

FERGUSON TOWNSHIP PLANNING COMMISSION

Regular Meeting
Monday, May 23, 2016
7:00 PM

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, May 23, 2016 at the Ferguson Township Municipal Building. In attendance were:

Commission: Marc McMaster, Chairman- absent
Zoning

Rob Crassweller, Vice Chair
Scott Harkcom
Lisa Strickland
Kurt Homan
Ralph Wheland
Erik Scott
Bill Keough, Alternate
Cristin Mitchell, Alternate

Staff: Ray Stolinis, Director of Planning and

Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance: Tonya Jackson, Recording Secretary, Robin Froehlich, Stahl Shaeffer Engineering, LLC, Jill Wood, applicant for ordinance amendment. Levent Kaya, CEO of Young Scholars

II. CALL TO ORDER

Mr. Crassweller called the Monday, May 23, 2016 Ferguson Township Planning Commission meeting to order at 6:00 pm.

III. YOUNG SCHOLARS OF CENTRAL PA CHARTER SCHOOL

Mr. Stolinis stated the Planning Commission initially reviewed this Land Development Plan on April 25, 2016. He stated, located at 1530 Westerly Parkway, the existing charter school includes a two-story building, parking and driveway access, playground and lawn area. The proposed development involves construction of a second story classroom addition, 10 new parking spaces and a re-routed driveway to better accommodate drop-off/pick-up for busses and parents. The Planning Commission requested additional information as part of their review regarding components of the traffic circulation, connections to other parking areas, and pedestrian safety.

Mr. Stolinis recommended the Planning Commission make a recommendation to the Board of Supervisors to APPROVE the Young Scholars of Central PA Charter School – Second Story Addition Land Development Plan, submitted on April 12, 2016, last revised May 4, 2016, condition upon the remaining comments.

Ms. Schoch stated the revised memorandum dated May 23, 2016, the traffic study has been prepared, reviewed and approved. She stated she had a conversation with Rob Watts, our Traffic Engineer and the traffic study showed there would not be more traffic onto Westerly Parkway

Robin Froehlich of Stahl Sheaffer Engineering, LLC, stated the traffic study focused on the peak arrival and departure times of the school when student activity is highest. The study shows that with the addition of a separate parent drop off area that the traffic queuing will no longer spill back onto Westerly Parkway.

Mr. Keough wanted to clarify in memorandum dated May 20, 2016, item 1 stated that traffic study be performed once the construction is performed and he asked if another traffic study would be prepared? Mr. Crassweller stated the memorandum he should be looking at is the May 23, 2106 with the revisions. Mr. Keough stated on page 3 of the memorandum he wanted a statement on the plan regarding signage. He can only see the directional and stop bar noted on the plan. Ms. Schoch stated they are detailed on the last plan sheet.

Mr. Homan asked about the final number of students. Ms. Froehlich stated there would be 384 students. Mr. Crassweller asked if the study covered cars dropping off and picking up and noted the window of time it would be the busiest. He also asked if there will be a guard to assist with students walking into the building. Ms. Froehlich stated there is an existing sidewalk students can use and there are no plans for a guard. Levent Kaya, CEO of Young Scholars stated that Staff would be at the two entrances guiding the children into the building. Ms. Strickland asked how many staff members would be available during drop off and pickup to guide the children. Mr. Kaya answered at least four teachers and the school has a policy for this guidance of students into the school. Ms. Strickland asked if there is a state requirement to have a crossing guard. Mr. Kaya answered that staff would be trained to assure the safety.

Ms. Strickland asked what grades are in the school. Mr. Kaya answered the students are grades are K-8. There was a discussion regarding the number of students and the maximum number of enrollment. Mr. Ressler stated Zoning does not regulate the maximum number of students. He stated the Township is concerned on the number parking spaces which is based on the largest public space which has been calculated to 197 persons.

Ms. Strickland asked if the traffic study covered the traffic onto Blue Course Drive?

Ms. Froehlich stated the traffic study did not include Blue Course Drive because it did not meet the trip requirements to include that area in the study.

