

Willig, Robert A.

From: Amy A. Yost <lamartwp@comcast.net>
Sent: Thursday, February 15, 2018 11:58 AM
To: Willig, Robert A.
Subject: ACRE Review Request
Attachments: DEP-[REDACTED].pdf; Z.O. Determination [REDACTED].pdf; Decision to [REDACTED] 5-16-2017.pdf

Mr. Willig;

Please find attached a letter from DEP regarding [REDACTED] NPDES permit. The determination letter from Zoning Officer [REDACTED] with regards to the proposed poultry barn being an "accessory" or "principle" structure, and a copy of the determination letter from the Lamar Township Board of Supervisors to [REDACTED]. Also, here is a link to our ordinances online: www.amlegal.com

We previously had [REDACTED] look over our ordinances and she indicated that she did not find anything too constricting other than our Agricultural Zone with regards to horse riding facilities and the minimum acreage. She thought that was too excessive but other than that our ordinances were ok.

I will also be forwarding a few emails from our engineer [REDACTED] with regards to discussions with [REDACTED] engineer for [REDACTED] as well as an interoffice memorandum from the Lamar Township Planning Commission and one sent my attention from [REDACTED] regarding the proposed structure.

If there is anything else you may need from our office, please do not hesitate to contact us.

Best regards,

Amy A. Yost

Secretary/Treasurer, Open Records Officer

Lamar Township, Clinton County

[REDACTED]
e) lamartwp@comcast.net

Web address: www.lamartownship.com

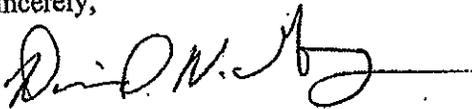
8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD.

IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

If you have any questions about your application, please contact Paul Dembowski at pdembowski@pa.gov and refer to Permit Application Number PAD180006.

Sincerely,



David W. Garg, P.E.
Environmental Program Manager
Waterways & Wetlands Program

cc: Nate Tompkins, P.E., Tompkins Engineering LLC
Todd R. Pysher, P.E., Pysher & Associates, Inc.
Lamar Township
Clinton CCD
File

DWG/PDD/LAR

Lamar Township Supervisors

148 Beagle Road

Mill Hall, PA 17751

Phone: (570) 726-4973

Email: lamartwp@comcast.net

Web: www.lamartownship.com

May 16, 2017

[REDACTED]

RE: Preliminary Land Development Plan for [REDACTED] Property Improvements (Proposed Poultry Barn), Prepared by Tompkins Engineering, LLC, Accepted by Lamar Township Planning Commission on 23 February 2017.

Dear [REDACTED]

The purpose of this letter is to notify you that the Lamar Township Board of Supervisors voted unanimously at their meeting of 09 May 2017 to disapprove the Preliminary Land Development Plan referenced above. The subject Preliminary Land Development Plan was disapproved for the following reasons:

1. The layout of the proposed poultry barn that appears on your subject Preliminary Land Development Plan does not comply with side yard building setbacks for a principal building in the Agriculture Zoning District, as specified in Chapter 27, §27-302 of the Lamar Township Code of Ordinances. Please note that the Lamar Township Zoning Officer issued a letter on April 5, 2017 to the Lamar Township Engineer stating that your proposed poultry barn would constitute a principal structure on your property.
2. Your design engineer did not provide satisfactory responses to the Township Engineer's review comments of 21 March 2017 regarding the stormwater management plan for your proposed land development project; therefore, your stormwater management plan is not compliant with Chapter 26 of the Lamar Township Code of Ordinances.
3. You have not provided Lamar Township with any proof that you have an NPDES Permit for your proposed land development project; therefore, the stormwater management plan for your proposed land development project is not compliant with Chapter 26, §26-131(12) of the Lamar Township Code of Ordinances.

You have the right to appeal the recent decision of the Board of Supervisors relative to your subject Preliminary Land Development project within thirty (30) calendar days of the date of this notice to you. Article X-A of the Municipalities Planning Code (MPC) sets forth the appeal process that is available to you.

Sincerely,
Lamar Township Board of Supervisors



Amy A. Yost
Secretary

Copies to:



Willig, Robert A.

