

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, JULY 24, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, July 24, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

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

Staff:

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

Others in attendance were: Marcella Bell, Recording Secretary; Michelle Spiering, Harner Farms Rezoning; Pat Kasper, Harner Farms Rezoning; Brian Heiser, SCBWA Text Amendment; Ken Beldin, SCBWA Text Amendment; John Lichman, SCBWA Text Amendment; James Turchick, Resident; Mike Twomley, Ferguson Township Resident; Nancy Harner, Harner Farms Rezoning; Thompson Harner, Harner Farms Rezoning; Jeanne Siegenthaler, Harner Farms Rezoning; Rob Siegenthaler, Harner Farms Rezoning; Jennifer Paullin, Harner Farms Rezoning; Anna Mazzucato, Harner Farms Rezoning; Laura Dininni, Ferguson Township Resident

II. CALL TO ORDER

Mr. McMaster called the July 24, 2017 Planning Commission meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. STATE COLLEGE BOROUGH WATER AUTHORITY (SCBWA) PROPOSED TEXT AMENDMENT

Mr. Stolas stated that on May 25, 2017, the State College Borough Water Authority (SCBWA) submitted an application proposing changes to both Chapter 26 (Stormwater Management) and Chapter 27 (Zoning). The proposed text amendments included any form of "Essential Service" to be permitted as a conditional use by the Board of Supervisors. After further Planning Commission review at the June 26, 2017 meeting, Planning Commission members requested the SCBWA revise the proposed text amendment and frame it specifically to a Water Treatment Facility. The Commission felt that the proposed text amendment was too broad and could be problematic for other "Essential Services." Gwin, Dobson & Foreman have provided a letter along with the revised text languages for the Planning Commission's consideration specific to "Water Production Facilities" instead of "Essential Services."

Mr. Ressler pointed out that on page 1 of the proposed zoning text amendments, under number 1, any kind of buffer reduction should be done by a variance and not an ordinance amendment. The SCBWA stated that it is okay with that.

Mr. Scott stated that what the SCBWA is proposing is an essential service and water production usually has to be in a floodplain. The chemicals present in the laboratory are mainly chlorine gas, which is not going to seep into the ground. The other chemicals are in volumes of pints. Overall Mr. Scott does not see any issues with the proposal.

In response to a question from Mr. McMaster, Mr. Ressler clarified that the SCBWA removed the proposed development from the floodplain. Mr. Stolinis went on to explain that the floodplain use would have to be a variance request through the Zoning Hearing Board.

Mr. Keough provided a few comments for the SCBWA text amendments:

- On page 1, number 5, he was concerned about the storage of chemicals and what the laboratory would entail. He would like to see a perimeter of timeframe regarding how long the chemicals can be stored in the laboratory. Mr. Lichman explained that most of the chemicals being used to test the water expire after four months—the SCBWA would then purchase new chemicals. He went on to explain that the quantity of what is being stored during that time period is mostly limited to 50mL, and sometimes 100mL. Mr. Keough would like to add a time frame of storing chemicals to four (4) months to the end of number 5 on page 1.
- On page 8, under the “Utility” definition, he would like to see “or any portion thereof” struck out.
- On page 8, under the “Water Production Facility” definition, he would like to see “maintain by a utility” struck out.
- On page 8, under the “Water Production Facility” definition, he would like to see “sludge” struck out, as it may cause confusion to anyone who reads the ordinance.

In response to a question from Mr. Wheland, Mr. Ressler clarified that in its last plan, the SCBWA moved the proposed water treatment facility out of the floodplain. The driveway into the parcel does cross the floodplain, as well as some utility poles and boxes. Mr. Ressler stated that the SCBWA will have to request a variance to be able to have the driveway and utilities in the floodplain.

In response to a question from Ms. Strickland, Mr. Ressler clarified that the proposed text amendment indicates that the water treatment facility would be a primary use. Ms. Strickland stated that a potable well pump facility was listed as a conditional use under the ordinance and she believes this proposal should be considered a conditional use. Ms. Strickland stated that she is concerned regarding the proposed facility being a primary use versus a conditional use. She clarified that on page 1 under number 5, the word “scale” is relating to the laboratory activity and not the physical size of the building.

