister also told Mr. Lavan about other beekeepers in her neighborhood that he wasn’t aware of.

Central Pennsylvania Institute of Science and Technology (CPI) – Ground breaking was August 20, 2012 for the new $10M CPI Transportation Training Center that is being funded in part through State funding being administered by our office on behalf of CPI. The project is starting today.

Source Water Protection Plans – There has been increased interest throughout the County by municipalities who have been requesting help from the Pennsylvania Department of Environmental Protection (PADEP) to develop Source Water Protection Plans. A hydrogeologist working out of the Regional DEP Office (in Williamsport) contracts with the municipalities to do this work. The plans are done free of charge using funds originating from the US Environmental Protection Agency. Essentially, the plans identify critical areas that should be protected in and around public water supply sources. Among the many benefits for planners is the ability to use the data to development zoning criteria to protect the source water protection areas. Several municipalities in Penns Valley have signed up in order to have these plans completed. Mr. Milliron is going to be at a meeting tomorrow in Clearfield for the 6 community water systems serving municipalities in both Clearfield and Centre County, whose source water originates in Rush Township, Centre County. Ms. Hannegan and Mr. Milliron were instrumental in working with Rush Township to get this multi-county Source Water Protection Plan developed. Ms. Hannegan noted that the Mountaintop Regional Water Authority Source Water Protection Plan is nearing completion. They are ready now for the Steering Committee review and it should be complete by the end of this year.

With no further business to come before the Commission, a motion was made by Mr. Poorman and second by Ms. Wutz to adjourn at 7:04 p.m. Motion carried.

Respectfully submitted,

Robert B. Jacobs, Director

THESE MINUTES WERE APPROVED AT THE NOVEMBER 20, 2012, CENTRE COUNTY PLANNING COMMISSION MEETING
Centre County Planning Commission - MPO Update 8/21/12

Penns Valley Rails To Trails Feasibility Study:

CCPCDO staff has taken over the Project Coordinator role for this feasibility study that will evaluate the potential for a rails to trails project to be constructed on 27 miles of the former Lewisburg – Tyrone rail corridor that traverses College, Harris, Potter, Gregg, Penn and Haines Townships and Centre Hall Borough.

The project is being funded by DNCR through a $32,300 Community Conservation Partnership Program (C2P2) grant, with cash match being provided by Gregg Township and a donation of in-kind service from the County.

There were 12 proposals received for this study and after thorough review by the Proposal Review Committee, the following 4 firms were short-listed for interviews:

- Albertin Vernon Architecture
- Johnson, Mirmiran & Thompson
- Mackin Engineering Corporation
- Pashek Associates

Interviews were held on August 1st and at its August 9th meeting, the Gregg Township Board of Supervisors approved hiring AlbertinVernon Architecture from Loganton, PA to perform the study.

The interview process was highly competitive, but it was the consensus of the Interview Committee that AlbertinVernon Architecture brought a technically sound proposal along with a unique approach of utilizing historical context in establishing the potential future trail’s brand. Most importantly, the group felt that this firm had the best approach to public participation; specifically a very grassroots, one-on-one focus, to building project awareness and community buy-in should the project be found to be feasible.

At this time, a contract is being finalized and work is anticipated to commence on the study in September.

MPO Local Funding Shares:

As discussed at previous meetings, the CCMPO continues to work on potential new formulas for determining local funding shares toward the organization budget.

In March, the MPO approved requesting an additional $30,000 in funding from Centre County Government to support the MPO budget. This funding would allow the MPO to shift away from the use of the COG Formula for municipal shares and focus more on a formula utilizing 50% population and 50% roadway mileage to determine shares. The MPO also requested that this additional $30,000 for the MPO not result in a reduction of funding given to the Centre Regional Planning Agency for local land use planning efforts.

The MPO Chair and Vice Chair, plus staff, met with the County Commissioners to discuss the request. At this point the County is unable to answer that request, either positively or negatively, because the County is working on its own budget for 2013 and is unsure if that amount will be available.

In May, Ferguson Township issued its own policy on MPO funding stating that they are committed to the MPO for 2013, but will utilize the proposed 50/50 formula. Under this scenario for 2013, Ferguson Township would contribute $25,527, which is $9,298 less than the projected $34,825 they would contribute under the existing formula. State College Borough has stated formally that they oppose the proposed 50/50 formula and are concerned about the value they receive from the MPO for their respective share. Other townships have issued similar concerns regarding the formula and the cost/benefit of the MPO.

The 9 municipal funding partners (Benner, College, Ferguson, Halfmoon, Harris, Patton & Spring Townships, State College Borough and Centre County) met yesterday to discuss a preferred approach to local funding for the 2013 budget process which is beginning now.

After a lengthy discussion, it was approved with an 8-1 vote to advance 2013 budget preparations utilizing the existing funding formula. There remains uncertainty as to whether the County will contribute additional resources beyond their proposed 2013 share. An answer on this item may not be received until October. In addition, it remains uncertain what level of funding Ferguson Township will contribute. Staff will be preparing several budget options based on the scenarios that exist at this time.

It is anticipated that discussions regarding the local funding formula and the future MPO work program will continue throughout the remainder of the year and into 2013.
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1. Dr. Gerald F. & Susan W. Clair Subdivision -- previously tabled  
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   2-Lots (Residential)  
   Benner Township

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   Final Plan  
   5-Units (Manufactured Homes)  
   Benner Township

   Final Plan (per waiver request)  
   10-Units (Office, Kilns, Tool Room/Lumber Grading/Restrooms, and Storage Buildings)  
   Miles Township

Waiver Request:

- Per written request of July 5, 2012 (copy attached), the developers of a land development proposal  
  entitled: Louis J. & Naomi R. Peachey Land Development (comprising ten wood drying facility  
  building units and located in Miles Township) have petitioned the Commission to allow for waiver  
  of the Preliminary Plan format and to allow for the formal submission of a Final Plan subsequent to  
  the staff’s standard pre-submission review of a detailed sketch plan.

Time Extension Requests

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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 a 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; adequate safe stopping site distance 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) The Commission opted to table the plan at their November 15, 2011 meeting with the intent to revisit the plan at their regularly scheduled December 20, 2011 meeting.

c) The Planning Office received correspondence from the applicant's agent formally waiving the Commission's ninety (90) day time limit for action and requesting that an additional sixty (60) day extension be granted to afford time needed to address the numerous conditions still pending. The Commission acknowledged the applicant's request and the plan remains tabled with the intent to revisit the plan at their regularly scheduled meeting of February 21, 2012.

Note: This office has received a formal waiver from the applicants regarding the Commission's ninety (90) day time limit for action (letter dated February 16, 2012) and they have requested that the previous tabling action be continued to afford them the time necessary to address the various plan condition pending final plan approval (as noted below).

d) This proposal represents a Final Plan submission showing a subdivision proposal intended 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 and the existing residence and out-buildings on Lot 1 and the properties adjoining the private street system.
Plan Requirements Pending:

- Same multiple-page listing of deficiencies as was provided to the Commission at their February 21, 2012 meeting.

Note: Applicant has initiated the formal request process to the Benner Township Board of Supervisors in regard to the above-referenced street standards waivers.

Consistent with the plan review by the *Major Subdivision and Land Development Plan Review Subcommittee* and subject to the review comments from the Benner Township Engineer and Zoning Officer and subject to the applicant’s additional waiver of the Planning Commission’s time limit for plan action, *staff recommends continuing the tabling action until such time as the applicant has adequately addressed the previously itemized plan requirements.*
The Village of Nittany Glen Land Development, Phase III-A Extension

Final Plan
5-Units (Manufactured Homes)
Benner Township

Location: At the northern terminus of the private street system for The Village of Nittany Glen, called Rock Force Road, approximately 350 yards east to its intersection with Fulton’s Run Road and approximately 0.4 miles east of the village entrance at the intersection with Township Road 344 (Fillmore Road).

Surveyor/Engineer: PennTerra Engineering, State College

Tract History: a) Parent tract (totaling 102.8 acres) is owned by The Village of Nittany Glen as an approved ‘lot of record’. The property contains the approved Preliminary Land Development for Village of Nittany Glen, showing 288 residential units for manufactured housing, including a community center, open space and corresponding infrastructure to service a manufactured home community.

b) The Final Plans for Phases I (44 units on 16.9 acres), Phase II (22 units on 5.5 acres) and Phase II-A, the Community Center (on 4.9 acres) have been previously approved by the Centre County Planning Commission.

c) This proposal represents a final land development plan for Phase III-A Extension showing four (4) new units and one (1) replotted unit (on 1.2 acres); with access drive extensions, utilities and continuation of the stormwater management facility.

