

RESOLUTION NO. R-43-2023

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF
UNITY, COUNTY OF WESTMORELAND, COMMONWEALTH OF
PENNSYLVANIA, REMOVING A PORTION OF PROPERTY BEARING
WESTMORELAND COUNTY TAX MAP PARCEL NO. 61-26-00-0-189 FROM
ITS AGRICULTURAL SECURITY AREA**

WHEREAS, David J. Stas and Robin L. Stas are the owners of a tract of land within the Township of Unity, Westmoreland County, Pennsylvania, containing approximately 43 acres of land used for agricultural purposes and bearing Westmoreland County Tax Map Parcel No. 61-26-00-0-189; and

WHEREAS, the 43-acre parcel was placed into an Agricultural Security Area as defined in the Pennsylvania Agricultural Security Law (3 P.S. §901, et. seq.) more than seven (7) years ago; and

WHEREAS, David J. Stas and Robin L. Stas have submitted a plan to subdivide the 43-acre parcel to create a separate 1.4064-acre parcel to be used solely for residential use; a copy of the proposed David J. and Robin L. Stas Subdivision describing the 1.4064 acre parcel as "Lot 3" being attached hereto, made a part hereof and marked Exhibit "A"; and

WHEREAS, the Owners of property within an Agricultural Security Area may request the removal of land from such area at any time consistent with the provisions of 7 Pa. Code §1381.41; and

WHEREAS, the Township has received a written request from Arthur J. Kromel (the surveyor preparing the aforesaid subdivision on behalf of David J. and Robin L. Stas) dated December 7, 2023, to remove Lot 3 in the attached Plan from its Agricultural Security Area, a copy of correspondence dated December 7, 2023, from Arthur Kromel to the Board of Supervisors being attached hereto, made a part hereof and marked Exhibit "B"; and

WHEREAS, the Township may not refuse such request¹.

¹ 7 Pa. Code §1381.41

NOW, THEREFORE WITH THE FOREGOING RECITALS BEING INCORPORATED HEREIN BY REFERENCE THERETO, THE BOARD OF SUPERVISORS OF UNITY TOWNSHIP HEREBY RESOLVE AS FOLLOWS:

1. THAT, Lot 3 in the proposed David J. and Robin L. Stas Subdivision being part of existing Westmoreland County Tax Map Parcel No. 61-26-00-0-189, shall be and is hereby removed from the Agricultural Security Area in which it is located.

2. THAT, approval of the removal of the aforesaid Lots is conditioned upon the final approval, execution and recording of the David J. and Robin L. Stas Subdivision attached hereto as Exhibit "A".

3. THAT, the removal of the aforesaid Property from its Agricultural Security Area shall be effective as of the date such condition is satisfied (i.e. the date the David J. and Robin L. Stas Subdivision Plan is recorded).


4. THAT, that the Stas' shall add the following Note to the recorded plan evidencing the removal of Lot 3 from the Agricultural Security Area:

"The property bearing Tax Map Parcel No. 61-26-00-0-189 is in an Agricultural Security Area. Lot 3 was removed from the Agricultural Security Area by Resolution No. R - 43 - 2023, approved and adopted by the Board of Supervisors of Unity Township at a public meeting held December 14, 2023. The remainder of the "(Residue Tract) (Lot 2)" will remain within the Agricultural Security Area for this parcel."

THIS RESOLUTION IS APPROVED AND ADOPTED AT A DULY ADVERTISED PUBLIC MEETING OF THE BOARD OF SUPERVISORS OF UNITY TOWNSHIP HELD THE 14th DAY OF DECEMBER, 2023 AND SHALL BE EFFECTIVE IMMEDIATELY.

ATTEST:

THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF UNITY

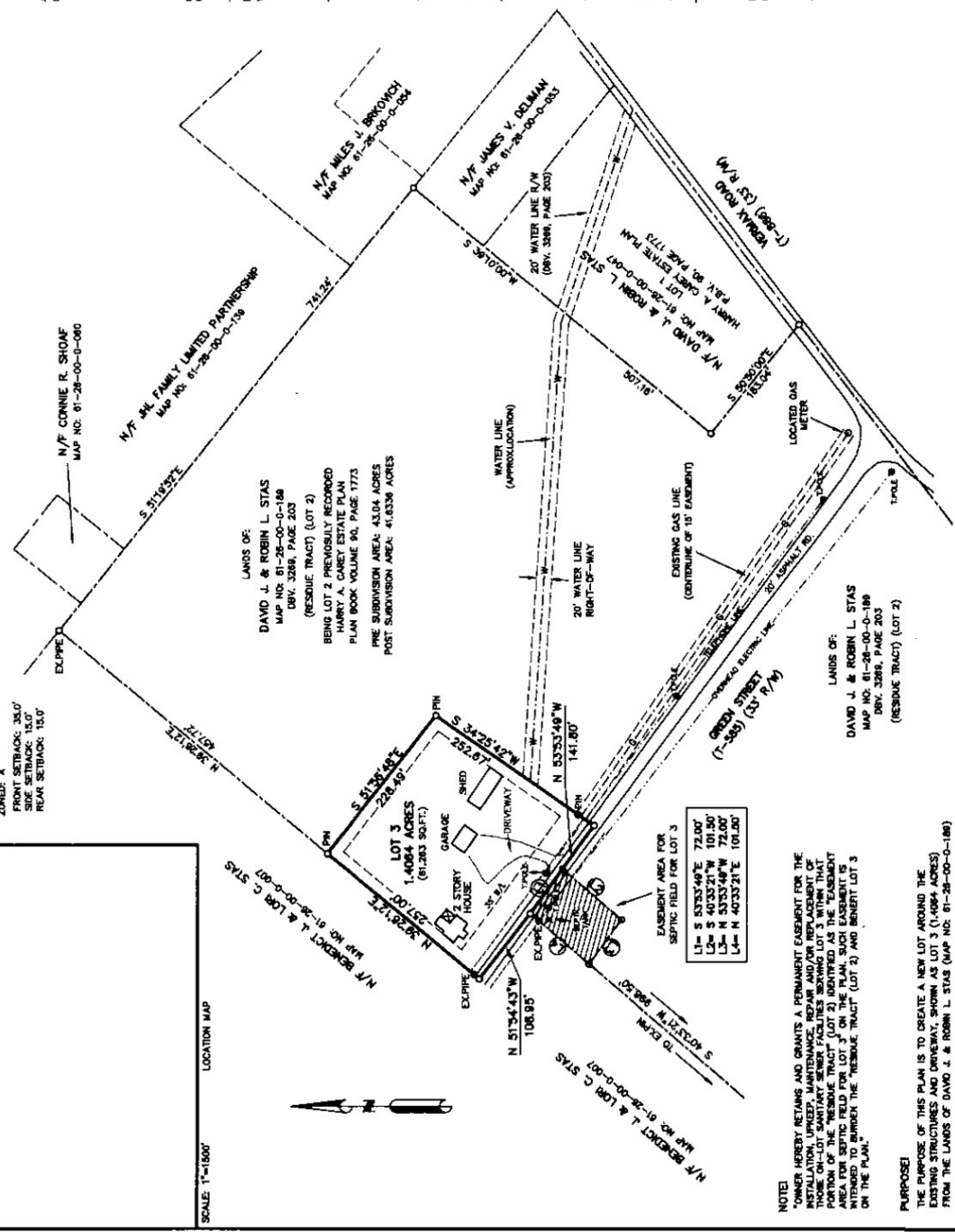

Sharon C. Sweeney, Secretary


Michael J. O'Barto, Chairman

PLAN DATA
 OWNER: DAVID J. & ROBIN L. STAS
 ADDRESS: 643 GREEN STREET
 TELEPHONE: N/A
 TAX MAP NUMBER: 81-28-00-0-186
 DEPT. 3289, PAGE 203
 NUMBER OF PARCELS: 1-004 ACRES
 UTILITIES AVAILABLE: TEL. ELEC. GAS. WATER

ZONED: A
 FRONT SETBACK: 35.0'
 SIDE SETBACK: 15.0'
 REAR SETBACK: 15.0'

NOTE:
 "THE PROPERTY BEARING TAX MAP PARCEL NO. 81-28-00-0-186 IS AN AGRICULTURAL SECURITY AREA. LOT 3 WAS REMOVED FROM THE AGRICULTURAL SECURITY AREA BY RESOLUTION NO. APPROVED AND ADOPTED BY THE BOARD OF SUPERVISORS OF UNITY TOWNSHIP AT A PUBLIC MEETING HELD DECEMBER 14, 2023. THE REMAINDER OF THE "RESERVE TRACT" (LOT 2) WILL REMAIN WITHIN THE AGRICULTURAL SECURITY AREA FOR THIS PARCEL."