In response to a question from Mr. Wheland regarding the D'Armit Well Fields, Mr. Lichman explained that the SCBWA does not have any plans in the foreseeable future to pump water out of the D'Armit Well Fields; however, the SCBWA secured the well field in case it is ever needed.

Ms. Harman stated that on page 8, under the "Utility" definition, the parentheses in the last sentence should say "including but not limited to cable, telephone, and fiber optic."

Ms. Mitchell expressed concerns about the implications regarding changing the law to allow the water treatment facility as a permitted use in the RA district versus a conditional use. Mr. Keough stated that he would feel much more comfortable recommending that this text amendment move forward as a conditional use the RA district. Mr. Stolinis clarified that the Planning Commission has the right to choose to move it forward as a conditional use. Mr. Ressler clarified that if the conditional use is granted by the Board of Supervisors, the Planning Commission would still get to review the land development plan for the proposed water treatment facility.

A motion was made by Mr. Keough and seconded by Mr. Wheland to recommend the proposed zoning text amendment to the Board of Supervisors as a conditional use in the Rural Agricultural and Rural Residential Zoning District with the following changes: Page 1, number 5 under TT-strike the last sentence in item 3; add "Onsite chemical storage shall be minimized to a four (4) month supply at one time; Page 2, strike number 6 in its entirety; Page 8 under the Utility definition, add "municipal authority" after government entity; Page 8, under the Utility definition add "included but not limited to"; Page 8, under the Utility definition, strike "or any portion thereof"; Page 8, under the Water Production Facility definition, strike the word "sludge" and "maintained by a utility". The motion carried 6-0 (Mr. Crassweller was not in attendance).

V. HARNER FARMS REZONING REQUEST – ZONING MAP AMENDMENT

Mr. Stolinis stated that on May 10, 2017, the Ferguson Township Planning and Zoning department received a copy of the Rezoning Application and Rezoning Request Map from Aspen Whitehall Partners, LLC, on behalf of Danny R. and Pamela M. Harner and Thompson P. Harner and Nancy P. Harner. The Planning Commission initially reviewed the proposal and heard public comment at the June 12, 2017 meeting. The Planning Commission tabled action until staff performed further analysis on the proposal. Since the June 12, 2017 meeting, staff has met with the applicants and formulated a comprehensive land use analysis and summary recommendation for the Planning Commission's consideration.

Ms. Schoch reviewed the analysis provided in the agenda packet. She stated that the applicants are proposing to rezone 71.4 acres of land within the Rural Agricultural zoning district with a Corridor Overlay. This area of land is within the Regional Growth Boundary (RGB). Ms. Schoch explained that overall, the rezoning is generally consistent with the 2013 Centre Region Comprehensive Plan. Both the current 2008 Official Map and the draft 2017 Official Map do not show any conservation areas or other development areas. A future road to the proposed development was placed on the proposed draft 2017 Official Map as a result of the rezoning application. Ms. Schoch stated that all of the

adjacent land uses are consistent, meaning where the commercial area is being proposed, there is commercial development across the street on West College Avenue. The proposed residential development is also adjacent to existing residential developments.

Ms. Schoch explained that the property has been zoned RA since 1982, which was the earliest zoning map. There are no wetlands or floodplains on the property in question. There is an area of agricultural soil; however, only 26% of the Township does not have agricultural soil, therefore, this is not a rare occurrence.

Ms. Schoch spoke with Cory Miller, Executive Director of the University Area Joint Authority (UAJA), to get a better understanding of the capacity regarding sewer service. Mr. Miller indicated that the rezoning would require a substantial increase in EDUs for a change from RA to Commercial (C), Two-Family Residential (R-2), and Single-Family Residential (R-1). Mr. Miller stated that UAJA is using organic capacity to deal with the nutrients, particularly nitrogen. UAJA can get the organic capacity back, or expand the plant to make more organic capacity. Any developer that increases the EDUs would have to follow Best Management Practices (BMPs) to offset the nitrogen capacity. Ms. Schoch spoke with representatives from the SCBWA and they are satisfied that the property is located within the RGB and Sewer Service Area (SSA). The SCBWA would review any proposed land development plans in depth as the development moves forward.

