

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
TUESDAY, DECEMBER 5, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Tuesday, December 5, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Marc McMaster, Chairman, absent
Rob Crassweller, Vice Chair
Ralph Wheland
Lisa Strickland
Bill Keough
Eric Scott
Andrea Harman, absent
Cristin Mitchell, alternate

Staff:

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

Others in attendance were: Marcella Bell, Recording Secretary; Carolyn Yagle, Environmental Planning & Design; AJ Schwartz, Environmental Planning & Design; and Wes Glebe, Resident

II. CALL TO ORDER

As Mr. McMaster was absent, Mr. Crassweller called the December 5, 2017 Planning Commission meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input

IV. FERGUSON TOWNSHIP WORKING DRAFT ZONING ORDINANCE AND WORKING DRAFT SUBDIVISION AND LAND DEVELOPMENT ORDINANCE

Ms. Yagle introduced herself and gave an overview of the discussion at the November 13, 2017 Planning Commission meeting. She stated that the main takeaway from the meeting concerned the readability of the Quick Views. She explained that since then EPD has created a key for the Quick Views. Ms. Yagle went on to say that during the meeting EPD will review the key for the Quick Views, review the land uses based on written comments received from Planning Commission members and Township staff, and start looking at the Subdivision and Land Development Ordinance (SALDO). The SALDO is a working file and has been printed with tracked changes so that Planning Commission members can see the changes. Ms. Yagle stated that EPD and staff have discussed having an all-day work session on January 5, 2018. Planning Commission members will not need to attend all day, instead there will be specific agenda items at certain times of the day so that members can attend the work session when they prefer.

Switching gears, Ms. Yagle referred to the new key that explains how to read the Quick Views. She stated that the key introduces the listings of principle and accessory uses, the use type column that ties into dimensional criteria, and a diagram for dimensions with a map for specific zoning that is highlighted on the key.

There was a lengthy discussion regarding the Quick Views key. The Planning Commission members felt that the key did not help explain how to read the quick views. Regarding use types "A" and "B", members felt that the letters were not accurately explained. Ms. Yagle suggested that EPD could change the identifying letters to numbers instead. Planning Commission members were confused as to what exactly "A" and "B" stood for. Ms. Yagle explained that there is a wide set of dimensional criteria for some districts and uses throughout the ordinance as it exists today. In some cases, depending on the district, there could be a variation of 12 or more dimensions within one district. In general, it is a little cumbersome because the notion of a district is that things within that district are generally treated the same way. After amendments have occurred over the course of time, there has become a significant variation within districts between particular uses. Columns "A" and "B" are meant to consolidate the dimension criteria within one district.

Mr. Keough expressed concern about unintended consequences such as creating many non-conforming lots with the new criteria. Mr. Schwartz stated that when EPD created "A" and "B", dimensional criteria, they relaxed the criteria and standards for the dimensions. Ms. Yagle stated that EPD tried to incorporate as many things as conforming as possible. Mr. Schwartz stated that EPD can determine how much impact on non-conformity is happening with the consolidation of the dimensional criteria.

In response to a question from Ms. Strickland, Ms. Yagle explained that when EPD did the original analysis of the existing Zoning Ordinance, there were four main columns of dimensional criteria. EPD looked at the pattern of the tables being populated, and there was one dimensional criteria that stood out, which ended up being the majority situation. EPD then compared the other three columns to the asterisks containing dimensional criteria and found that there was another major pattern; hence, why EPD is proposing two main dimensional criteria, "A" and "B".

There was concern from the Planning Commission regarding the number of changes and how someone would know everything that was changed. Mr. Schwartz explained that the Township is not obligated by the Municipalities Planning Code (MPC) to notify every property owner of a specific change on their lot. The Township would advertise that there is a zoning change and tools like the Idea Board would also help with providing the information to residents.

