

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, NOVEMBER 12, 2018
6:00 PM**

I. ATTENDANCE

The Planning Commission held its 1st regular meeting of the month on Monday, November 12, 2018 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Lisa Strickland, Chairperson
Bill Keough, Vice Chairperson
Ralph Wheland
Marc McMaster. absent
Rob Crassweller
Eric Scott
Jeremie Thompson
Shannon Holliday, alternate

Staff:

Ray Stolinas, Director of Planning & Zoning
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator, absent

Others in attendance were: Deanna Behring, David Kretschmun, Ian Carson, Thomas Kriebel, Daniel O'Connell, John Schwartz, Aaron Kopicki, Marcella Raggio, Connor Burkhard, and Mark Kunkle, Ferguson Township resident

II. CALL TO ORDER

Ms. Strickland called the meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. PINE HALL TRADITIONAL TOWN DEVELOPMENT -- GENERAL MATER PLAN

This item was removed from the agenda discussion at this time due to Transportation Impact Study revisions.

V. FERGUSON TOWNSHIP ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (SALDO) REVISIONS

Mr. Stolinas stated that the Township's consultant, Environmental Planning & Design (EPD) submitted a fourth draft of the Zoning and SALDO documents and staff has distributed copies to the Board of Supervisors, Planning Commission, and Tree Commission for further review and comment. Staff is currently performing a technical review of both documents and will provide EPD with further comments. Staff anticipates that EPD will perform final edits and provide a final ordinance submission in December. Mr. Stolinas continued to say that EPD encompassed revisions from the June joint work session between the Board of Supervisors and the Ag Ad Hoc Advisory Board. Staff anticipates another meeting with EPD for the first week of December to provide final comments. Mr. Stolinas added that he will be attending the November 19, 2018 Tree Commission meeting to discuss comments regarding the Zoning and SALDO.

In response to a question from Ms. Strickland, Mr. Stolinas explained that staff will need to have further discussions with EPD regarding lot sizes for certain uses in the Rural

Agriculture (RA) zoning district. Mr. Keough expressed his concern regarding non-conforming lots in the RA district and wants there to be opportunities for those who have smaller lots for agriculture uses. Mr. Keough had the following questions regarding non-conformity for staff to consider:

- Because a property is considered non-conforming, does the ordinance restrict what uses can be done on it?
- Can land owners purchase acreage to make their non-conforming land conforming?
- What types of uses can you do on a non-conforming lot?

The Planning Commission then provided its comments regarding the draft Subdivision and Land Development Ordinance.

Mr. Crassweller stated that on page 56, Section 22-512, it states that sidewalks are required along both sides of all private driveways, however, sidewalks are not required on all private streets. He wondered what the logic was behind that requirement. Mr. Stolinis explained that in the existing ordinance, private drive is defined as “a street which existed prior to January 10, 1989, which was not offered or accepted for dedication for public use.” Mr. Stolinis went on to say that driveway is defined as “vehicular access away from a street into a lot.” Mr. Stolinis will look further into this.

In response to a question from Mr. Wheland regarding minor lot revisions, Mr. Stolinis stated that this comment has been made in the past and staff is still anticipating that the language will be included in a future draft ordinance. Mr. Stolinis also mentioned that the minor alteration plan process will be placed into the SALDO instead of the Zoning Ordinance. Mr. Keough added that he does not see a definition for minor subdivision.

Mr. Stolinis mentioned that there is a new section in the SALDO for bike parking standards, per the guidance of Trish Meek, CRPA Transportation Planner.

In regards to sidewalks in the Rural Residential (RR) zoning district, Ms. Strickland suggested that no sidewalks be required because the RR is mostly developed now. Ms. Strickland stated that she has a number of corrections with in the SALDO and will email them to staff.

The Planning Commission then provided its comments regarding the draft Zoning Ordinance.

Mr. Stolinis provided comments from Mr. Doug Schauffler regarding living spaces for hired farm hands within the RA district for parcels less than 50 acres. Staff incorporated language within the Zoning Ordinance to allow for a certain amount of square footage for that type of living space for temporary quarters within the RA. Mr. Stolinis added that staff has not received a lot of comments regarding the commercial and industrial requirements of the Zoning Ordinance.

