

FERGUSON TOWNSHIP PLANNING COMMISSION

Regular Meeting

Monday, January 12, 2015

7:00 pm

I. ATTENDANCE

The Planning Commission held its organizational and first regular meeting of the month on Monday, January 12, 2015 at the Ferguson Township Municipal Building. In attendance were:

Commission: Marc McMaster, Chairman
Ralph Wheland
Kurt Homan
Lisa Strickland
Richard Killian

Staff: Maria Tranguch, Director of Planning & Zoning
Jeff Ressler, Zoning Administrator

Others in attendance included: Heather Bird, Recording Secretary; Ara Kervandjian, Wes Glebe, Ronda Stern, Nelson Hite

II. CALL TO ORDER

Mr. McMaster called the Monday, January 12, 2015 Ferguson Township Planning Commission meeting to order at 7:00 pm.

III. ELECTION OF OFFICERS

Mr. McMaster designated Ms. Tranguch as temporary Chairperson. Ms. Tranguch requested nominations for the Chairman position. Mr. Wheland made a motion nominating Mr. McMaster for Chairman. Mr. Killian seconded the motion. The motion passed unanimously.

Mr. McMaster requested nominations for Vice Chairman. Mr. Wheland made a motion nominating Mr. Crassweller as Vice Chairman. Mr. McMaster seconded the motion. The motion passed unanimously.

Mr. McMaster requested nominations for Secretary. Mr. Homan made a motion nominating Mr. Harkcom. Ms. Strickland seconded the motion. The motion passed unanimously.

IV. ESTABLISH MEETING DATES FOR 2015

The Commission agreed to hold their meeting on the second and fourth Monday of the month at 6:00 pm with the exception of May 25th being moved to May 26th and only one meeting in December to be held on Tuesday, December 1st. Please note that the March 23rd meeting will be held at the COG General Forum.

V. SELECTION OF THE CENTRE REGION PLANNING COMMISSION (CRPC) REPRESENTATIVE AND ALTERNATE

Mr. Killian made a motion nominating Ms. Strickland as the primary representative and Mr. Wheland as the alternate representative. The motion passed unanimously.

VI. CONDITIONAL USE APPLICATION FOR 120 NORTH BUCKHOUT STREET

Ms. Tranguch stated the application for conditional use was submitted by the Metropolitan of State College to use the property at 120 North Buckhout Street, formerly O.W. Houts and currently owned by Penn State University, as a staging area for a construction project located at the corner of Atherton Street and College Avenue. The basis for the conditional use comes from the ordinance which states: all of the following conditional uses shall be permitted only upon a lot, or combined lots, that total 1 acre or larger upon approval by the Board of Supervisors: (1) Any use not specifically permitted within the TS District that is deemed to be an acceptable use due to its consistency with the stated intent of the district, and the application of appropriate design criteria as determined by the Board of Supervisors through the conditional use approval process. The lot in question is exactly one acre so it would qualify. The conditions that were in the application include the following: no trucks will be left idling without cause, no signage will be posted except for "No Trespassing", eighty (80) foot buffer will be honored from the fence along western most side of the property located along North Butz Street, no hazardous or liquid materials shall be stored on the property, no permanent lot lighting will be installed during the use of the lot, screening of the fence along the entire portion of

North Butz Street, an "on-site" dumpster will be located within the fenced area to take care of any garbage which is created by the use of the lot, use of the lot will be between the hours of 7am and 7pm and no deliveries will be made between 7pm and 7am, all efforts will be taken to make sure that the gated entrance to the fenced lot is locked before the end of the day, the area located at 120 North Buckhout outside the fenced area along West College Avenue will strictly be used for parking automobiles and trucks and no construction material will be stored in this area and a representative of Stickler Construction Inc. will be available by cell phone for any matters of concern during the use of the property. In addition to these that staff recommended that location of dumpster must be known for consideration to the neighboring homes.

Mr. Ara Kervandjian, representative of Metropolitan of State College, stated the company is constructing the building on corner of South Atherton and West College Avenue known as the Metropolitan. The site would be used for a lay down / staging area for the project. Three months ago the Metropolitan approached Penn State University and entered into a lease agreement with them for a portion of the property. A portion of the leased land is located in State College Borough and the remaining portion is located in Ferguson Township.