Ms. Schoch explained that on the Centre Region Future Land Use Map, the property in question was designated as "Mixed-Use", and even though the developer is not proposing a traditional mixed-use development, the proposal has some mixed-use development components.

Ms. Schoch stated that there is a 50-foot buffer requirement that will need to be established along the property boundary that abuts RA properties. Ms. Schoch reviewed the Land Use tables on pages seven and eight. A traffic study will be required as part of a potential land development submission. After speaking with Steve Bair, Alpha Fire Company Fire Chief, and the Ferguson Township Police Department about the fact that there is no parking along Whitehall Road and West College Avenue, it was recognized that the potential land development would need to have the amount parking required by the zoning ordinance. Based on the existing density requirements, there would be about 57 or less additional public safety and service responses each year, which would not be a significant impact on the fire company.

Ms. Schoch reviewed the vacant land that exists in the RGB, specifically in the zoning districts that are being proposed as part of the rezoning. General Commercial vacant land in the RGB equates to about 21.14 acres. Two-Family Residential vacant land in the RGB equates to 183.92 acres. Single-Family Residential vacant land in the RGB equates to 20.71 acres. The total vacant acreage of the three zoning districts aforementioned is 235.13. Ms. Schoch explained that the number of vacant commercial land may even be a bit lower as some of the vacant lands that were identified were cemeteries, developments that have not been built yet, and undevelopable areas.

Ms. Schoch reviewed the process of the public notification and agency review and comment period. Each agency will be given copies of the proposed rezoning application for review and comment. Upon approval by the Board of Supervisors to advertise for a public hearing, the property will be posted for a period of at least 30 days. This will give residents and neighboring properties the opportunity to provide additional comments.

Ms. Schoch stated that Mr. Mandel from Aspen Whitehall provided a general overview of the fiscal impacts the rezoning and redevelopment could have on the Township and surrounding areas. After her review, she opened the floor for questions and discussion.

Ms. Harman expressed her thanks to staff for putting the rezoning analysis together. She stated that the analysis answers all of her questions, especially the economic development analysis.

Ms. Strickland stated that she is still concerned about the size of the proposed commercial area. She questioned whether or not there is a demand for this amount of commercial on this parcel, considering the amount of commercial being proposed in the Pine Hall plan. Ms. Strickland wondered what the impact would be of creating another "downtown" area so close to the Terraced Streetscape District (TSD), since the TSD has been stagnant. She stated that she prefers redevelopment of areas that already exist. In response to a question from Ms. Strickland regarding the economic development analysis, Mr. Mandel explained that he looked at similar developments that he has worked with in the past based on square footage. He explained that you can assign general roles to a generic retail store, which gives an estimate to the economic development analysis. He has no further ideas of what type of businesses would occupy the commercial spaces.

Mr. Wheland stated that the proposed rezoning might do better being rezoned Industrial and Research District (IRD) since the Township does not have a lot of acreage zoned as such. Mr. Wheland asked whether or not Aspen Whitehall has contractors lined up to building residential houses, or if they plan on selling the lots to independent contractors. He stated that just because there's a Corridor Overlay on the parcel, does not mean that the commercial area has to encompass all of it. He believes the residents would rather see more residential than commercial.

Mr. Keough stated that he is not concerned with the size of the commercial area. He explained that previous Planning Commissions have tried to have residential developers set aside commercial areas within the development to promote the idea of small stores and businesses in residential areas. However, small stores and businesses do not meet the market standards; therefore, they've sat vacant. Mr. Keough stated that if the development wants to be economically viable, the commercial area needs to be sizeable enough to do so. He would like to see commercial uses other than car dealerships, which outnumber other commercial types in the western part of the Township. He explained that he is concerned that the Planning Commission would not be a part of the discussion once the adjacent property owners are notified of the public hearing for the rezoning, should the proposed rezoning be approved. Ms. Schoch stated that the Township could hold a public work session, similar to the draft Official Map work sessions. Ms. Mitchell

stated that it's really difficult to get the public involved with continuous projects. There's only so many new things that local government can do to increase community engagement in the Township. Ms. Schoch stated that the rezoning application, analysis, and map have been posted on the Township website for residents to view, and it was in the constant contact email for the Planning Commission agenda. There will also be a public hearing that the Board of Supervisors will hold before the rezoning is approved. Ms. Schoch explained that the Board can always refer the rezoning application back to the Planning Commission if it feels there needs to be more analysis done. Mr. Stolinis further explained that 30 days before the hearing, Township staff will notify adjacent properties by mail of the pending public hearing, and there will also be signs posted on the property with the hearing information.

