

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, MARCH 8, 2021
6:00 PM**

ATTENDANCE

The Planning Commission held its first meeting of the month on Monday, March 8, 2021, as a virtual meeting. In attendance:

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Rob Crassweller - Secretary
Shannon Holliday
Bill Keough
Lisa Rittenhouse
Dr. Ellen Taricani
Lewis Steinberg
Ralph Wheland

Staff:

Jenna Wargo, Planning & Zoning Director
Kristina Aneckstein, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance: Rhonda Demchak, Recording; Laura Dininni, Chair, Ferguson Township Board of Supervisors; Daniel and Kelly Wright, Ferguson Township Residents

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, March 8, 2021 at 6:00 p.m. Mr. Thompson noted that the Planning Commission meeting had been advertised in accordance to the PA Sunshine Act as a virtual meeting via Zoom. There was also an audio conference bridge that was accessible by dialing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Persons attending the meeting as members of the public and wanted to participate were asked to enter their name, municipality, and topic by utilizing the Q&A bubble at the bottom of the screen. C-NET is recording as well.

Ms. Wargo took roll call and the Planning Commission had a quorum.

II. APPROVAL OF ORGANIZATIONAL MEETING MINUTES - FEBRUARY 8, 2021

Mr. Thompson called for a motion to approve the organizational minutes from February 8, 2021.

Mr. Wheland moved that the Planning Commission **approve** the organizational meeting minutes of February 8, 2021. Mr. Binney seconded the motion. The motion passed unanimously.

III. APPROVAL OF REGULAR MEETING MINUTES FEBRUARY 8, 2021

Dr. Taricani moved that the Planning Commission **approve** the minutes of February 8, 2021. Mr. Wheland seconded the motion. The motion passed unanimously.

IV. CITIZEN INPUT

None.

V. LAND DEVELOPMENT

A. Wright Property Application for Consideration of a Modification/Waiver

Ms. Aneckstein presented the project. Daniel and Kelly Wright, owners of the 44-acre property at 1000 North Nixon Road, Tax Parcel 24- 003C,054-,0000-,Rural Residential (RR) have submitted an Application for Consideration of a Modification/Waiver. There is currently one dwelling on the parcel. The applicants are proposing to construct a new dwelling on the property and live in the existing dwelling during the construction of the new dwelling. The owners plan to demolish the existing structure within 6 months of receiving a certificate of occupancy for the new dwelling. In accordance with the Municipalities Planning Code (MPC) and the Township's Subdivision and Land Development ordinance (SALDO), the addition of the second dwelling requires the applicant to submit a land development plan. The applicants have requested a modification/waiver from the Subdivision and Land Development Ordinance requirement to complete a land development plan with the condition that the existing dwelling will be demolished within 6 months of receiving a certificate of occupancy for the new dwelling and the applicant will comply with all other State Regulations. Staff has reviewed the request and has no additional conditions to include with the application.

Mr. and Mrs. Wright were in attendance and thanked everyone for their efforts with their endeavor.

Ms. Aneckstein shared her screen to show a map of the property.

Ms. Rittenhouse inquired about a holding tank that is listed on the map and noted that in Harris Township it is required in lieu of water sprinklers. Ms. Rittenhouse remarked that she sees no reason why this shouldn't be approved.

Mr. Wright asked if there would be an expiration date on the modification waiver if they didn't build right away. Ms. Wargo noted it would require complying with the zoning permit timeline.

Mr. Keough asked about the holding tank. Mr. Ressler will review the ordinance and the tank. Mr. Wright will also look into the tank because he doesn't believe there is a tank on the property. Mr. Wheland felt that the plan is old.

Mr. Keough moved that the Planning Commission Planning Commission **recommend** to the Board of Supervisors approval of the Wright Property's Modification/Waiver with the condition that the existing dwelling be demolished within 6 months of receipt of a certificate of occupancy and comply with all other State Regulations. Mr. Wheland seconded the motion. The motion passed unanimously.