Mr. Homan questioned the access entering and exiting the site. Mr. Kervandjian pointed out the entrance/exit located off of North Buckhout Street. Mr. Homan verified this entrance is located in the Borough.

Mr. Kervandjian stated he met with two of the four adjoining property owners regarding their intent to use the property for a construction staging area. The resident's concerns were included in the application as conditions. This property is ideal for the Metropolitan project because it is located very close to the project site.

Mr. Homan questioned the way the traffic may have to enter the site. Mr. Kervandjian stated if they were unable to navigate straight up the alley they would be able to enter through the parking lot in front of the fenced in area. Mr. Homan also commented on mud on the street and the cleaning of this. Mr. Kervandjian stated this site is gravel lot and he would not anticipate mud on the roadway but if it did occur they would be responsible for cleaning the area.

Mr. Kervandjian reviewed the conditions included in the application and listed above.

Mr. Killian expressed concern with the access to the site. Ms. Strickland agreed with this concern. Mr. Kervandjian stated the use of the site will be far less than that traffic created by the previous business, O.W. Houts.

Mr. Wes Glebe, resident of 115 North Butz Street, stated he appreciated being brought into the process by the Metropolitan. He stated that he is in support of helping to provide a staging site that is so close and convenient to the construction project. It helps the project be more environmentally friendly. He also stated that Penn State has been currently opening the gate around 5am.

Ms. Ronda Stern, Butz Street resident, stated she has lived in her home for 25 years. She is scared and uncomfortable about the approval of the conditional use. Her and her husband work in the evening and are not up early in the morning. She is concerned about the effect this project may have on their health and well-being. She proposed a shift in the hours of use for the site to 8 am to 8 pm. She is concerned about what will happen with the property long term. What will happen after this year and a half staging occurs. She stated that the gate to the property is left open all the time. She clarified that she wants to see no lighting on the site; temporary or permanent. She proposed changing the set back to 100 feet and include substantial marking to the setback so individuals are not using that area. She questioned how the conditions will be enforced, what effect this might have on the value of her property and does this project fit with the intent of the district

Ms. Strickland stated a concern of having this site be a future staging area for other projects and Mr. Wheland agreed. Mr. Kervandjian stated this will not be a permanent use for the site. Mr. Wheland questioned what happens when Penn State comes forward and wants to continue to do this again and again. Mr. McMaster stated that if this is approved than that could happen in the future.

Mr. Nelson Hite stated that he would like to see a project on the site that includes a beginning and an end date so they as property owners know what the site will be.

Mr. Wheland clarified who will have the contact number for concerns. Mr. Kervandjian stated that all the residents and the Township will have the contact information for Stickler Construction.

Mr. Hite commented about the concerns with the property. When the property was first cleared they had significant water runoff. The University used it for overflow parking for the last football game of the season. He stated that Penn State has not been cooperative with the residents regarding the site that is why he is turning to the Township to stop the issues about the property.

Mr. Homan questioned the September 30, 2016 date included on the application. Mr. Kervandjian stated that is the date the project will be completed and the site will be cleaned up.

Mr. McMaster asked if a time limit can be placed on the conditional use and would the Township have to grant all conditional uses in the future.

Ms. Tranguch stated a time limit can be placed on the conditional use and future conditional use requests would be up to the Board of Supervisors.

Ms. Stern again requested that if the conditional use is approved she would like it to include the 100 foot buffer and adjust the hours to 8 am to 8 pm. Mr. Kervandjian stated that he would like to see the buffer kept at 80 feet due to the loss of space for the additional 20 feet.

Mr. Killian asked about weekend use. Mr. Kervandjian stated at this time he is not sure what deliveries will be like on the weekends.

Mr. McMaster asked if they will be sharing the same gate with Penn State. Mr. Kervandjian stated they will be sharing the gate and his business will do the best they can to ensure the gate is locked when the site is not in use.

Ms. Stern asked if they plan to install temporary lighting. Mr. Kervandjian stated that no lights will be installed on the property; the only lights used will be those from a vehicle.