Mr. Wheland spoke to the issues of lot size and uses in the RR and RA districts. He stated that he hopes that this ordinance rewrite will help smooth those bumps out. Mr. Stolinis agreed and stated that staff has addressed those issues through the different ordinance drafts and hopes that the rewrite will help promote the activities that the farming community identified as being activities they'd like to utilize.

Mr. Keough spoke to the Tree Commission's involvement in ordinance update. He stated that within the SALDO, for example, the Traditional Town Development (TTD) district has a requirement that 40% of the trees at a certain caliper must be retained during development. He went on to say that he is concerned that the ordinance uses trees as a primary decision point regarding land use and that the Township may be backing development into a corner. He explained that the location of trees on a lot within the TTD in relation to stormwater management may limit where the development can occur. He went on to explain that he understands that the requirement of retaining 40% of certain trees in the TTD is already adopted, however, the concept of that requirement concerns him. Mr. Keough asked if the Tree Commission or the Tree Ordinance accounts for street light locations. He explained that in the winter season, it's not a big deal, however, in the leafing period of time, the leaves literally block out light from street lights. Mr. Keough stated that the Township has to be careful to not create a safety issue with trees blocking lights at intersections or accesses to businesses. Mr. Stolinis stated that he will hear more from the Tree Commission on November 19, 2018 when he attends the meeting. He went on to state that after the Tree Commission had its joint meeting with the Board of Supervisors, the Board directed them to review and comment on both ordinances.

Ms. Strickland stated that there are three separate issues regarding trees that can be discussed—preservation, placement, and requirements. There was a lengthy conversation about tree placement, preservation, and requirements among the Commission members.

Mr. Keough stated that he believes the draft zoning ordinance is close to being finished, however, he would like to see language in the Zoning and SALDO regarding unintended consequences—meaning language that would allow the Township to streamline small corrections to the ordinances. Mr. Stolinis stated that staff has discussed this topic with EPD in the past and will discuss it again in the future.

Mr. Scott stated that on page 124, the ordinance should allow for other types of solar systems for rooftop placement, not just PV solar systems.

In response to a question from Mr. Crassweller, Mrs. Schoch explained that the difference between Residential 1 (R1) and Residential 1B (R1B) is that R1B has a minimum of one acre lot sizes and the requirement of off-site sewage.

There was a brief discussion regarding development in the RR and the requirement of a Community On-Lot Sewage Disposal System (COLDS). With a COLDS in the RR, the developer would have to pay to construct the system as if the development was completely built out. Because of the high cost of this system, there was general

consensus from the Planning Commission that the system was not a viable option and to take it out of the Zoning Ordinance.

Ms. Strickland provided her comments for the draft Zoning Ordinance:

- Starting with page 9, remove the yellow highlights.
- Be consistent with primary versus principal land uses.
- Use a different letter on the accessory use table to identify permitted by right uses or add a key.
- Consider allowing exhibit halls and museums as a principal land use in other zoning districts aside from the Agricultural Research (AR) district.
- Change farm markets in the R1 as an accessory use, not a conditional accessory use.
- Why is the mining and quarrying use allowed as a conditional principal use in the RR when it was an accessory use before?
- Under Private Recreation Facility, why is the commercial hunting preserve use permitted as a principal land use in the RR? It should be kept as a conditional principal and accessory use.
- Add tutoring and learning centers as an accessory use in the R1 district.
- Instead of “all other non-residential uses are permitted as principal land uses in the Industrial, Research and Development (IRD) district”, consider permitting these uses as conditional land uses in the IRD.
- Consider allowing food trucks as a permitted use in the Village district.
- On page 20, it states that there is no maximum impervious coverage for the RA district.
- Does it make sense for maximum structure heights, principal or accessory, to be the same in each district?
- Add subheadings to make navigation through the ordinance easier.

There was a brief discussion regarding food truck provisions. Staff will review the 2015 Food Truck Ordinance for uniformity with the draft Zoning Ordinance.

Mr. Wheland stated that there is a definition for wedding celebration venue, but it is not referenced in the ordinance at all.