Mr. Scott stated that he heard at the last meeting there was going to be 500 students. Mr. Kaya answered he is not aware of that and the number of students are 344 plus 40 more students. Mr. Scott noted he needed more traffic detail to make a decision on this plan.

Ms. Froehlich explained staff had several meetings on what was included in the traffic study and the study is complete.

Ms. Strickland stated the study should have provided the modeling of the traffic on Blue Course Drive. Mr. Scott wanted to look at the traffic study and review the modeling. Ms. Schoch noted our traffic engineers are the professionals we rely on for these types of reviews and accurate analysis of the Plans, she referred to Rob Watts letter dated May 17, 2016. Mr. Keough wondered if the traffic impacts also included traffic from the Goddard School. Mr. Scott stated he is bias because his daughter was hit in the crosswalk at the intersection of Blue Course Drive and Westerly Parkway by a car turning right. Mr. Homan asked what the maximum number of students would be based on the occupancy of 20 students per classroom. Ms. Froehlich answered this plan is requesting 40 more students. There was a discussion regarding the capacity of the building and the maximum occupancy which is covered under the codes office. Ms. Schoch stated if a traffic study is recommended there is a scoping meeting regarding the criteria of a traffic study. There was a discussion as to how a land development procedure is for the Township and the process if the school was in violation of the capacity.

Mr. Crassweller asked how the place of assembly requirements would apply to this plan. Mr. Ressler stated this is being applied to the plan and it is based on the largest public area and the total parking spaces and the number of spaces is 68. Mr. Crassweller said that if the school had a special event that would not be enough parking spaces if there was two people per student. Mr. Kaya answered when they have special events they are separated per grade and not everyone is invited to the school at one time.

Mr. Crassweller asked what time of the year was the traffic study was performed. Ms. Schoch stated it was done in March. Mr. Crassweller stated Park Crest Blvd which will be exiting from the Landings and access on to Blue Course Drive should have been included in this study.

Mr. Scott questioned the traffic study because he experiences back up of traffic daily.

Ms. Froehlich stated the trip generation at the intersection of Blue Course Drive did not meet the criteria to be included in the study.

Mr. Harkcom asked why the drop off area was increased to 14 feet wide and no longer 12 feet. Ms. Froehlich stated Rob Watts, Traffic Engineer, made that a requirement, considering car doors opening, that space is needed and it is on the plan as a single lane. Mr. Harkcom stated this width is questionable. Mr. Wheland felt making it wider would be beneficial so a car could pass if there was a delay in the drop off line. Mr. Keough stated he felt landscaping should be included to discourage cars from passing the line.

Mr. Homan made a motion deferring a recommendation of approval of the Young Scholars of Central PA Charter School – Second Story Addition Land Development Plan upon the completion of a new traffic study to include the four-way intersection, consider the maximum capacity of the number of students, a barrier on the drop off to avoid passing of cars. Mr. Scott seconded the motion. The vote carried.

Mr. Schoch stated everything is compliance with the requirements of the Zoning Ordinance.

Mr. Stolinas stated we would have to discuss this with our Township Engineer to see if he agrees with a new traffic study. There was a continued discussion regarding the amount of students, if a note would be added to the plan requiring reporting of more students, would need to submit a new traffic study and could possibly include the traffic at the intersection.

Mr. Peter Buckland, Township Supervisors, Ward II, expressed his concerned stating a new traffic study should be done for this plan and he was concerned on the maximum number of students.

IV. PROPOSED ZONING ORDINANCE AMENDMENT -BACKYARD CHICKENS

Mr. Stolinas stated on April 5, 2016, Ferguson Township received an application, proposing to amend §27-204. Use Regulations to allow Backyard Chickens as an accessory use for residential properties within the Township. The Board of Supervisors reviewed the application on May 2, 2016 and directed staff to develop ordinance language to allow chickens in residential districts. Staff has developed a proposed draft for the Planning Commission's review, comment and recommendation.

Mr. Stolinas requested that the Planning Commission review and recommend modifications or revisions to the proposed Ordinance Amendment.

