

**FERGUSON TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
MONDAY, SEPTEMBER 13, 2021  
6:00 PM**

**ATTENDANCE**

The Planning Commission held its first meeting of the month on Monday, September 13, 2021, as a zoom meeting. In attendance:

**Commission:**

Jeremie Thompson – Chair  
Jerry Binney – Vice Chair  
Robert Crassweller  
Bill Keough  
Shannon Holliday  
Dr. Ellen Taricani  
Ralph Wheland  
Qian Zhang – Alternate

**Staff:**

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

Others in attendance: Rhonda Demchak, Recording Secretary; Ferguson Township Residents – James Gourley, Tanner Lehman, Eric Reischer

**I. CALL TO ORDER**

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, September 13, 2021 at 6:00 p.m. Mr. Thompson noted that the Planning Commission meeting had been advertised in accordance with the PA Sunshine Act as a virtual zoom meeting. Persons attending 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.

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

**II. CITIZEN INPUT**

There were none.

**III. APPROVAL OF REGULAR MEETING MINUTES AUGUST 23, 2021**

Mr. Keough moved that the Planning Commission **approve** the minutes of August 23, 2021. Dr. Taricani seconded the motion. The motion passed unanimously.

**IV. UNFINISHED BUSINESS**

**A. Zoning and Subdivision and Land Development Ordinance Amendments**

Ms. Wargo noted that included in the agenda are the Comprehensive updates to the Township's Zoning and Subdivision and Land Development (SALDO) Ordinances were adopted in November 2019 by the Board of Supervisors. While applying the regulations, staff has identified additional areas within the ordinances that need to be amended. The Board of Supervisors was presented with a redlined copy of staff's proposed amendments at the August 2, 2021 Board of Supervisors meeting. The Board identified additional amendments that they would like to see included. Those comments are reflected in this redlined draft. The Board referred these amendments to the Planning Commission for review and comment.

The Planning Commission reviewed the amendments. All page numbers refer to the number included on the packet agenda.

The following comments/suggestions were made:

Land Development 2.B – Mr. Keough suggested adding language for a number 7, a new use substantially different from the previous use. Mr. Keough gave an example of a non-public building being converted into a public building for public use. Dr. Taricani suggested using a percentage instead of the word substantially. Mr. Ressler added that currently change of use can be done for any properties and if the change requires more parking on the plan, then a land development plan needs to be completed. Mr. Crassweller asked for clarification on number 4 regarding fire protection. Ms. Wargo noted that it would be for a residential structure. Ms. Wargo stated they will look further into number 4.

Public Comment:

Mr. Eric Reischer joined the meeting late and asked the chair if he could make a public comment. Mr. Reischer, Ferguson Township Resident, commented that he went through a land development plan last year and want to give some feedback. He noted that the lighting requirements for single family home is not an easy process and suggested separating the lighting requirements to commercial and larger-scale residential. Mr. Reischer suggested that the township implement additional zoning submission requirements for lots under development because his plan was delayed numerous times for approval. Mr. Reischer proposed that the Township implement a rule that any property that contributes to impervious run off to an existing detention basin should be required to submit a storm water management plan.

Mr. Keough commended the staff for the last three sentences under number 2 – Subdivision, Minor regarding lot lines, but suggested ending the sentence after property lines. Ms. Wargo stated they will work on the language. Continued discussion ensued and Ms. Wargo noted that they will let the Zoning Officer determine what is included in the adjustment of lot lines.

Ms. Wargo reviewed the landscaping changes on page 10 of the amendments. Ms. Wargo noted that historically the Township allowed unlimited number of changes, but it was left out of the amendment. Ms. Wargo would like it to be added back in because they are going to be coming across a lot of commercial buildings that have been able to change their use many times, but now they need to be a land development plan.

Ms. Wargo reviewed the Water Supply section and noted that after meeting with the Fire Chief the section will be expanded.

Ms. Wargo reviewed the Bicycle Parking Regulations. Mr. Keough asked what constitutes the size of a bicycle space. Ms. Wargo noted that it is in the SALDO that is not being reviewed tonight. Ms. Bassett noted that in the SALDO a bike rack is no less than 36 inches tall from the base to the top of the rack and no less than 1.5 feet in length.

Mr. Wheland expressed concerns with the language on page 16 (b) and asked that it be rewritten.

Mr. Keough addressed planting in buffer zones and open spaces and cautioned what the impact of planting could mean. Mr. Keough stated he is not against planting of trees/plants, etc.

Ms. Wargo noted that the Board wanted the Planning Commission to take a closer look at the Planned Residential Development District (PRD). Ms. Wargo reviewed the amendments. Mr. Keough stated community interaction should be encouraged such as planned educational or social events in the PRD and that more flexibility with signage should be allowed for such events.