Staff will capture all of the Planning Commission’s comments for consideration for the fifth Zoning and SALDO draft ordinances. The Planning Commission requested that EPD highlight the changes from the fourth draft to the fifth draft.

VI. CONSENT AGENDA

a. Ferguson Township Joint Board of Supervisors and Source Water Protection Ad Hoc Advisory Board Work Session Minutes

A motion was made by Mr. Wheland and seconded by Mr. Keough to approve the consent agenda. The motion carried 6-0.

VII. PLANNING DIRECTOR'S REPORT

Mr. Stolas reviewed his director's report which included the following items:

On October 14 through 16, the Planning & Zoning Director, Community Planner, and GIS Technician attended the APA PA Annual Conference in Erie, PA, at the Bayfront Convention Center. Sessions attended included Ethics: You Want Me to do What?, Revitalizing Urban Neighborhoods, The Affordable Housing Toolkit, Creating Safe Environments, Achieving your community goals, and Planning for a Changing Rural Economy. The Conference also provided an opening keynote "Intentionality: Competing in the 21st Century", the Plenary Lecture "The Neighborhood Playbook: Community Engagement" and the Pitkin Lecture "Infrastructure Crisis: It's time to Rethink our Approach to Growth".

On October 17 and November 5, 2018, the Community Planner attended the Suburban Park Master Plan Committee Kick-Off meeting with consultants YSM and attended the first public meeting.

On October 22, 2018, the Planning & Zoning, Community Planner, and Township Manager met with Missy Schoonover, Executive Director of the Centre County Housing & Land Trust, to discuss the draft Workforce Housing Agreement for the Pine Hall Traditional Town Development General Master Plan.

On October 23, 2018, the Planning & Zoning Director and Zoning Administrator attended the Ferguson Township Zoning Hearing Board Meeting for the Zachary Maser variance request at 301 Marengo Lane for relief from providing a detailed floodplain analysis for a home addition.

On October 25, 2018, the Planning & Zoning Director, Zoning Administrator, Community Planner, and Township Manager met with Justin Mandel, Aspen Hill Partners and John Sepp of PennTerra Engineering to discuss the proposed first phase of development at Harner Farm. Also on October 25, 2018, the Planning & Zoning Director met with the Centre County Housing & Land Trust Strategic Plan Committee.

On October 29, 2018, the Planning & Zoning Director met with the Centre County Housing & Land Trust Fee-in-Lieu Committee. Also on October 29, 2018, the Community Planner attended the Northland Area Mobility Study – Working Group Meeting #2.

On November 1, 2018, the Planning & Zoning attended the Centre Regional Planning Commission meeting.

On November 5, 2018, the Planning & Zoning Director attended the COG TLU Committee meeting.

On November 6, 2018, the Planning & Zoning Director and Zoning Administrator met with Greg and Linda Mussi regarding existing uses at 3020 Research Drive. Also on November 6, 2018, the Planning & Zoning Director, Township Engineer, and Township Manager met with Todd Erdley pertaining to Sandy Drive and future traffic signalization. On November 7, 2018, the Community Planner attended the Centre Regional Planning Agency staff meeting. On November 7, 2018, the Community Planner conducted a bike tour with the Public Works Director within the Mobility Study area during peak hour. Also on November 7, 2018, the Planning & Zoning Director attended the Pine Grove Mills Small Area Plan Steering Committee meeting in preparation of the scheduled Town Hall meeting slated for November 14, 2018, 6:00 p.m. at St. Paul's Lutheran Church.

Recent BOS Actions Summary (11/5/18 Regular Meeting):

- Public Hearing on the Conditional Use Application for a Skatepark on property located at 1316 West College Avenue in the Terraced Streetscape District.
- Pine Hall Traditional Town Development Workforce Housing Development Agreement.
- Source Water Protection Overlay District Ordinance Discussion.
- Continued Discussion of Draft Discrimination Ordinance.
- Continued Discussion of Composting Toilets at Local and Regional Parks (Continued).
- 2019 Centre Region COG Budget Summary.
- Authorization of appropriation to the Chamber of Business and Industry of Centre County for a Business and Retention and Expansion Project – KCF Technologies.
- Scheduling of Interviews for ABC Vacancies

VIII. ACTIVE PLANS UPDATE

Ms. Schoch provided the active plans update, which included the following active plans: King Wealth Strategies Land Development Plan, Step by Step School for Early Learning, and Pine Hall Traditional Town Development General Master Plan.