The Planning Commission gave a few general comments for EPD to consider:

- Include non-square lots in the dimensional criteria drawings
- Include an "unintended consequence" clause in the Zoning Ordinance
- Include a chapter that dictates rules regarding non-conforming lots
- Identify "A" and "B" with numbers for clarity
- Review the current definitions for clarification

Ms. Yagle shifted the conversation to the use tables on page 15 of the Quick Views. Based on comments received from some Planning Commission members and staff, Ms.

Yagle reviewed the Use Regulations Summary Table on page 15 regarding Accessory Land Uses. The following Accessory Land Uses in the Rural Residential (RR) and Rural Agriculture (RA) Districts were called out to consider changing the uses from Conditional to Permitted Uses: Cideries (6), Dwelling Units (10), Farm Markets (15), Farm Stands by Road <2,000 square feet (16), Farm Stands by Road >2,000 square feet (17), Food Trucks (20), Group-Childcare Homes (21), Retail Establishments Value-Added Agriculture (27), Sugar Shacks for Processing Sap from Trees on Different Lot (30), Sugar Shacks for Processing Sap from Trees on Lot (31), and Wineries/Tasting Facilities (36). Ms. Yagle added that there was a comment to allow Low-Impact Home-Based Businesses as a Permitted Use in the RR district.

Continuing to the next tier, the following Accessory Land uses on page 15 were called out to consider the uses to be Conditional instead of not permitted at all: Retail Establishments Agricultural-Supported (26) in the RR district, Retail Establishments Value-Added Agriculture (27) in the RA district, and Temporary Facilities Related to Advanced Agricultural Research (32) in both the RR and RA districts.

Mr. Wheland pointed out line 4 in the Accessory land Use Table on page 15 and asked EDP to consider using the language, "motorized equipment", instead of "Boats/RV Storage". Mr. Wheland added that "motorized" may not even be needed.

There was a lengthy discussion regarding the definition of Community-Supported Agriculture Delivery Station and the regulations that would come with conditionally allowing the use in the RA district.

Ms. Yagle moved on to the topic of the Subdivision and/or Land Development Submission requirements. She provided a summary table to the Planning Commission that reviews the requirements for different types of subdivision and land development submissions. She stated that there is not currently a document such as this in the Zoning Ordinance today. Ms. Yagle stated that within the table, EPD added a column for Agriculture-Related Land Developments, which is not currently identified as a separate type of submission in the Zoning Ordinance. The other types of submissions include Lot Consolidation, Minor Subdivision, Major Subdivision, and Land Development. The table in question identifies the applicability and requirements for each type of submission. This table was created in an effort to easily explain what is required when applicants submit any type of subdivision or land development and can be used as a tool for both the Township and an applicant. Ms. Yagle referred to the Agriculture-Related Land Development column and explained that the decision to add that column came out of several discussions with the farming community. Ms. Yagle asked the Planning Commission to review the table for a discussion at the January 5, 2018 work session. At the end of the discussion, Ms. Yagle handed out a "tracked-changes" version of the Subdivision and Land Development ordinance so that Planning Commission members could see the changes from the current ordinance to the proposed ordinance.

The last item of discussion revolved around the Ferguson Township Zoning Update Idea Board. Ms. Yagle presented the Idea Board on the projector. The Idea Board was created to encourage public comments. It is an interactive map that allows users to explore the

Township's working draft of its land use designations and dimensional criteria for the community's zoning districts. Along with the Idea Board is a tutorial video that explains how to navigate the site. As of tonight's meeting, the Idea Board is live. The Township will also put a link on its website so the community can find it easily.

Ms. Yagle stated that the agenda for the January 5, 2018 work session will be ready in about a week or so.

V. PLANNING DIRECTOR'S REPORT

Mr. Stolas reviewed his report. On November 14, 2017, the Planning & Zoning Director, Community Planner, Township Engineer and Township Manager met with Joh Sepp, PennTerra Engineering, Dustin Kinney, Project Manager, Toll Brothers and Richard Keyser, Vice President, Toll Brothers on the Conditional Final Plans as a result of the Supreme Court Decision. Terms and Conditions must be met by February 6, 2018 in order for the plans to be stamped and recorded at Centre County Recorder of Deeds. Discussion also included the potential rezoning and development of land fronting on the Penn State Golf Course off of West College Ave.