From: Amy A. Yost <lamartwp@comcast.net>
Sent: Thursday, February 15, 2018 12:00 PM
To: Willig, Robert A.
Subject: Fwd: FW: [REDACTED] Poultry Barn
Attachments: Stateg-Storage Data.pdf

Mr. Willig,

This email was sent to Nate Tompkins from Todd Pysher.

Best regards,

Amy A. Yost

Secretary/Treasurer, Open Records Officer

Lamar Township, Clinton County

[REDACTED]
e) lamartwp@comcast.net

Web address: www.lamartownship.com

----- Original Message -----

From: [REDACTED]
To: "Lamar Township (lamartwp@comcast.net)" <lamartwp@comcast.net>
Date: February 14, 2018 at 3:59 PM
Subject: FW: [REDACTED] Poultry Barn

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]

Sent: Tuesday, March 21, 2017 6:14 PM

To: [REDACTED]

Cc: Lamar Township (lamartwp@comcast.net) <lamartwp@comcast.net>; Mary Ann Bower (MABower@ClintonCountyPA.com) <MABower@ClintonCountyPA.com>; Dembowski, Paul <pdembowski@pa.gov>

Subject: [REDACTED] Poultry Barn

[REDACTED]

1. The hydrologic computations are not clear about how runoff from the existing driveway was accounted for. Also, the area within the limits of the existing driveway contains HSG B soils, and the composite runoff curve number for pre-development conditions does not account for any HSG B soils.
2. Please provide input data for all pre- and post-development drainage areas from the VT/PSUHM software.
3. The Manning n value that was used to compute the sheet flow component of time of concentration for subarea P3 on page P-65 of the Stormwater Management Report is not consistent with the land cover.
4. Please provide calculations to show that both of the proposed emergency spillways will be able to convey the entire 100-year peak rate of runoff to each of the proposed Rock Trenches (9.12 cfs for proposed Rock Trench #1 and 7.16 cfs for proposed Rock Trench #2).
5. Please revise the modified Puls routing computations using the attached stage-storage data.
6. The outlet structure configuration that appears on page P-96 of the Stormwater Management Report, and plan sheet PCSM-3 are not consistent regarding the diameter of the proposed discharge/outlet pipe.
7. I do not feel that the Manning n value that was used to compute the sheet flow component of time of concentration for subarea TR 1 on page P-117 of the Stormwater Management Report is appropriate.
8. Pages P-134 and P-135 of the Stormwater Management Report, and plan sheet PCSM-3 are not consistent regarding the bottom width of proposed Swale 1 and proposed Swale 2.
9. Referring to pages P-134 and P-135 of the Stormwater Management Report, I believe that the soil type should be gravelly loam instead of silt loam.
10. Referring to page P-137 of the Stormwater Management Report, HY-8 (or similar) design software should be used to design proposed Pipe 1. Also, please feel free to remove data for proposed Pipes 2 and 3 from page P-137 of the Stormwater Management Report.