Plan Requirements Pending:

ARTICLE VII -- LAND DEVELOPMENT

713. 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.

718. Final Plan Requirements

A.1. Amend Sheets 10 & 11 of 11 to reference this proposal as a Final (in lieu of Preliminary) Land Development Plan.

A.1. (cont) Clarify the plan date of July 27, 2010 on Sheet 8 of 11; the plan date referenced on all other plan sheets is July 3, 2012; amend accordingly.

A.4. Remove the written scales on Sheet 7 & 11 of 11.
A.10. Label the sources of title and the type of the existing easements on Sheets 4, 5, 8 & 10 of 11 to be consistent with same as depicted on Sheet 2.

A.11. Label the material type and size of the existing sanitary sewer line main located within Rock Forge Road.

A.11. (cont) Label the material type of the existing 4” sewer line laterals that will service the lots within this proposal.

A.11. (cont) Label the material type of the existing ¾” water line lateral that will service the lots within this proposal.

A.11. (cont) Clarify the water line main; the plan schematic labels the water line main as being 8” C-900 (150) but the Proposed Symbols Legend indicates the water line main to be 8” D.I.P.

A.11. (cont) Clarify the Note located below the Symbols Legend on Sheet 4 of 11 which indicates to “refer to typical utility placement plat for location & dimension of utility services for each lot”; the land development plan submitted by the developer’s agent does not include this information; provide accordingly.

A.14. Label the material type and width of the cartway for Fawn Valley Road, noting the right-of-way width.

A.15. Per the Phasing Plan Sheet (Sheet 3 of 11), there is a triangular piece of land located to the west of Lots 30, 89-92 that doesn’t appear to be included in this proposal on Sheet 4 of 11; amend all applicable plan sheets to include this triangular piece to be consistent with Sheet 3 of 11.

A.18. Site Data: Amend Notes 1.g. to reference 5 total lots; and, amend Notes 8., to read: “The Owner has formally withdrawn the Final Plan for Phase III-A. Phase III-A shall be re-submitted……...”.

A.20. Location Map: Amend the Location Map on the Cover Sheet to include only those lots per this proposal.

A.23. Label the width of the existing and proposed concrete sidewalks.

719. Additional Supplemental Requirements

A. Supporting Data

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

A.2. Provide written confirmation from the State College Borough Water Authority indicating their willingness and ability to provide water service for this proposal.
A.2. (cont) Provide written confirmation from the Spring-Benner-Walker Joint Authority indicating their willingness and ability to provide the conveyance of the effluent and written confirmation from Bellefonte Borough indicating their willingness and ability to provide the treatment of the effluent for this proposal.

A.4. Provide written confirmation from the Benner Township Supervisors and the United States Postmaster of the area indicating that the proposed street name of Fawn Valley Road is acceptable; suggest confirmation with the County’s (911) Emergency Communications Office, as well.

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 Declaration of Permanent Stormwater Access & 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. Accordingly, provide this office with a recorded copy for our file.

A.6. (cont) Locate and label (on the plan schematic using accurate bearings and distances) a utility easement for the proposed water line lateral that travels over Lot 89 to service Lot 90. Provide this office with a draft copy of the utility 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. Accordingly, provide this office with a recorded copy 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 Township Engineer and County Planning Staff, with written correspondence noting approval to be generated by the Township Engineer upon satisfactory completion of all required improvements.

C. Certificates

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

C.4. (cont) Execute the Storm Water Facilities Acknowledgement Block.

C.5. Per Appendix 8.G. of the County’s Subdivision and Land Development Ordinance, provide the required Recorder of Deeds Block.
C.2. Obtain the approval signatures of the Benner Township Planning Commission and Benner Township Board of Supervisors.