On November 15, 2017, the Planning & Zoning Director attended the Centre County Housing and Land Trust Strategic Planning meeting and met the new Executive Director, Missy Schoonover.

On November 16, 2017, the Planning & Zoning Director attended the 2nd Budget Work Session with the Board of Supervisors to review the 2018 Department of Planning & Zoning Budget.

On November 20, 2017, prior to the regular Board of Supervisors meeting, the Planning & Zoning Director attended the PENNDOT Public Plans Display for the S.R. 26/45 intersection.

On November 21, 2017, the Planning & Zoning Director and Zoning Administrator attended the Ferguson Township Zoning Hearing Board meeting. Variance requests were submitted by Gulfstream Equity Partners at 431 Science Park Road for a reduction in the amount of parking spaces for the proposed office building and SBA Towers II, LLC and Cellco Partnership for property at 200 Jackson Trail for required setbacks and proposed tower type.

On November 22, 2017, the Planning & Zoning Director, Zoning Administrator, Community Planner and Township Manager met with Justin Mandel of Aspen Hill Partners of Altoona, PA to discuss the resubmission of a Rezoning Application for Harner Farm.

On November 28, 2017, the Planning & Zoning Director and Community Planner met with the Township Engineer and GIS Technician to discuss a work plan for planning related mapping projects.

On November 29, 2017, the Planning & Zoning Director and Community Planner met with Hugh Mose and Rich Lysle, Foxdale Village regarding a possible satellite campus within Ferguson Township.

Mr. Stolinas reviewed the upcoming Public Hearings and BOS Discussions, which include the Source Water Protection Overlay Ordinance hearing on December 11, 2017. Mr. Stolinas stated that recent Board of Supervisor actions from the November 20, 2017 meeting included a resolution prohibiting the placement of Category 4 Casinos in Ferguson Township. Staff will prepare a resolution for the December 4, 2017 meeting. The Board also discussed ABC Vacancies and will schedule ABC candidate interviews for the Planning Commission, Schlow Centre Region Library Board, and the Parks Committee.

Mr. Stolinas reviewed the recent Zoning Hearing Board Actions from the November 21, 2017 hearing. Gulfstream Equity Partners at 431 Science Park Road: Motion to Approve Variance (5-0). SBA Towers II, LLC and Cellco Partnership at 200 Jackson Trail: Motion to Continue (5-0).

VI. ACTIVE PLANS UPDATE

Ms. Schoch provided the active plans update, which included the following active plans: Ralph F. Wheland and Pauline E. Cooper Estate Replot and Property Line Realignment Plan, Hummel Subdivision, The Landings Phase 3A Final Subdivision Plan, Science Park Plaza Land Development Plan, J.L. Cidery at J.L. Farms, and the Cottages at State College Final PRD.

VII. CENTRE REGION PLANNING COMMISSION (CRPC) REPORT

Ms. Strickland stated that CRPC will be meeting on December 7, 2017 and will hear a presentation about Ferguson Township's proposed Sourcewater Protection Overlay ordinance.

VIII. SOURCEWATER PROTECTION WORK GROUP UPDATE

There was no update.

IX. ZONING/SALDO STEERING COMMITTEE UPDATE

There was no update.

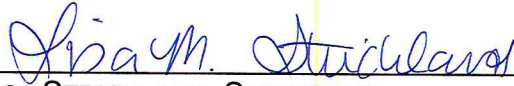
X. APPROVAL OF THE REGULAR MEETING MINUTES – NOVEMBER 13, 2017

A motion was made by Mr. Keough and seconded by Mr. Wheland to approve the November 13, 2017 meeting minutes. The motion carried 5-0.

XI. ADJOURNMENT

There being no further business for the Planning Commission, Mr. Keough made a motion to adjourn the meeting at 8:08 p.m. The motion carried 5-0.

RESPECTFULLY SUBMITTED,



LISA STRICKLAND, SECRETARY
FOR THE PLANNING COMMISSION