IX. CENTRE REGIONAL PLANNING COMMISSION (CRPC) REPORT

Mr. Thompson stated that CRPC met on November 1, 2018 and discussed waiving fees related to new housing and development. The CRPA met with various services providers who were not in favor of waiving any fees because their revenue is generate by the fees and services they offer. There was also a discussion regarding if the fees were deferred, there would be challenges of how to collect back on those fees. Development related fees are composed of three to six percent of the cost associated with the construction of a single-family home. Mr. Thompson stated that there are other areas that can be addressed to make homes more affordable, rather than just eliminating a small fee. Mr. Thompson stated that the CRPC received information regarding resale prices of

single-family homes in the Centre Region as of August 2018. The prices were \$89,000 more on average than resale homes in other areas of Centre County. Penn State University shared that it has received a request to submit letters of intent from architect firms to build two buildings on West Campus for the College of Engineering that will open in the fall of 2022 or 2023. The CRPC also discussed the representation of CRPA and CRPC to regional authorities and committees. The CRPC has decided to eliminate its representation to the Millbrook Marsh Nature Center Advisory Committee. The CRPA staff will have representation to the Centre Region Comprehensive Parks Master Plan Steering Committee as well as to the University Area Joint Authority (UAJA) Committee. Lastly, the Centre County Metropolitan Planning Organization CCMPO provided the CRPC with updates regarding the Long Range Transportation Plan, which will take a needs-based approach versus a project-based approach. Some funding was freed up for projects across the county, one of which is the I-99/80 interchange traffic signal, which will become permanent, in addition to extending the west-bound exit ramp to 400 feet, and removing the embankment to the left side of that ramp. Those projects will help move the traffic along in this area until the major plans for the I-99/80 interchange are completed in 2025. \$500,000 was transferred to the Centre Area Transportation Authority (CATA) that will be used to purchase two articulated buses which are used for larger and higher volume routes.

X. SOURCEWATER PROTECTION AD HOC COMMITTEE UPDATE

Mr. Stolinis stated that the Board of Supervisors had a joint meeting with the Sourcewater Protection Ad Hoc Committee to discuss the recommendations they made on the draft Sourcewater Protection Ordinance. Staff will be preparing an update to the ordinance and anticipates that the Planning Commission will see the changed draft ordinance on December 4, 2018. Staff will also send the update to the CRPC to review at a future date before the ordinance is scheduled for a public hearing. Once the Board schedules a public meeting, staff will send the draft ordinance to the Centre County Planning office for its 30-day review and comment period.

XI. ZONING/SALDO STEERING COMMITTEE UPDATE

There was no update.

XII. PINE GROVE MILLS—SMALL AREA PLAN

Ms. Strickland stated that there will be a town hall meeting on November 14, 2018 at 6:00 Pm at the Saint Paul Lutheran Church. The idea is to get the community in and around Pine Grove Mills to come to the meeting to see what the Small Area Plan Committee has been working on. The Committee would like to get feedback from the Community to make sure that the Committee is on target as to what the community would like to see the Small Area Plan encompass. Mr. Stolinis stated that Jim May, CRPA Director, would like to have public input during this meeting. There will be a small presentation to give a history of the Small Area Plan and how it came to be. After the town hall and the holidays, Mr. May will be working on writing sections of the Pine Grove Mills Small Area Plan.

XIII. APPROVAL OF THE REGULAR MEETING MINUTES – OCTOBER 8, 2018

A motion was made by Mr. Keough and seconded by Mr. Wheland to approve the October 8, 2018 meeting minutes as presented. The motion carried 6-0.

XIII. ADJOURNMENT

There being no further business for the Planning Commission, the meeting adjourned at 8:22 p.m.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Rob Crassweller", is written over a horizontal line.

ROB CRASSWELLER, SECRETARY
FOR THE PLANNING COMMISSION