Mr. Wheland expressed his concern for the fee for this request for an amendment and felt it was expensive at \$250.00 and he was curious where the language in the Ordinance came from.

Mr. Stolinas stated that he attended a webinar with Penn State Cooperative extension on the recommendation of how much space chickens could live in a residential area. He noted they also used language from the Borough and Harris Township and the ordinance has worked well for them. He stated the Borough has had problems with a few chickens at large but that the only problem they have had.

Mr. Homan asked if there are penalties for violation. Mr. Ressler it is the same procedure for any other zoning violation.

Mr. Keough asked if this ordinance applied to the RR district. Mr. Ressler answered the ordinance would apply for a single family lot in the RR district this would not apply in the RA district. Mr. Crassweller stated he would not want to allow this in a condominium. Mr. Ressler recommended to only have them permitted on a single family lot and they would have to meet the setbacks. He also pointed out that in the proposed ordinance on page 2, section d, should the chicken coop be considered a small accessory structure and should this increase the number of accessory structures on a lot because a homeowner might have to choose between a shed and a chicken coop if a home owner had a detached garage.

Jill Wood, the applicant, stated she paid the fee wanting to see the proposed change to the Zoning Ordinance, she also received funding from a local homestead to put towards the application fee. language. She stated one chicken could live in a 3 to 4 square feet area. She is interested in having chickens to use them for the 4H program and to teach her children about raising animals and having fresh eggs. Mr. Stolinas stated the Township was going to send her a copy of the Ordinance after the Planning Commission reviewed it and made changes.

Mr. Scott asked why it was only limited to 4 chickens per single family home. Mr. Stolinas stated the examples he seen had a ranges 4 to 6 and so he felt 4 was a conservative number.

Mr. Crassweller noted on the top of the page 3 the ordinance it states a homeowner could slaughter chickens. There was a discussion among the Commission if the language could be changed. It was determined that "or religious practices" be omitted from the ordinance.

Ms. Wood explained the issue of slaughtering is necessary because sometimes they no longer lay eggs and if something happened then a person will need to dispose of one.

Mr. Keough asked if what would happen if covenants of a subdivision they did not allow chickens. Mr. Ressler stated the covenants would supersede over the ordinance. Mr. Keough requested some language should be added to the ordinance regarding the covenants.

Mr. Wheland made a motion to recommend APPROVAL of the to the Backyard Chicken Ordinance with the following changes: increase the number of chickens to 6, delete the last sentence in #3, delete religious practices, insert the word "for" in number 12, change vacated to vacates. Mr. Harkcom seconded the motion. The motion passed unanimously.

V. PROPOSED ZONING ORDINANCE AMENDMENT -PRE-FINAL SUBMISSION IN THE PRD

Mr. Stolinas stated this particular section legislates the submission of a plan, after the Board of Supervisors grants Tentative Approval, but before the Application for Final Design Approval. This is not a requirement under the PA Municipalities Planning Code

and therefore, not consistent. On May 16, 2016, the Board of Supervisors directed staff to develop ordinance language amending the Planned Residential Development section of the Zoning Ordinance to eliminate Pre-Final Design Submission.

There was a discussion among the Commission why this change needs to be made. Mr. Keough felt a pre-final meeting seems necessary because it was a way to complete the plan.

Mr. Scott asked why the Township has a pre-final requirement then a preliminary plan submission. Mr. Ressler answered it is something that was in the ordinance. Mr. Stolinis was requested from the Board of Supervisor to eliminate this section because someone would need to apply for a variance. Mr. Strickland stated she likes the idea of the pre-final plan because that way the PC could review it more than once. Mr. Keough stated that in the past when he was a member of the Board of Supervisors, a pre-final plan would helpful with the conditions so the plan requirements would be limited since there was time to review it. Mr. Keough stated we are not doing something in violation of the code, but in addition to the code. Mr. Crassweller stated in his experience with being Board member because the engineers ignore the deadlines and the plans continue to be reviewed and submit a time extension.

