

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, MARCH 27, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, March 27, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Marc McMaster, Chairman
Rob Crassweller, Vice Chair
Ralph Wheland
Lisa Strickland
Andrea Harman
Bill Keough
Alternate, Cristin Mitchell

Staff:

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

Others in attendance were: Marcella Bell, Recording Secretary; Diane Boden, J.L. Farm Cidery; John LeClair, J.L. Farm Cidery

II. CALL TO ORDER

Mr. McMaster called the March 27, 2017 meeting to order at 6:00 p.m.

III. CITIZEN INPUT

Mr. LeClair stated that he is waiting on comments regarding the J.L. Farm Cidery Land Development Plan. Ms. Schoch stated that she sent the comment letter to Mike Leakey at HLA on March 17, 2017. Mr. LeClair stated that HLA never received the comments. Ms. Schoch provided Mr. LeClair with a hard copy of the comments he requested.

IV. DRAFT SIGN AND BILLBOARDS ORDINANCE

Mr. Stolinis stated that the Planning & Zoning staff have worked the past several months on the proposed ordinance language amending existing Chapter 19 - Signs. At the February 27, 2017 meeting, staff asked the Planning Commission to provide written comments prior to the March 27, 2017 meeting. Staff has compiled those comments into the attached memo and will review them with the Planning Commission. Staff hopes to gather more comments at the meeting to incorporate into the ordinance.

Mr. McMaster stated that the Planning Commission and staff should review the comments that indicate further discussion.

Regarding business-friendly changes in the proposed ordinance, Mr. Stolinis stated that staff is considering exempting farm and century preservation signs.

In response to a question from Ms. Mitchell, Mr. Ressler stated that no signs are allowed in the right-of-way (ROW). Temporary signs are allowed per business (instead of per site per the previous ordinance) for thirty days, twice a year. Signs containing

advertising is allowed on private property, and the ordinance does allow for temporary event signs. Mr. Ressler explained that there is no fee for a temporary sign—permits are issued to keep track of the signs.

There was consensus within the Planning Commission for staff to consider allowing businesses to put up business signs (like a sandwich board) on their property during business hours and take them down at the close of business. Staff would need to decide whether to issue permits for these type of signs, or exempt them from permitting altogether. Staff also needs to be content neutral in the wording when adding this category to the draft sign ordinance.

There was a lengthy discussion about allowing signs in the Township ROW. There was concern that the enforceability to keep signs out of the ROW would be too difficult, as many people might not know to call the Township to find out where the ROW is. Ms. Schoch stated that with the hire of the new enforcement officer, Lori Sowash, the Township has been more effective in maintaining the Township ROWs.

It was suggested that staff allow political signs in the Township ROW during election cycles; however, the Reed vs. Town of Gilbert Supreme Court case does not allow for government entities to regulate signs based on content. Mr. Ressler stated that there are different regulations on political signs vs. temporary signs, the main one being that political signs are allowed to be posted 30 days before the election date, whereas temporary signs are allowed to be posted at any time of the year, twice a year for 30 days.

In response to a question from Ms. Strickland, Mr. Stolinas stated that in the definition of freedom of expression, there is no mention of the sign being temporary, and staff has not set criteria for freedom of expression signs. Staff will need to look into setting criteria for these types of signs.

In response to a question from Mr. Keough, Ms. Schoch stated that Ferguson Township is the first in the Centre Region to look at the Montgomery County model sign ordinance, so staff has not compared the proposed ordinance to surrounding municipalities' ordinances. Ms. Strickland stated that about a year ago, the Centre Regional Planning Commission discussed developing a Region-wide sign ordinance in accordance with the Supreme Court decision; however, it was concluded that since the municipalities are different, it would be too difficult to develop.

Mr. Ressler stated that most of the complaints he gets regarding signs is allowing signs in the Township ROW, allowing more signs per business/property, and allowing for bigger signs. He went on to explain that the proposed ordinance does allow for two ground signs if a parcel has two separate businesses on one lot, and it also allows for bigger wall signs (20 square feet compared to a graduated scale based on the number of tenants) when there is more than one business in a building.

There was some discussion on Traditional Town Development (TTD) signs and Terraced Streetscape District (TSD) signs. The TSD has a design manual that lists the

criteria for signs in that district. There was consensus from the Planning Commission to include the TSD and TTD sign guidelines in the proposed sign ordinance.

In response to a question from Mr. Keough, Mr. Ressler stated that snipe signs are not allowed, but most likely, the Township would not seek to remove them.

There was consensus from the Planning Commission to define public space and what signs could be allowed in public spaces.

In response to a question from Mr. Keough, Mr. Ressler stated that when a business has two pedestrian entrances, the business is allowed to have one wall sign for each entrance—one 20 square foot sign and 4 square foot sign. The ordinance also allows for a wall sign facing each street.

There was consensus from the Planning Commission to change the pole and ground sign references to freestanding signs to be consistent throughout the ordinance.

There was a discussion on window signs that a pedestrian can see from outside of the business. Mr. Ressler stated that these type of window signs are not regulated and categorized as exempt.