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

General Comments

- Execute the Municipal Storm Water Signature Block.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Subcommittee and consistent with the review comments from the Benner Township Zoning Officer and Engineer, staff recommends Conditional Final Plan Approval subject to the completion of the above plan requirements and the approval signatures of the Benner Township Planning Commission and Board of Supervisors.
Louis J. & Naomi R. Peachey Land Development, Wood Drying Facility

Final Plan
10-Units (Office, Kilns, Tool Room/Lumber Grading/Restrooms, and Storage Buildings)
Miles Township

Location: At the southern terminus of an existing variable width private access easement running through lands of Kenneth and Kathy Gephart, approximately 50 yards miles south of its intersection with State Route 0192 (Brush Valley Road).

Surveyor/Engineer: Nittany Engineering and Associates, Centre Hall

Tract History: a) Parent tract (totaling 24.3 acres) is owned by Louis J. and Naomi R. Peachey as an 'existing lot of record'.

b) This proposal represents a final land development plan to be sited on approximately nine acres of the above property and showing a office building (16' x 30'); a lumber grading building, with tool room and restroom (50' x 120'); a storage building (50' x 120'); two kilns (30' x 110'), three lumber storage buildings (26' x 120'); and, two accessory buildings (20' x 30'), with corresponding infrastructure including internal drives, loading/unloading areas and stormwater management facilities.

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) Component 2. Sewage Facilities Planning Module including all supplemental sections which include the Transmittal Letter, Resolution for Plan Revision, Component 4A, Component 4B, a letter from Miles Township requesting this office to provide the required review of the DEP Component 2. and corresponding DEP approval.

718. Final Plan Requirements

A.1. Amend the plan title to read, "Final Land Development Plan of Lands of Louis J. & Naomi R. Peachey -- Wood Drying Facility".

A.8. Reference Lot 2R for the adjoining lands east and west of this proposal, being Tax Parcel 15-11-73B.

A.10. Label the widths of the right-of-way, cartway, cartway material type, etc. on Sheet 1 of 7 similar the information so noted on Sheet 2 of 7.

A.14. Label the dimensions of the proposed parking stalls.
A.15. Label the square footage for each of the proposed buildings.

A.15. (cont) The plan schematic on Sheet 2 of 7 indicates there are several potential buildings; provide a note indicating that the stormwater management facilities are being constructed to accommodate all buildings depicted on Sheet 2 of 7.

A.18. Site Data: Reference the number of lots as one existing; amend the first sentence within the PennDOT HOP Note to reference land development in lieu of subdivision; and, amend the source of title of the property being developed to be: Record Book 2094, Page 737 (Plat Book 85, Page 86).

719. Additional Supplemental Requirements

A. Supporting Data

A.5. Awaiting receipt of the Pennsylvania Department of Environmental Protection review and approval of the required Erosion and Sedimentation Pollution Control Plan.

A.6. This office acknowledges receipt of an amended draft copy of the Declaration of Permanent Stormwater Access & Maintenance Easement Agreement for staff review. This 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. Accordingly, provide this office with a recorded copy 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 Stormwater Design Engineer Certification Block by obtaining the signature of the design engineer (in lieu of typing the name).

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

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

C.2. Obtain the approval signatures of the Miles Township 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 consistent with the review comments from Miles Township and the County Engineer, staff recommends **Conditional Final Plan Approval** subject to the completion of the above plan requirements and the approval signatures of the Miles Township Board of Supervisors.
Time Extension Requests:  

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  File No. 3-12  
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- Tavern Terrace Townhomes Land Development (CFA)  
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- BEASD Additions and Alterations Land Development (CFA)  
  File No. 4-09  
  Boggs Township.................................................................14th Request ($550.00 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.

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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 a 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; adequate safe stopping site distance 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) The Commission opted to table the plan at their November 15, 2011 meeting with the intent to revisit the plan at their regularly scheduled December 20, 2011 meeting.

c) The Planning Office received correspondence from the applicant’s agent formally waiving the Commission’s ninety (90) day time limit for action and requesting that an additional sixty (60) day extension be granted to afford time needed to address the numerous conditions still pending. The Commission acknowledged the applicant’s request and the plan remains tabled with the intent to revisit the plan at their regularly scheduled meeting of February 21, 2012.