Mr. Crassweller asked what the plan submission requirements. Ms. Schoch explained the Township planning process. Mr. Crassweller asked is there any way we can make the tentative plan more complete.

Mr. Stolinis read the requirements for a tentative plan from Chapter 27-115.

Ms. Strickland stated she was looking for the review by the fire chief, she wanted to make sure that was required and is it in the tentative plan requirements. It was determined it was in the Zoning Ordinance.

Ms. Mitchell asked if the deletion of this pre-final plan submission would have any plan approval without approval of the fire chief approval and would there be any additional costs. Mr. Stolinis stated deleting this section would not affect the entities we have reviewing plans. Ms. Schoch stated it would save the developer some cost.

Mr. Crassweller made a motion to approve the deletion of item 8 and other places noted of the pre-final plan. Mr. Homan seconded the motion. The motion carried unanimously.

VI. PLANNING DIRECTOR REPORT

Mr. Stolinis reviewed the director report dated May 23, 2016. He stated Diana Griffith our Community Communication Coordinator is working on designing brochures for Zoning and Subdivision/Land Development as information pieces displayed on the Township website. He stated on May 18th staff meet with the applicant of Pinehall TTD and discussed extensive changes and he would like to hold a special meeting with the Board and Commission to discuss the conceptual layout and Michael Pratt of Keller Engineer is

the lead on this design. Mr. Stolinas stated Staff attended the Sourcewater Protection Work Group meeting. Mr. Scott stated a member of the water authority should be a member. Mr. Wheland stated he would like to see a farmer be a member. Mr. Stolinas stated Robert Jacobs, County Planning Director attended instead of Norm Lathberry. Ms. Mitchell expressed her interest as to what happen at the meeting. Mr. Stolinas stated there was a presentation from Todd Giddings on "How Drinking Water Quality is Effectively Protected in the Spring Creek Watershed." He stated the meeting was very productive and Mr. Giddings is very knowledgeable.

Ms. Strickland asked if there was a time line on the completion of the Sourcewater Protection language. Mr. Stolina answered we would like this completed by the end of June. Mr. Keough stated it is unacceptable that a farmer is not on the work group. Mr. Homan agreed with Mr. Keough. Mr. Crassweller stated the Commission expressed their concern on not having a farmer be represented on this work group.

There was a discussion as to the importance of someone from the water authority should be a member of this work group or not. It was determined the water authority would probably not attend the meetings and a member of the water authority board should be a member.

Mr. Homan made a motion to address a letter to the Township Manager that a farmer in the Township and a representative of the water authority board be requested to be a member of the Sourcewater Protection Work Group. Mr. Wheland seconded the motion. The motion carried.

VII. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans from a memorandum dated May 20th.

VIII. CENTRE REGION PLANNING COMMISSION REPORT

Ms. Strickland stated she gave a report at the last meeting.

IX. APPROVAL OF MINUTES APRIL 25, 2016

Mr. Homan asked to change a comment to "he believes" instead of "they" referring to the second entrance would be beneficial. Mr. Crassweller stated he didn't make any motions and it should be changed to Mr. Homan.

Mr. Homan made a motion to approve the April 25, 2016 minutes. Mr. Wheland seconded the motion. The vote carried unanimously.

Mr. Keough stated on top of page four "would be" should be deleted.

Ms. Strickland made a motion to approve the May 9, 2016 minutes. Mr. Wheland seconded the motion. The vote carried unanimously.

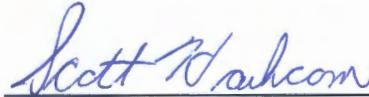
Mr. Homan made a motion to address a letter to the Township manager that a farmer in the Township be a member of the Sourcewater Protection Work Group. Mr. Wheland seconded the motion. The motion carried.

X. ADJOURNMENT

Mr. Homan made a motion to adjourn the meeting. Mr. Scott seconded the motion. The motion passed unanimously.

With no further business, the May 23, 2016 regular Planning Commission meeting was adjourned at 8:46 p.m.

RESPECTFULLY SUBMITTED,



Scott Harkcom, Secretary
For the Planning Commission