11. Please show infiltration test pit locations on the plan drawings.
12. The label for proposed Pipe 1 on plan sheet PCSM-2 is not readable.
13. The size of proposed roof downspouts must be provided on the plan drawings, and design computations must be provided for same.
14. Referring to plan sheet PCSM-2, it is not clear to me that the portion of proposed Swale 1 at the northeast corner of the proposed barn can be constructed with at least 1 foot of depth.
15. Anti-seep collars must be designed for the outlet pipes from the proposed Rock Trenches.
16. Cross-section details of proposed emergency spillways must be provided on the plan drawings.
17. Referring to plan sheet PCSM-3, the following construction details must be provided for proposed Rock Trench #1: upstream and downstream inverts of the proposed outlet pipe, proposed outlet pipe type (e.g. HDPE, Type S), top width of the proposed fill embankment, total length of the proposed 24-inch perforated plastic pipe (pipe type should be specified as perforated HDPE, Type S).
18. A standard PennDOT inlet box (with Type M top unit and structural steel grate) should be provided in proposed Rock Trench #1 to connect the proposed outlet pipe to the proposed 24-inch perforated plastic pipe.
19. Referring to plan sheet PCSM-3, the following construction details must be provided for proposed Rock Trench #2: upstream and downstream inverts of the proposed outlet pipe, proposed outlet pipe type (e.g. HDPE, Type S), top width of the proposed fill embankment, total length of the proposed 24-inch perforated plastic pipe (pipe type should be specified as perforated HDPE, Type S).
20. A standard PennDOT inlet box (with Type M top unit and structural steel grate) should be provided in proposed Rock Trench #2 to connect the proposed outlet pipe to the proposed 24-inch perforated plastic pipe.
21. I will provide you with a stormwater facility operation and maintenance plan that must ultimately be placed on the plan drawings.
22. Stormwater easements must be provided for all proposed stormwater management facilities. A "blanket" easement may be provided for the entire project site in lieu of easements around the proposed stormwater management facilities.
23. The following signature block must appear on the plan drawings: "_____, on this date (date of signature), hereby certify that this SWM Site Plan was prepared in strict accordance with all of the design standards and criteria of all applicable Municipal Ordinances."
24. The plan drawings must include a note stating that the developer shall be responsible for completing an "as-built survey" of all best management practices (BMP's) included in the approved Stormwater Management Plan, and that the as-built survey and an explanation of any discrepancies with the design plans shall be submitted to Lamar Township and its Engineer for review. The submission shall include a certification of completion from an engineer, architect, surveyor or other qualified person verifying that all permanent BMPs have been constructed according to the plans and specifications and approved revisions thereto.
25. The plan drawings must include a note listing the prohibited discharges from §26-161 of the Lamar Township Code of Ordinances.

Please feel free to contact me if you have any questions regarding any of my review comments.

Thanks.

[REDACTED]

Click [here](#) to report this email as spam.

Willig, Robert A.

From: Amy A. Yost <lamartwp@comcast.net>
Sent: Thursday, February 15, 2018 12:01 PM
To: Willig, Robert A.
Subject: Fwd: FW: [REDACTED] Poultry Barn - Principal versus Accessory Building

Mr. Willig,

This email is to me from [REDACTED] detailing why he supports [REDACTED] decision on principle vs. accessory.

Best regards,

Amy A. Yost

Secretary/Treasurer, Open Records Officer

Lamar Township, Clinton County

[REDACTED]
e) lamartwp@comcast.net

Web address: www.lamartownship.com

----- Original Message -----

From: [REDACTED]
To: "Lamar Township (lamartwp@comcast.net)" <lamartwp@comcast.net>
Date: February 14, 2018 at 3:59 PM
Subject: FW: [REDACTED] Poultry Barn - Principal versus Accessory Building

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Friday, April 07, 2017 12:31 AM
To: Lamar Township (lamartwp@comcast.net) <lamartwp@comcast.net>
Cc: [REDACTED]
Subject: [REDACTED] Poultry Barn - Principal versus Accessory Building

Amy,

For the following reasons, I support [REDACTED] decision that [REDACTED] proposed poultry (turkey) barn is a principal building:

1. §22-802 and §27-1502 of the Lamar Township Code of Ordinances define Accessory Use or Structure as “a use or structure subordinate to the principal use of a building on the same lot and serving a purpose customarily incidental to the use of the principal building” (underlining for emphasis).
2. §22-802 of the Lamar Township Code of Ordinances defines Land Development as “... The improvement of one or more contiguous lots or tracts of land for any purpose involving ... two or more residential or nonresidential buildings (whether proposed initially or cumulatively) or a single nonresidential building on a lot regardless of the number of occupants or tenure.”
3. §22-802 of the Lamar Township Code of Ordinances excludes from the definition of land development “... the addition of any accessory building, including farm buildings, subordinate to an existing principal building ...” (underlining for emphasis). Please note that the text in the instant Subsection is consistent with Section 503(1.1)(ii) of the Pennsylvania Municipalities Planning Code.
4. In order for a building (including a farm building) to be considered “accessory” for zoning and land development purposes, it must be subordinate to the principal use of a building on the same lot, and must serve a purpose that is incidental to the principal building.
5. In order for a building (including a farm building) to be excluded from the definition of land development, said building must be an accessory building, and must be subordinate to an existing principal building.
6. It is my understanding that the current buildings on the subject lot include a single principal residential building, and one or more accessory buildings that are subordinate and incidental to the single existing principal residential building.
7. It is also my understanding that there are no existing barns on the subject lot.