Note: This office has received a formal waiver from the applicants regarding the Commission’s ninety (90) day time limit for action (letter dated February 16, 2012) and they have requested that the previous tabling action be continued to afford them the time necessary to address the various plan condition pending final plan approval (as noted below).

d) This proposal represents a Final Plan submission showing a subdivision proposal intended 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 and the existing residence and out-buildings on Lot 1 and the properties adjoining the private street system.
Plan Requirements Pending:

- Same multiple-page listing of deficiencies as was provided to the Commission at their February 21, 2012 meeting.

Note: Applicant has initiated the formal request process to the Benner Township Board of Supervisors in regard to the above-referenced street standards waivers. No action by Benner Township, to date......applicant’s agent indicated that the Township is making an effort to schedule a meeting with Dr. Clair and the affected neighbors to address construction and maintenance concerns.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Subcommittee and subject to the review comments from the Benner Township Engineer and Zoning Officer and subject to the applicant’s additional waiver of the Planning Commission’s time limit for plan action, staff recommends continuing the tabling action until such time as the applicant has adequately addressed the previously itemized plan requirements.
The Village of Nittany Glen Land Development, Phase III-A Extension

Final Plan
5-Units (Manufactured Homes)
Benner Township

Location: At the northern terminus of the private street system for The Village of Nittany Glen, called Rock Force Road, approximately 350 yards east to its intersection with Fulton’s Run Road and approximately 0.4 miles east of the village entrance at the intersection with Township Road 344 (Fillmore Road).

Surveyor/Engineer: PennTerra Engineering, State College

Tract History:

a) Parent tract (totaling 102.8 acres) is owned by The Village of Nittany Glen as an approved ‘lot of record’. The property contains the approved Preliminary Land Development for Village of Nittany Glen, showing 288 residential units for manufactured housing, including a community center, open space and corresponding infrastructure to service a manufactured home community.

b) The Final Plans for Phases I (44 units on 16.9 acres), Phase II (32 units on 5.5 acres) and Phase II-A, the Community Center (on 4.9 acres) have been previously approved by the Centre County Planning Commission.

c) This proposal represents a final land development plan for Phase III-A Extension showing four (4) new units and one (1) replotted unit (on 1.2 acres); with access drive extensions, utilities and continuation of the stormwater management facility.

Plan Requirements Pending:

ARTICLE VII -- LAND DEVELOPMENT

719. Additional Supplemental Requirements

A. Supporting Data

A.2. Provide written confirmation from the Spring-Benner-Walker Joint Authority indicating their willingness and ability to provide the conveyance of the effluent for this proposal.

A.4. Provide written confirmation from the Benner Township Supervisors and the United States Postmaster of the area indicating that the proposed street name of Fawn Valley Road is acceptable; suggest confirmation with the County’s (911) Emergency Communications Office, as well.

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 Declaration of Permanent Stormwater Access & 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. Accordingly, provide this office with a recorded copy 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 Township Engineer and County Planning Staff, with written correspondence noting approval to be generated by the Township Engineer upon satisfactory completion of all required improvements.

C. Certificates

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

C.4. (cont) Execute the Storm Water Facilities Acknowledgement Block.

C.5. Per Appendix 8.G. (see format) of the County’s Subdivision and Land Development Ordinance, provide the required Recorder of Deeds Block text (in lieu of the ‘blank space’ provided).

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

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

General Comments

- Execute the Municipal Storm Water Signature Block.

Consistent with the plan review by the Major Subdivision and Land Development Plan Review Subcommittee and consistent with the review comments from the Benner Township Zoning Officer and Engineer, staff recommends Conditional Final Plan Approval subject to the completion of the above plan requirements and the approval signatures of the Benner Township Planning Commission and Board of Supervisors.
Louis J. & Naomi R. Peachey Land Development, Wood Drying Facility

Final Plan
10-Units (Office, Kilns, Tool Room/Lumber Grading/Restrooms, and Storage Buildings)
Miles Township

Location: At the southern terminus of an existing variable width private access easement running through lands of Kenneth and Kathy Gephart, approximately 50 yards south of its intersection with State Route 0192 (Brush Valley Road).

Surveyor/Engineer: Nittany Engineering and Associates, Centre Hall

Tract History: a) Parent tract (totaling 24.3 acres) is owned by Louis J. and Naomi R. Peachey as an ‘existing lot of record’.

b) This proposal represents a final land development plan to be sited on approximately four acres of the above property and showing a office building (16’ x 30’); a lumber grading building, with tool room and restroom (50’ x 120’); a storage building (50’ x 120’); two kilns (30’ x 110’), three lumber storage buildings (26’ x 120’); and, two accessory buildings (20’ x 30’), with corresponding infrastructure including internal drives, loading/unloading areas and stormwater management facilities.