EASEMENT AREA FOR LOT 3
 SEPTIC FIELD FOR LOT 3
 L1= S 53°33'49"E 72.00'
 L2= S 53°33'49"W 74.00'
 L3= S 53°33'49"W 74.00'
 L4= N 40°33'21"E 101.50'

NOTE:
 "OWNER HEREBY RETAINS AND GRANTS A PERMANENT EASEMENT FOR THE SEPTIC FIELD AND DRIVEWAY TO THE SANITARY SEWER FACILITIES BEHIND LOT 3 WITHIN THAT PORTION OF THE "RESERVE TRACT" (LOT 2) IDENTIFIED AS THE "EASEMENT AREA FOR SEPTIC FIELD FOR LOT 3" ON THE PLAN. SUCH EASEMENT IS TO BE SHOWN UNDER THE "RESERVE TRACT" (LOT 2) AND BENEFIT LOT 3 ON THE PLAN."

PURPOSE:
 THE PURPOSE OF THIS PLAN IS TO CREATE A NEW LOT AROUND THE EXISTING STRUCTURES AND DRIVEWAY, SHOWN AS LOT 3 (1.4064 ACRES) FROM THE LANDS OF DAVID J. & ROBIN L. STAS (MAP NO. 81-28-00-0-186)



WE THE UNDERSIGNED _____ DAVID J. & ROBIN L. STAS CERTIFY THAT WE HAVE LAID OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREIN TO HEREBY SUBSCRIBED TO THE OFF-PLATTED AND SUBDIVISION AND HEREBY ACKNOWLEDGE THE SAME AS BEING IN ACCORDANCE WITH THE WITHIN PLAT. THIS SUBDIVISION SHALL BE KNOWN AND DESIGNATED AS THE DAVID J. & ROBIN L. STAS SUBDIVISION.

BUILDING SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THIS PLAT BETWEEN WHICH LINES AND THE PROPERTY LINES OF THE STREET, THERE SHALL BE ERECTED OR MAINTAINED NO BUILDING OR STRUCTURE.
 WITNESS OUR HANDS AND SEALS THIS _____ DAY OF _____ 20____

OWNER _____ OWNER
 COMMONWEALTH OF PENNSYLVANIA
 COUNTY OF WESTMORELAND
 ON THIS _____ DAY OF _____ 20____ BEFORE ME
 THE UNDERSIGNED OFFICER, PERSONALLY CAME _____ THE ABOVE NAILED
 KNOW TO ME (OR SATISFACTORILY PROVEN) TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THE SAME FOR THE PURPOSE THEREIN CONTAINED.

NOTARY PUBLIC _____
 APPROVED BY THE PLANNING COMMISSION OF UNITY TOWNSHIP WESTMORELAND COUNTY PENNSYLVANIA, ON THIS _____ DAY OF _____ 20____

SECRETARY _____ CHAIRMAN _____
 APPROVED BY THE UNITY TOWNSHIP SUPERVISORS WESTMORELAND COUNTY PENNSYLVANIA, ON THIS _____ DAY OF _____ 20____

SECRETARY _____ CHAIRMAN _____
 REVIEWED BY THE WESTMORELAND COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT ON THIS _____ DAY OF _____ 20____

PLANNING DIRECTOR _____
 I, ARTHUR J. KROMEL DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR IN COMPLIANCE WITH THE LAWS OF THE COMMONWEALTH OF PENNSYLVANIA AND THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE BY ME ON NOVEMBER 15, 2023

ARTHUR J. KROMEL P.L.S. REG. NO. SJ-42307-E
 RECORDED IN THE RECORDER'S OFFICE FOR THE RECORDING OF DEEDS, PLANS, ETC., IN SAID WESTMORELAND COUNTY IN INSTRUMENT NUMBER _____ ON THIS _____ DAY OF _____ 20____

RECORDER OF DEEDS _____

DAVID J. & ROBIN L. STAS SUBDIVISION
 UNITY TOWNSHIP
 WESTMORELAND COUNTY, PA
 SCALE: 1"=100'
 NOVEMBER 2023
 REVISED: NOVEMBER 30, 2023
 FILE NO: 7529
 SUB NO: 23-31
 COMP. FILE: STAS10
 ARTHUR J. KROMEL P.L.S.
 708 LINCOLN AVENUE
 LATROBE, PA 15650
 724-539-8638

December 7,2023

Arthur J. Kromel P.L.S.

708 Lincoln Avenue
Latrobe, Pa 15650
724-539-8836

Unity Township Supervisors
1104 Beatty County Road
Latrobe, PA 15650

RE: David J. & Robin L. Stas Subdivision
Lot 3

We are requesting that Lot 3 of the David J. & Robin L. Stas Subdivision be removed from the Agricultural Security Area and a Resolution removing Lot 3 be approved by the Supervisors.

Sincerely
David J. & robin L. Stas