Ms. Wargo reviewed the Corridor Overlay District Requirements. Mr. Keough discussed lighting with regards to trees and noted that from Uni-Mart to the old Houts there is little lighting. Mr. Keough would like the ordinance to address the setting of streetlamps versus the planning of canopy trees. Ms. Wargo noted that they can move landscaping over to the SALDO.

Ms. Wargo reviewed the Slope Controls. Mr. Wheland noted that on page 21 under C-1, 1, 5, and 6 are very subjective. Mr. Wheland expressed concerns with number 5 regarding open space and recreation uses because some areas can't be utilized. Ms. Wargo stated that they will investigate. Mr. Keough stated that flat ground is running out to build houses and should be mindful for future ordinances. Mr. Keough stated that in Boulder, CO their houses are on stilts and perhaps this could be permissible at some point in the Township.

Mr. Ressler reviewed the Short-Term Rentals. Mr. Wheland asked what the logic is for someone renting a vacant home on a short-term basis. Mr. Ressler noted that the intention is that they are not to be rentals that someone from out of state would buy and use for short term rentals. Ms. Wargo noted that it affects neighborhoods poorly.

Ms. Wargo reviewed the Mobile Retail Food Facilities. Mr. Binney asked if there has been any pushback with the times and about soccer games lasting until 11:00 p.m. Mr. Thompson noted that a park permit would be needed to perform after sunset. Mr. Keough stated that regional and local parks are very different and there will be bigger discussions on usage and times in the future. Mr. Keough suggested leaving this as is until there are regional discussions. Mr. Binney concurred with Mr. Keough. Ms. Wargo asked the Commission how they felt about the Village, TTD and the TSD being left out. Mr. Keough stated 11:00 p.m. would be adequate and if there are future issues, they can be addressed. Mr. Thompson expressed concerns with the 13-week limitation and stated that it doesn't cover the entire summer. Mr. Wheland asked for clarification regarding 1.A-4. Ms. Wargo noted that the current ordinance states that the food truck needs to be removed off premises each night. Mr. Ressler concurred that the language is not clear, and they will review. Ms. Holliday asked if there are designated areas for parking. Mr. Keough suggested getting rid of number 4. Mr. Keough asked if the Board wants to be bothered with granting permission and how frequently will they need to obtain permission. Mr. Ressler expressed concerns with narrow streets and the potential liability. Ms. Wargo stated that this needs to be discussed by Police, Engineering, and Planning. Mr. Binney suggested having a meeting with all the vendors to get their viewpoints. Mr. Keough suggested the Planning Commission hold a work session with the vendors. Ms. Wargo reviewed the new language regarding the location of where the mobile food vendor may be permitted, such as parks. Mr. Keough suggested pulling the permission from the agreement because the food trucks go to the Authority to work in parks. Ms. Wargo noted that the agreement was requested by a Board member and that College Township has this in their ordinance. Mr. Keough talked to four food truck owners and asked if they obtained a letter from the site of operation and gave to the Township. Mr. Keough stated all four did not and is by invitation only from the site. Mr. Keough feels the agreement should be between the vendor and the commercial property owner. The Commission concurred with Mr. Keough's suggestion of removing. Mr. Keough suggested removing number 4 regarding the number of food trucks. The Commission concurred with Mr. Keough's suggestion. Mr. Wheland suggested striking out the last sentence under

number 1 of the Sanitation and Safety sentence. Ms. Wargo agreed and will strike it out.

Ms. Wargo will forward the comments to the Board and will be back to the Planning Commission at the next meeting. Ms. Wargo will identify the food vendors and contact them regarding a working session. Mr. Thompson suggested a pre-meeting survey to be sent to the vendors to obtain feedback.

**V. OFFICIAL REPORTS AND CORRESPONDENCES**

**A. Board of Supervisors**

Ms. Wargo reported that the Board met on September 7<sup>th</sup> and noted that Pam Steckler was sworn in as a new member, the CIP was adopted, Pine Hall Land Use Appeals Settlement was adopted, amended the Act 537 plan, approved the Conditional Use Application for 1445 West College Avenue, held a public hearing for the 1350 Greenwood Circle flag lot, and an official Township map was discussed.

**B. CRPC Report**

Dr. Taricani reported that they did not meet but noted there is a bike event on September 24 and attendees could win \$50 gift cards.

**C. Land Development Plans**

Ms. Bassett reported that they received Rogan/Sycamore Drive Subdivision Plan back for review. They are on the second review of Orchard Square. The Commission could possibly see these plans within the month. Farmstead View Subdivision Plan, the JL Cidery Deck Expansion and Nittany Dental are being reviewed by the engineers.

**D. Staff Updates**

No Report.

**VI. Adjournment**

Dr. Taricani made a motion to adjourn the September 13, 2021 Planning Commission meeting at 8:32 p.m.

Respectfully Submitted,



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Rob Crassweller, Secretary  
For the Planning Commission