Waiver Request:

Per written request of July 5, 2012 (copy attached), the developers of a land development proposal entitled: Louis J. & Naomi R. Peachey Land Development -- Wood Drying Facility (comprising ten wood drying building units and located in Miles Township) have petitioned the Commission to allow for waiver of the Preliminary Plan format and to allow for the formal submission of a Final Plan subsequent to the staff’s standard pre-submission review of a detailed sketch plan.

Staff recommends the Commission’s granting of the above-referenced waiver request.

Commission’s action was to approve the waiver request.

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) Component 2. Sewage Facilities Planning Module including all supplemental sections which include the Transmittal Letter, Resolution for Plan Revision, Component 4A, Component 4B, a letter from Miles Township requesting this office to provide the required review of the DEP Component 2. and corresponding DEP approval.
719. **Additional Supplemental Requirements**

A. **Supporting Data**

A.5. Awaiting receipt of the Pennsylvania Department of Environmental Protection review and approval of the required Erosion and Sedimentation Pollution Control Plan.

A.6. This office acknowledges receipt of an amended draft copy of the Declaration of Permanent Stormwater Access & Maintenance Easement Agreement for staff review. This 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. Accordingly, provide this office with a recorded copy 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 Stormwater Design Engineer Certification Block by obtaining the signature of the design engineer.

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

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

C.2. Obtain the approval signatures of the Miles Township 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”).
General Comments (cont.)

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 Subcommittee and consistent with the review comments from Miles Township and the County Engineer, staff recommends Conditional Final Plan Approval subject to the completion of the above plan requirements and the approval signatures of the Miles Township Board of Supervisors.
July 5, 2012

Anson Burwell, Subdivision and Land Development Planner
Centre County Planning Commission
Willowbank Office Building
420 Holmes Avenue
Bellefonte, PA 16823

Reference: Louis J. & Naomi R. Peachey land Development
Miles Township, Centre County, Pennsylvania
Tax Parcel 15-11-73

Dear Anson:

Our clients, Louis J. & Naomi R. Peachey are proposing a wood drying facility that plans for a total of 10 buildings to contain the process on 24.27 acres. A PennDOT HOP has been obtained, stormwater management has been approved by Don Franson and the plan was previously submitted to the Centre County Conservation District for review and approval.

Based on the simplicity of this plan we request the Centre County Planning Commission waive its requirements to sections 701 and 703 and allow this plan to be submitted as a Final Plan.

Please find the following information attached for your review/approval for the initial submission of this land development package. The plan was previously submitted to Don Franson and the Centre County Conservation District therefore two copies of the EnS Narrative, SWM Narrative and plans were withheld in this submission

- Centre County Planning Commission Application
- Application & Planning Module fees - $325.00 - Check # 7972
- Draft Planning Module
- Draft - Declaration of Stormwater Access and Maintenance Easement
- PennDOT Highway Occupancy Permit
- Don Franson stormwater review approval letter

Nittany Engineering & Associates, LLC
Engineering, Surveying and Consulting Services
- Memorandum of Understanding – previously submitted and approved under separate heading

Should you have any questions, please feel free to give me a call.

Sincerely,

Robert E. Myers
Project Engineer/Assistant Surveyor

rmyers@nittanyengineering.com

Enclosures
cc: NEA File No. 12-037
Time Extension Requests:  

- Hanover Foods Corporation -- Freezer Expansion Land Development (CFA)  
  Potter Township................................................................. 2\textsuperscript{nd} Request (No Fee Required)

- Tavern Terrace Townhomes Land Development (CFA)  
  Boggs Township................................................................. 2\textsuperscript{nd} Request (No Fee Required)

- Ram Centre, Inc. Land Development (CFA)  
  Penn Township................................................................. 3\textsuperscript{rd} Request (No Fee Required)

- BEASD Additions and Alterations Land Development (CFA)  
  Boggs Township................................................................. 14\textsuperscript{th} Request ($550.00 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