Mr. Wheland made a motion to RECOMMEND APPROVAL to the Board of Supervisors for a temporary conditional use permit for property located at 120 North Buckhout Street subject to the conditions listed on the application dated December 23, 2014. Ms. Strickland seconded the motion. The motion passed unanimously.

VII. TURNBERRY PHASING PLAN UPDATE

Ms. Tranguch stated the ELA Group has submitted a new Phasing Plan on behalf of the Circleville Road partners for the Turnberry development. The plan is the same plan from last year, except all phases not yet completed have been pushed back one year.

Mr. McMaster asked if this is an additional year from the original plan submitted or from last year. Ms. Tranguch responded one year later than last year.

Ms. Tranguch stated that in 2015 there will be one submission for 39 dwelling units and one submission for 53 dwelling units.

Mr. Todd Smith, ELA Group, went over the phasing building currently under construction and the future phasing build out.

Mr. Homan made a motion to RECOMMEND APPROVAL of the phasing plan update for the Turnberry Development. Mr. Killian seconded the motion. The motion passed unanimously.

VIII. TRAFFIC CALMING POLICY

Ms. Tranguch stated the traffic calming policy was originally drafted by Trans Associates and recently the Public Works Director and staff has been working to complete the draft. The policy has set a procedure to use when a resident comes to the Township with a complaint about traffic. The policy defines the process as beginning with a request from a resident. At this point it would be similar to a variance request it that it goes to Board where the requested can be forwarded to Public Works or denied. If the Board moves forward the Public Works Director compares a street classification of the roadway identified in the formal request to the classification eligibility criteria. Residential access streets are eligible for speed and volume control, residential sub collector streets are eligible for speed and volume control, collector streets are eligible for speed control but not volume control, arterial streets with a posted speed limit of 35mph or less are eligible for speed control but not volume control, arterial streets with a posted speed limit greater than 35mph are not eligible for volume control and are not eligible for speed control. The arterial streets and the collector streets are meant to move cars, so controlling volume on those are not typical. From this point the study area is defined and data is collected through traffic and speed counts. The data would be compared to the volume and speed criteria. To be eligible for consideration for traffic calming, the road must be greater than 1,000 vehicles per day and the 85th percentile speed on the street of concern must be greater than 10 mph over the posted speed limit. At this point the Public Works Director shall compare the traffic data collected in the study area and prepare an initial traffic calming plan. A public meeting would then be conducted based on the prepared plan. No voting would occur at the public meeting. A petition would be sent to the neighborhood requiring a minimum of 50% of the property owners to respond. If less than 50% responded, the request would be rejected. If greater than 50% received and 70% of those received agree with the plan the Public Works Director would submit the plan to the Board of Supervisors. After approval it would proceed to the construction and engineer plans of the project. The project would be completed when the funds needed were available.

Mr. McMaster asked what is currently being done for traffic calming. Ms. Tranguch stated the process begins with the three "E's" Enforcement, Education and Engineering. At this time this is what would commonly be done for a complaint.

Mr. Homan commented that the current diagram does not show that the Board of Supervisors has the authority to say no at the very beginning of the process.

Mr. Killian stated the policy was created to establish a set process for these complaints.

Mr. Homan made a motion to RECOMMEND APPROVAL of the traffic calming policy to the Board of Supervisors. Mr. Killian seconded the motion. The motion passed unanimously.

IX. APPROVAL OF MINUTES – DECEMBER 2, 2014

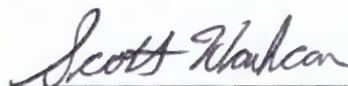
Mr. Homan made a motion to APPROVE the Planning Commission Regular Meeting Minutes from December 2, 2014 including a correction to page 3, Item V, change "at his last meeting" to "as his last meeting". Mr. Wheland seconded the motion. The motion passed unanimously.

X. ADJOURNMENT

Mr. Homan made a motion to adjourn the meeting.

With no further business, the January 12, 2015 organizational and regular Planning Commission meeting was adjourned at 8:28 p.m.

RESPECTFULLY SUBMITTED,



Scott Harkcom, Secretary
For the Planning Commission