In response to a question from Mr. Keough, Ms. Schoch stated that staff decided to allow Tourist Oriented Directional (TOD) signs in the Township ROW. Staff will need to place regulations on TOD signs like size and number of signs allowed. There was consensus from the Planning Commission that staff should look at the state's TOD standards.

There was consensus from the Planning Commission that the newest proposed draft sign ordinance was more business friendly. Mr. Stolinis stated that staff will revise and correct the sign ordinance and bring it back to the Planning Commission at the next meeting.

V. PLANNING DIRECTOR REPORT

Mr. Stolinis provided the Planning Director's Report.

On March 13, 2017, the Planning & Zoning Director and Zoning Administrator met with Dan Harner regarding the requirements for moving agricultural processing facilities from 2181 W. Whitehall Rd. to a 34-acre parcel off W. College Ave. on T.P.24-004-,078B,0000-.

Planning & Zoning staff along with members of the Zoning Hearing Board attended a two-part training webinar for the Zoning Hearing Board through the PA Boroughs Association, titled, "Duties of the Zoning Hearing Board and Zoning Officer" on March 15th and 16th. On March 15, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner met with John Sepp, PennTerra Engineering regarding a proposed mixed residential/commercial project at 114 and 120 W. Cherry Lane. On March 16, 2017, the Planning & Zoning Director, Zoning Administrator and

Community Planner met with Holden Farahani and Tim Goodman of Sirona Penn, LP regarding a proposed medical marijuana growing/processing facility at 4505 Tadpole Rd. Their attorney, Christine Brann of JSDC Law Offices in Harrisburg requested a letter of certification from the township for this proposed use.

On March 17, 2017, the Planning & Zoning Director and Zoning Administrator met with the new alternate member to the Zoning Hearing Board, Susan Buda, and reviewed introductory zoning resources along with explanation of the zoning hearing process.

On March 20, 2017, the Planning & Zoning Director attended a meeting with the Township Finance Director and Public Works Director along with Joseph DeLopez of GovHR USA regarding the search for a new Township Chief of Police.

Planning & Zoning staff attended a training webinar through the PA Boroughs Association, titled, "Dazed and Confused: Land Use Regulations and Medical Marijuana" on the evening of March 23rd. Board of Supervisors and Planning Commission members were invited to attend as well.

On March 24, 2017, the Planning & Zoning Director and Zoning Administrator met with the Township Manager and Attorney Betsy Dupuis, Babst, Calland, Clements and Zomnir, P.C. regarding the SCBWA Variance and Appeal Request for the Nixon-Kocher Water Treatment Plant. Attorney Dupuis will represent the Township's position on the variance requests due to a conflict between Lee, Green & Reiter and the SCBWA.

The Planning & Zoning Director and the Community Planner have worked on establishing two public outreach meetings for the Official Map. Meeting dates and times are as follows: April 13th at the Ferguson Township Building at 7:00 p.m. and April 20th at the Baileyville Community Building at 7:00 p.m. Outreach meetings should last about one hour. Meeting dates and locations will be published in the Ferguson Township Spring Newsletter. Ms. Schoch provided the draft Official Map to Diane Albright to post on the Baileyville Community Facebook page, and she also got permission from the post office to post the draft Official Map on its bulletin board. Ms. Schoch is still waiting to hear back from Ferguson Township Elementary school to post the map there as well.

Mr. Stolinis added that on March 18, the Centre Region Planning Agency gave a training to 18 planning commission members from throughout the Centre Region on Introduction to Planning.

VI. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans in the Township: J.L. Cidery at J.L. Farms Land Development Plan, Guenot Subdivision, CSC Northland/Buffalo Wild Wings, Bowman Subdivision, The Cottages at State College Final PRD, and Whitehall Road Regional Park.

VII. CENTRE REGIONAL PLANNING COMMISSION REPORT

Ms. Strickland stated that the next CRPC meeting is a joint meeting with the COG Transportation & Land Use Committee on April 3, 2017 at 12:15 p.m.

VIII. SOURCEWATER PROTECTION WORK GROUP UPDATE

Mr. Scott was not in attendance to give a report. Mr. Stolinis stated that the Planning Commission received the draft Sourcewater Protection Ordinance at the March 13, 2017 meeting and will discuss this at its April 10, 2017 meeting.

IX. ZONING/SALDO STEERING COMMITTEE UPDATE

The March 16, 2017 meeting was cancelled due to inclement weather. Staff will have a conference call with Environmental Planning & Design (EPD) on April 5, 2017 and the steering committee will meet with EPD on April 13, 2017.

X. APPROVAL OF THE MARCH 13 JOINT PLANNING COMMISSION & BOARD OF SUPERVISORS WORK SESSION MEETING MINUTES

A motion was made by Mr. Crassweller and seconded by Ms. Strickland to approve the March 13, 2017 Joint Planning Commission & Board of Supervisors Work Session meeting minutes as published. The motion carried unanimously.

XI. ADJOURNMENT

There being no further business, Mr. Crassweller made a motion to adjourn the meeting at 8:09 pm. The motion carried unanimously.

RESPECTFULLY SUBMITTED,



LISA STRICKLAND, SECRETARY
For the Planning Commission