B. Kocher Well Field Water Pumping Improvements Final Land Development Plan

Ms. Aneckstein presented the final land development plan that was submitted by Gwin, Dobson & Foreman Engineering, Inc. on behalf of their client, The State College Borough Water Authority. The parcel is 47.7 acres and is zoned Rural Agricultural (RA). The Land Development Plan proposes water pumping improvements via two proposed structures to the Kocher well fields on Tax parcel 24-006-055E, located at 3961 W. Whitehall Road. The construction consists of two (2) buildings that measure 9 feet 4 inches by 12 feet 4 inches relative to Existing Well No. 71 and 9 feet 4 inches by 11 feet 4 inches relative to Existing Well No. 78. There is an existing floodplain that traverses the parcel and no construction is planned in the floodplain.

On June 23, 2020, a variance was approved to utilize FEMA Mapping for Floodplain Boundary determination instead of independent Hydrologic and Hydraulic (H&H) study

as required by §27-701. This is the final review of the land development plan. The Preliminary Plan was conditionally approved by the Board of Supervisors on October 5, 2020. Ms. Aneckstein reviewed the plan via sharing her screen.

Mr. Rob Crassweller moved that the Planning Commission **recommend** to the Board of Supervisors approval of the Final Land Development Plan pending outstanding staff comments. Mr. Binney seconded the motion.

Mr. Crassweller questioned the replacing of the red maple. Ms. Aneckstein noted that she spoke with the Township's Arborist, Lance King, and he expressed concerns with the over usage and that it will bring disease to the trees.

Mr. Keough remarked that he is not familiar with the London Plane Tree. Ms. Aneckstein stated that it resembles maple trees.

The motion passed unanimously.

C. Wasson – Ash Avenue Replot/Subdivision

Ms. Aneckstein reviewed the PennTerra Engineering, Inc. Wasson – Ash Avenue Replot Plan on behalf of their client. The Wasson – Ash Avenue Replot Plan is located at 1451 Ash Avenue, T.P. # 24- 002A,132-,0000. The purpose of this plan is to replot Tax Parcel 24-002A,132-,0000-, 24- 002A,134-,0000- and 24-002A,135-,0000-. Tax Parcel 24-002A,0132-,0000- is currently 0.547 acres and proposed to be replotted to 0.74 acres. Tax Parcel 24-002A,0134-,00 is currently 0.414 acres and proposed to be replotted to 0.23 acres. Tax Parcel 24-002A,0135-,0000- is currently 0.268 acres and proposed to be replotted to 0.26 acres. The parcel is located within the Single Family Residential (R1) zoning district. A request for a modification/waiver from Section 22-512 – Sidewalks and a request for a modification/waiver from Section 22-306.1. – Minor Subdivision and Minor Alteration were submitted.

Dr. Taricani asked why it is being called a subdivision. Ms. Aneckstein stated that anytime you move a lot line it is considered a subdivision.

Mr. Keough noted that Dr. Taricani's question was good because there was language in the SALDO that was not included that should have been when the ordinance was re-adopted. If the language would have been included, the Planning Commission wouldn't be reviewing the request. Ms. Wargo noted that she was not an employee when the re-write occurred and stated that there was intent to have a minor subdivision, but the definition was left out. All minor subdivision plans are reviewed by the Planning Commission. The only items that the Planning Commission doesn't review are the minor alteration plans and lot consolidations, staff reviews those items.

Dr. Taricani moved that the Planning Commission **recommend** to the Board of Supervisors approval of the Application for Consideration of a Modification from §22-306.1.—Minor Subdivision and Minor Alteration. Mr. Binney seconded the motion. The motion passed unanimously.

D. Wasson – Ash Avenue Application for Consideration of a Modification

Ms. Aneckstein noted that PennTerra Engineering, Inc requested a modification/waiver from Section 22-306.1.—Minor Subdivision and Minor Alteration. This section has a process outlined for a Minor Subdivision with requirements, however, the definition of a minor subdivision was omitted during the Township's Comprehensive Update to Chapter 22. The plan submitted is replotting lot lines and no new lots are being created. Staff

reviewed the application and isn't recommending any conditions be included with the request.

Mr. Wheland moved that the Planning Commission **recommend** to the Board of Supervisors approval of the Application for Consideration of a Modification. Mr. Keough seconded the motion. The motion passed unanimously.