8. The proposed poultry barn is a principal permitted use in the Agriculture zoning district, and could exist and function on the subject lot, with or without the existing principal residential building; therefore, it would neither be subordinate or incidental to the existing principal residential building.
9. The list of permitted Accessory Uses in the Agriculture District (§27-302 of the Lamar Township Code of Ordinances) does not specifically mention farm buildings (or any other agricultural building or use).
10. The poultry barn proposed by [REDACTED] would be a single nonresidential building on his lot.
11. The proposed poultry barn would not be subordinate to an existing principal farm building, since there are no existing farm buildings on the subject lot.
12. The proposed poultry barn will involve, inter alia, truck deliveries on a regular basis, and for all intents and purposes, would be a principal farm building.

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Click [here](#) to report this email as spam.

Willig, Robert A.

From: Amy A. Yost <lamartwp@comcast.net>
Sent: Thursday, February 15, 2018 12:02 PM
To: Willig, Robert A.
Subject: Fwd: FW: Interoffice Memorandum Lamar Twp P.C.
Attachments: interoffice memo 2017-03-06 (1).doc

Mr. Willig,

Attached is the interoffice-memorandum from the Lamar Township Planning Commission to the Lamar Township Board of Supervisors regarding [REDACTED] proposed poultry barn. There are two other items they addressed that evening but are not related to this project, please disregard those.

Best regards,

Amy A. Yost

Secretary/Treasurer, Open Records Officer

Lamar Township, Clinton County

[REDACTED]

e) lamartwp@comcast.net

Web address: www.lamartownship.com

----- Original Message -----

From: [REDACTED]
To: "Lamar Township (lamartwp@comcast.net)"
Date: February 14, 2018 at 3:59 PM
Subject: FW: Interoffice Memorandum Lamar Twp P.C.

[REDACTED]

-----Original Message-----

From: Amy A. Yost [mailto:lamartwp@comcast.net]

Sent: Tuesday, March 07, 2017 11:54 AM

To: [REDACTED]

Subject: Interoffice Memorandum Lamar Twp P.C.

[REDACTED]

Please find attached an interoffice memorandum from the Planning Commission regarding Samuel Fisher Land Development Plans; [REDACTED] preliminary Land Development Plans.

Best regards,

Amy A. Yost

Secretary/Treasurer, Open Records Officer

Lamar Township, Clinton County

[REDACTED]

e) lamartwp@comcast.net

Web address: www.lamartownship.com

Click [here](#) to report this email as spam.

Lamar Township
Planning Commission

148 Beagle Road
Mill Hall, PA 17751
570-726-4973

Inter-Office Memo

Date: March 6, 2017

To: Lamar Township Supervisors

From: Lamar Township Planning Commission

RE: Meeting of February 23, 2017

[REDACTED]

[REDACTED]

- [REDACTED] Preliminary Land Development Plans
 - Didn't submit 5 (five) sets of plans per township requirements
 - Has Todd reviewed the plans yet?
 - The board needs clarification on the prelim plans
 - Is the barn the principal structure?
 - If so, then it is outside the set back requirements
 - No approval until Todd's review

[REDACTED]

Poultry Barn

Prepared by Pysher & Associates, Inc.

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Rainfall not specified

Printed 3/21/2017

Page 1

Stage-Area-Storage for Pond 1P: Trench #1

<u>Elevation (feet)</u>	<u>Storage (cubic-feet)</u>	<u>Elevation (feet)</u>	<u>Storage (cubic-feet)</u>
765.00	0	767.80	2,469
765.05	36	767.85	2,504
765.10	70	767.90	2,539
765.15	105	767.95	2,574
765.20	140	768.00	2,609
765.25	175	768.05	2,699
765.30	210	768.10	2,792
765.35	245	768.15	2,888
765.40	278	768.20	2,988
765.45	305	768.25	3,091
765.50	332	768.30	3,198
765.55	366	768.35	3,309
765.60	405	768.40	3,423
765.65	446	768.45	3,541
765.70	489	768.50	3,663
765.75	534	768.55	3,788
765.80	581	768.60	3,916
765.85	628	768.65	4,048
765.90	677	768.70	4,184
765.95	727	768.75	4,324
766.00	777	768.80	4,467
766.05	828	768.85	4,613
766.10	879	768.90	4,763
766.15	932	768.95	4,917
766.20	984	769.00	5,075
766.25	1,037	769.05	5,236
766.30	1,090	769.10	5,401
766.35	1,144	769.15	5,569
766.40	1,197	769.20	5,741
766.45	1,251	769.25	5,917
766.50	1,305	769.30	6,096
766.55	1,358	769.35	6,279
766.60	1,412	769.40	6,466
766.65	1,466	769.45	6,656
766.70	1,519	769.50	6,850
766.75	1,572	769.55	7,048
766.80	1,625	769.60	7,249
766.85	1,678	769.65	7,454
766.90	1,730	769.70	7,663
766.95	1,782	769.75	7,875
767.00	1,833	769.80	8,091
767.05	1,883	769.85	8,311
767.10	1,932	769.90	8,534
767.15	1,981	769.95	8,761
767.20	2,029	770.00	8,992
767.25	2,075		
767.30	2,120		
767.35	2,164		
767.40	2,205		
767.45	2,243		
767.50	2,277		
767.55	2,304		
767.60	2,333		
767.65	2,365		
767.70	2,399		
767.75	2,434		

Poultry Barn

Prepared by Pysher & Associates, Inc.

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Rainfall not specified

Printed 3/21/2017

Page 2

Stage-Area-Storage for Pond 2P: Trench #2

<u>Elevation (feet)</u>	<u>Storage (cubic-feet)</u>	<u>Elevation (feet)</u>	<u>Storage (cubic-feet)</u>
735.00	0	737.80	1,976
735.05	28	737.85	2,004
735.10	56	737.90	2,032
735.15	84	737.95	2,060
735.20	112	738.00	2,088
735.25	140	738.05	2,116
735.30	168	738.10	2,144
735.35	196	738.15	2,172
735.40	221	738.20	2,200
735.45	244	738.25	2,228
735.50	266	738.30	2,256
735.55	293	738.35	2,284
735.60	324	738.40	2,312
735.65	357	738.45	2,340
735.70	391	738.50	2,368
735.75	427	738.55	2,396
735.80	465	738.60	2,424
735.85	503	738.65	2,452
735.90	542	738.70	2,480
735.95	581	738.75	2,508
736.00	622	738.80	2,536
736.05	662	738.85	2,564
736.10	704	738.90	2,592
736.15	745	738.95	2,620
736.20	787	739.00	2,648
736.25	830	739.05	2,718
736.30	872	739.10	2,790
736.35	915	739.15	2,864
736.40	958	739.20	2,939
736.45	1,001	739.25	3,015
736.50	1,044	739.30	3,093
736.55	1,087	739.35	3,173
736.60	1,130	739.40	3,253
736.65	1,173	739.45	3,335
736.70	1,215	739.50	3,419
736.75	1,258	739.55	3,504
736.80	1,300	739.60	3,590
736.85	1,342	739.65	3,678
736.90	1,384	739.70	3,768
736.95	1,425	739.75	3,858
737.00	1,466	739.80	3,951
737.05	1,506	739.85	4,044
737.10	1,546	739.90	4,139
737.15	1,585	739.95	4,236
737.20	1,623	740.00	4,334
737.25	1,660		
737.30	1,696		
737.35	1,731		
737.40	1,764		
737.45	1,795		
737.50	1,822		
737.55	1,844		
737.60	1,867		
737.65	1,892		
737.70	1,920		
737.75	1,948		

LAMAR TOWNSHIP ZONING OFFICER

148 Beagle Road
Mill Hall, PA 17751
PHONE 570-295-6383
EMAIL: lamartwp@comcast.net

April 5, 2017

[REDACTED]

Re: Proposed Turkey Barn-David J. Lapp, Landowner

Dear [REDACTED]

In answering your request for determination of "accessory" or "principal" use for the proposed turkey barn on the [REDACTED] property and after reviewing the project and consulting with our attorney, both he and I are in agreement that the turkey barn is a principal use structure and set backs must conform as stated in Chapter 27 of the Lamar Township Code of Ordinances.

Respectfully submitted,

Timothy Yearick aay

Timothy Yearick/aay
Zoning Officer

cc: [REDACTED]