Mr. Scott stated that he agrees with Ms. Strickland regarding the size of the commercial area and whether it is really needed; however, he also agrees with Mr. Keough about wanting the small neighborhood businesses even though the market does not call for it. Mr. Scott stated that he is leaning towards the recommendation of the rezoning, even though he loves Harner Farms; however, he believes the developer needs to look really closely at the size of the commercial area. He stated that he would like to see even more further analysis on the comparison of the commercial areas that Mr. Mandel compared regarding what kind of retail he plans to attract to the area.

Ms. Strickland stated that she remembers hearing from the developers of the Landings that there is not enough of a market here to develop a large-scale commercial area. Mr. Ressler added that it was also said that without the allowance of fueling stations, the Landings developers were not interested in developing.

There was some discussion about the requirement of parkland for the proposed development. Ms. Schoch will do the calculations for the fee-in-lieu of parkland and provide that number to the Planning Commission.

Mr. Mandel stated that this is the beginning of a land development plan—rezoning the property. He explained that there will be a lot of opportunity to discuss the retail tenants as well as get input from staff and residents of the area. The developers could lose a lot of money if they don't select the right retail tenants, and they'd like to make sure they have a mix of different tenants to make the market viable and to make sure that the uses are right for the residents, the community, the traffic on West College Avenue, and even different age groups. Mr. Mandel stated that they want to see this commercial area become a long-time investment. He explained that Aspen Whitehall plans to lease the commercial buildings to tenants and keep ownership of the commercial area.

Mr. Keough stated that parking is always an issue and should be carefully looked at when planning the development.

In response to a few questions from Ferguson Township resident Michelle Spiering, Ms. Schoch stated that off-setting nitrogen capacity would include using Best Management Practices (BMPs), which has been outlined in the most updated Ferguson Township Stormwater Ordinance. Mr. Ressler explained that when staff talked to Cory Miller,

University Area Joint Authority Executive Director, he explained that to allow the potential proposed development on the parcel in question, the developer would have to offset the EDUs by using BMPs so that the nitrogen isn't over capacity. Mr. Scott explained that all run off has a certain amount of nitrogen in it, and the BMPs try to contain as much run off on the property and filter it naturally rather than sending the run off into Spring Creek and then down into the Chesapeake Bay. Ms. Spierling clarified that a drainage pond would be included in the BMPs.

Ms. Schoch stated that there is a sewage pump station on Scott Road, but the developers would have to pay a lot of money to have the properties south of Whitehall Road connected to that pump station, which could be cost prohibitive. Mr. Wheland stated that after the sewage from those properties flowed downhill, it would have to be pumped back up hill on West College Avenue to be processed.

Ms. Spierling stated that she is also concerned about the size of the commercial area, what kind of retailers will be tenants there, if it can be economically sustained, and whether or not it's going to end up a vacant commercial lot. In response to a question from Ms. Spierling, Ms. Strickland stated that the rezoning, if approved, would allow for the uses depicted in the ordinance to be built there. Ms. Spierling stated that she believes the Planning Commission is making a decision on a rezoning that they don't have enough information on.

In response to a question from Ms. Harman and Ms. Spierling, Mr. Stolas stated that the Planning Commission will be seeing a land development plan for each phase of the proposed development. Mr. Ressler clarified that the Planning Commission and the Township will not have the authority to pick and choose which tenants will occupy the commercial area, as long as it is an allowed use in the district.

Mr. McMaster explained the process for the approval and public hearing of the proposed rezoning. After the Planning Commission makes a recommendation to the Board of Supervisors, the proposed rezoning will be on a Board of Supervisors agenda in the future. The Board will decide if it is going to hold a public hearing on the rezoning. After the public hearing, the Board will then decide if they want to rezone the parcel in question or not. Mr. Keough clarified that if the Board chooses to entertain the idea of rezoning the parcel, it must hold a public hearing for public input. Mr. Stolas explained that prior to the public hearing, the property would be posted and notices would be sent to all adjacent property owners regarding the proposed rezoning. The proposed rezoning would also go to the Centre Region Planning Commission and the Centre County Planning office for review, comment, and possible recommendation.

In response to a question from Ms. Mitchell, Mr. McMaster stated that if the developers wanted to develop multi-family residential housing, they would have to apply for a rezoning all over again. In response to a question from Ms. Mitchell, Mr. Ressler clarified that the developers could build multi-family apartments above the commercial buildings, if there were three (3) residential units stacked one above the other on top of the commercial floor; however, there is a height requirement in the commercial district that makes it hard to accomplish this. In response to a question from Ms. Mitchell, Ms. Schoch

explained that Mr. Miller of the University Area Joint Authority has indicated for a number of years that nitrogen is almost at capacity, and the Act 537 Plan will need to be updated in 2018 to remedy this. In response to a question from Ms. Mitchell, Mr. Harner explained that only a portion of the property owned by the Harners is being rezoned. The existing farm stand will be staying where it is, and he hopes that it will help be a transition to the surrounding areas. The portion of the parcel near the Russian Baptist Church will remain Rural Agricultural. Ms. Mitchell suggested that staff compare vacant developable areas versus vacant undevelopable areas. Ms. Schoch explained that she worked with Alliey Day, GIS Technician, to remove vacant areas that were not applicable to the analysis like drainage basins that are not developable or the Weis Gas-n-Go that is currently being built.

A motion was made by Mr. Keough and seconded by Ms. Harman to recommend to the Board of Supervisors the approval of the proposed Zoning Map Amendment. The motion carried 4-1, with Mr. McMaster abstaining.

- VI. FERGUSON TOWNSHIP EMAIL UTILIZATION POLICY FOR AUTHORITIES, BOARDS AND COMMISSIONS**
- Mr. Stolas stated that the Board of Supervisors passed Resolution 2017-15 on July 3, 2017, adopting a new Ferguson Township email utilization policy. The adopted resolution has been included in the Planning Commission packet. Mr. Stolas explained that the new resolution applies to all elected and appointed Ferguson Township officials in which Ferguson Township emails are issued. The policy under 'Exhibit A' recognizes that email is an important form of business communication for the Township's ABCs. All communication sent from or received by Township email accounts should be presumed to be Township property, subject to discovery, retention, and disposition under applicable statute. All communication should be professional in nature. The use of Township email accounts for defamatory, obscene, sexually explicit, illegal, offensive, threatening, or other inappropriate communications is strictly prohibited. Mr. Stolas pointed out that under the Pennsylvania Sunshine Act, it is recognized that any prearranged gathering which is attended or participated in by a quorum of the members of an agency held for the purpose of deliberating agency business or taking official action must be done with prior notice and provide an opportunity for the public to attend, participate, and comment before any official action is taken. Furthermore, it is recognized that the engagement of deliberation of agency business or taking official action by email constitutes a meeting under the definition provided in the PA Sunshine Act. Mr. Stolas stated that personal use of a Township email is permissible within reasonable limits, with restrictions further defined in the policy. Mr. Stolas explained that there is no expectation of privacy with a Township email, since it is considered Township property.

In response to a question from Ms. Mitchell regarding the PA Sunshine Act or Right-to-Know law and the device the Township email is on, Mr. Stolas explained that if someone was forwarding their Ferguson Township email account to a personal email account, the personal email account could be subject to a search in a right-to-know situation. Mr. Stolas stated that it is encouraged that ABC members strictly use their Township email account for Township business.

VII. PLANNING DIRECTOR'S REPORT

On June 27, 2017, the Planning & Zoning Director and Zoning Administrator attended the Zoning Hearing Board meeting for the appeal/variance request submitted by HFL Corporation for property located at 1217 N. Atherton St./114 Cherry Lane as it relates to the proposed mixed use building and the existing Multi-Family definition. The Zoning Hearing Board denied both the appeal and the variance.

On June 29, 2017, the Planning & Zoning staff met with Carolyn Yeagle and A.J. Schwartz of Environmental Planning & Design and reviewed the Internal Working Draft Zoning Ordinance. EPD directed staff to initiate review of the document, beginning with the Parking and Definitions chapters.

On June 29, 2017, the Planning & Zoning Director and Zoning Administrator met with Mei Guo Kaplan, Marc McMaster, and client Qian Zhang regarding property at 356 E. Clinton Avenue. Staff reviewed the adjacent 35' easement established for the Overlook Heights Tot Lot. In addition, staff reviewed permitted uses for 356 E. Clinton Ave. property.

On June 30, 2017, the Planning & Zoning Director and Zoning Administrator met with Greg & Lynda Mussi to revisit the Planning Commission recommendation from the June 12, 2017 meeting related to the request to amend the Ferguson Township Zoning Ordinance allowing Pet Daycare in the Light Industrial/Research and Development (IRD) Zoning District.

On July 3, 2017, the Planning & Zoning Director and Community Planner met with WTAJ reporter Jackie Padilla to discuss the development of the Draft 2017 Official Map. That evening, the Board of Supervisors did not adopt the Draft 2017 Official Map and will be reviewed by the Ferguson Township Planning Commission at a future meeting for changes. The CRPC shall review the revised draft at the September 7, 2017 meeting.

On July 6, 2017, the Planning & Zoning Director, Township Manager and Community Planner met with Dan Harner, Tom Harner and Justin Mandel of Aspen Whitehall Partners, LLC to discuss the draft analysis for the Harner Farm Property Rezoning Request. An additional meeting to discuss the draft analysis followed on July 17, 2017. Also on July 6, 2017, the Planning & Zoning Director, Township Manager and Community Planner met CRPA staff and PENNDOT District 2.0 staff to conduct a PENNDOT Connects meeting for the S.R. 26/45 Intersection Project.

On July 7, 2017, the Planning & Zoning Director met with the Ferguson Township Public Works Director and Township Engineer to discuss the Board of Supervisors denial of the 2017 Draft Official Map due to the location of the proposed Foxpointe Drive Extension outside the Regional Growth Boundary. This proposed road has been illustrated on the 2002 and 2009 adopted Ferguson Township Official Maps. The proposed road was also identified within the 1992 Ferguson Township Transportation Study.

On July 11, 2017, the Planning & Zoning Director and Community Planner met with the Ferguson Township Public Works Director and Township Arborist to discuss modifications in tree plantings from approved plans.

On July 12, 2017, the Planning & Zoning Director and Township Manager met with Tom Songer II and Associates and Pat Ward, Uni-Tech, to discuss the Centre Region Act 537 Plan Update, UAJA User Planning & Zoning Director's Report Fees and Tapping Fees, and the expansion of Beneficial Reuse. The Board of Supervisors will place this item on a future agenda. Also on July 12, 2017, the Planning & Zoning Director and Zoning Administrator met with Bill Keough regarding a proposed Farmer's Market at the St. Paul Lutheran Church in Pine Grove Mills and how this may relate to the timing of zoning ordinance changes, allowing Farmer's Markets in various zoning districts through the proposed ordinance revisions. On July 12, 2017, the Planning & Zoning Director attended the monthly Centre County Housing & Land Trust meeting.

On June 14, 2017, the Planning & Zoning staff met with Tom Jacobs, S&A Homes and Tony Fruchtl, PennTerra Engineering to discuss Final Plan submission for the Landings, Phase III.

On July 17, 2017, the Planning & Zoning Director and Township Manager met with Jen Meyers, CBICC to review a prior zoning decision for a local business.

On July 19, 2017, the Planning & Zoning staff met with Brian Heiser, Assistant Director for the SCBWA, prior to the Sourcewater Protection Work Group to discuss the draft overlay ordinance and map in relation to the 2017 SCBWA Updated Sourcewater Plan. The Sourcewater Protection Work Group met thereafter and began to review final revisions. An additional meeting will be scheduled with the Work Group to complete the revisions and then present to the Planning Commission for recommendation.

On July 20, 2017, the Planning & Zoning staff met with Chris Hazel, Energy Efficient Housing Research Group to review the Penn State University "Race to Zero – Full Circle Turnberry Development" Design Competition 2017. Also on July 20, 2017, the Planning & Zoning Director attended the Board of Supervisors Capital Improvements Program Worksession.

VIII. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans in the Township which includes: West Cherry Lane Multi-Use Building, J.L. Cidery at J.L. Farms, CSC Northland-Buffalo Wild Wings, The Cottages at State College, and the Whitehall Road Regional Park.

IX. CENTRE REGION PLANNING COMMISSION (CRPC) REPORT

Ms. Strickland stated that the CRPC did not meet, but she did attend the State College Borough Water Authority Board meeting and discussed increasing the water tapping fees. Mr. Wheland stated that he spoke to Chuck Herr, Ferguson Township Sewage Enforcement Officer, about the fact that the Centre Region Code office wants to take over sewage enforcement duties by hiring six more inspectors. Mr. Wheland stated that Ferguson Township has one of the lowest permit fees and he is concerned that if

Centre Region Codes takes over those duties, the permit fees will be increased drastically. He is also concerned that the six new inspectors would have six different opinions on an inspection.

Ms. Strickland stated that Mr. Todd Giddings also attended the SCBWA meeting to talk about Ferguson Township's proposed Sourcewater Protection Ordinance. Members of the SCBWA board indicated that Ferguson Township's proposed ordinance could be a model ordinance for other municipalities.

Ms. Strickland stated that CRPC has a Penn State representative—Steve Watson, Director of Campus Planning & Design, so it can be difficult when talking about the Toll Brother's proposed development on Whitehall Road. Ms. Strickland stated that she is not sure how to manage the discussion since Mr. Watson is an employee of the current owners of the proposed student housing development by the Toll Brothers. Ms. Schoch stated that since the CRPC is a regional planning commission, Ms. Strickland should be thinking regionally, not just for Ferguson Township. The main task is to ensure that any plans or ideas brought before the CRPC be consistent with the 2013 Centre Region Comprehensive Plan. Ms. Strickland stated that in this particular instance, there is someone who has a vested interest in the decisions that the CRPC is making and they're commenting on them. Mr. McMaster stated that the person in question should not be commenting on something that they have a vested interest in. He likened it to his vested interest in the Harner Farms and the fact that he is not allowed to say anything or vote regarding the rezoning application. Under the rules of order, if a person has a vested interest in an item, they should not be voting on it. Ms. Strickland clarified that she won't claim that Mr. Watson voted for anything in particular related to the Toll Brother's proposed development.

Ms. Laura Dininni asked to provide comment on the CRPC report. She stated that she is here tonight as a Ferguson Township citizen, not as a Board of Supervisor. She stated that the Board of Supervisors do not know she is attending the Planning Commission meeting, and she is not authorized to speak for the Board. Regarding the CRPC meeting, she stated that as a Board person, it was extremely confusing to her to hear that CRPC had a comment about the draft official map, when in reality it was only Penn State that had a comment about the draft official map. Ms. Dininni stated that Penn State did not recuse themselves, and she understands that their charge on CRPC is to represent Penn State's interests. She feels that Penn State should have recused themselves because they have a vested interest in the Toll Brother's proposed development.

X. SOURCEWATER PROTECTION WORK GROUP UPDATE

Mr. Scott stated that Mr. Solinas covered most of the update during his Director's Report. The work group met with Brian Heiser of the SCBWA and discussed the SCBWA reviewing the proposed Sourcewater Protection Ordinance.

XI. ZONING/SALDO STEERING COMMITTEE UPDATE

Ms. Schoch stated that staff emailed the committee members that staff is continuing to work on the draft and will have a committee meeting in mid-August.

XII. APPROVAL OF THE REGULAR MEETING MINUTES – JUNE 26, 2017

A motion was made by Mr. Keough and seconded by Mr. Wheland to approve the June 26, 2017 Planning Commission meeting minutes. The motion carried 6-0.

XIII. ADJOURNMENT

There being no further business for the Planning Commission, Mr. Keough made a motion to adjourn the meeting at 8:53 p.m. The motion carried 6-0.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "Lisa Strickland", is written over a horizontal line.

LISA STRICKLAND, SECRETARY
FOR THE PLANNING COMMISSION