E. Wasson – Ash Avenue Application for Consideration of a Modification

Ms. Aneckstein noted that PennTerra Engineering, Inc requested a modification/waiver from Section 22-512— Sidewalks. The plan is replotting three (3) existing lots in an established, built-out neighborhood. There are no existing sidewalks on either side of the street. The potential for connection to future sidewalks is extremely unlikely and no new land development is proposed. Staff has reviewed the application and isn't recommending any conditions be included with the request.

Dr. Taracani noted it is just a few houses and a lot of empty space.

Mr. Keough moved that the Planning Commission **recommend** to the Board of Supervisors approval of the Application for Consideration of a Modification. Mr. Crassweller seconded the motion. The motion passed unanimously.

Mr. Keough thanked whomever for including the colored aerial photo. Ms. Aneckstein noted that the developer was the one who included the colored photo.

VI. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo reported that the Board met on March 1, 2021 and reviewed the Tree Preservation Ordinance to be advertised on April 5, 2021 for adoption. The West College Student Housing Land Development Plan was reviewed.

B. CRPC Report

Dr. Taricani reported that the committee met this past week. PSU was ranked the highest in sustainability within the Big Ten. Hawbaker Road was discussed, with the possibility of more fast-food restaurants being built there. Discussed the issues the residents have with the Aspen Heights Land Development Plan, and the deficit with the Whitehall Regional Park. Mr. Binney asked if bids are going out with the Whitehall Regional Park even though there is a \$1 million deficit. Mr. Keough stated that the bids were sent out and were brought back. The reason the bids were sent out was to obtain hard numbers with regards to the work that needs to be done. Mr. Binney asked if there is a possibility of a phased approach due to the funding. Mr. Keough noted that it's already in a modified phase condition and stage one of the park has been decreased significantly because it was known to be underfunded. There are three amenities currently not listed due to funding, maintenance building, restroom/pavilion, and irrigation. COG will be debating over the issue later this month and then turn it over to the authority. Mr. Thompson asked if Ferguson Township would be paying a part of the irrigation system. Mr. Keough stated that Ferguson Township would be paying. Ms. Dininni, Chair, Ferguson Township Board of Supervisors, noted that she is commenting as a resident and not representing the Board. Ms. Dininni thanked Mr. Binney for the question because it is important to discuss and added that the bids came back at approximately \$800,000 over the anticipated budget of \$4.8 million. The Ferguson Township Board of Supervisors will be discussing the park at the next meeting and will be looking into ways to incorporate the amenities by staying in budget. Ms. Dininni encouraged anyone that

is interested to tune into the next Board meeting. Ms. Dininni stated that any exclusive use agreement that is signed in order to obtain funding needs unanimous approval by the Centre Region Council of Government Municipalities.

Dr. Taricani noted that the casino will be occupying the old Macy's store in the Nittany Mall. Mr. Thompson noted that a new pet store will be opening in the Northland Center. Ms. Holiday heard there was a Gabe's coming to the mall as well.

Mr. Keough commented that the revitalization of the Nittany Mall has a significant impact with all of the townships and is important to the economic stability in the region. Mr. Thompson stated that the new stores will bring in other people outside of the region.

C. Land Development Plans

i. West College Student Housing Land Development Plan Update

Ms. Aneckstein noted that the Board of Supervisors reviewed the land development plan on March 1, 2021. PennTerra made some updates from both the Planning Commission and Board suggestions that included a loading zone and possible motion detection lights along the alley between the two properties.

Mr. Keough asked for clarification regarding the CATA bus stop near the building. Ms. Aneckstein noted that CATA has been in contact with PennTerra and CATA is looking into moving the bus stop on the side of Buckhout on West College Avenue.

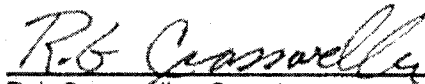
D. Staff Updates

No report.

VII. ADJOURNMENT

Mr. Crassweller made a motion to adjourn the March 8, 2021 Planning Commission meeting at 7:20 p.m. Mr. Binney seconded the motion. The motion passed unanimously.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission