

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
Monday, May 13, 2019
6:00 PM**

ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, May 13, 2019, at the Ferguson Township Municipal Building. In attendance were:

Commission:

Lisa Strickland, Chairperson
Bill Keough, Vice Chairperson
Ralph Wheland-Absent
Erik Scott
Jeremie Thompson
Jerry Binney
Shannon Holliday, Alternate
Rob Crassweller, Secretary

Staff:

Lindsay Schoch, Interim Planning Zoning Director
Jeff Ressler, Zoning Administrator-Absent

Others in attendance were: Summer Krape, Recording Secretary; David Pribulka, Township Manager, Wes Glebe Traditional Town Development, Stan Smith, Dennis & Wendy Myers Ferguson Township Residents, David Wantin, Michelle Spiering Ferguson Township Residents, John Sepp Penn Terra Engineering, Brad Brubaker from Sheetz, and Aspen Whitehall Partner Representatives, Justin Mandel.

I. CALL TO ORDER

Mrs. Lisa Strickland called the Ferguson Township Planning Commission meeting on Monday May 13, 2019 to order at 6:01 pm.

II. Citizen Input

Wes Glebe, reviewed and clarified a letter he read last week to the Board of Supervisors and he wanted to read it again for the Planning Commission. The letter pertains to the Traditional Town Development Tree Preservation ordinance. He spoke about the ordinance and how it has been interpreted. Wes explained that this ordinance is unusual in both its brevity and that it only pertains to the Traditional Town Development. Wes explained the intent of this ordinance is clear in its first sentence "existing wooded areas shall be protected to prevent unnecessary destruction" Wes stated that this would protect the entire 65 acre wood lot. Wes was given the consultant's evaluation of the lot, the evaluation states that the saw timber is of good quality and has good market ability. Wes has inferred from the evaluation that the Pine Hall wood lot is healthy and therefore, there is no good reason for the proposed removal of what would amount to 85% of these trees for profit. By ignoring that first sentence of the ordinance "shall be protected from unnecessary destruction" this ordinance has been misused and misinterpreted. Wes strives to understand and interpret the words as they are written. He wouldn't have questioned the ordinance if the developer left 40% of the woods untouched. He believes the Board of Supervisors has a responsibility to interpret the ordinance as it is written on behalf of the township, for the sake of the trees, good stewardship and governess.

**III. INTRODUCTION OF NEW PLANNING ZONING AND PUBLIC WORKS
ADMINISTRATIVE ASSISTANT**

Mrs. Lindsay Schoch introduced Ms. Summer Krape as the new Planning and Zoning and Public Works Administrative Assistant.

**IV. FERGUSON TOWNSHIP PUBLIC WORKS FACILITY AND LAND DEVELOPMENT
PLAN**

Adam Long from Keller Engineering has been working on this land development plan and came to tonight's meeting to make a brief presentation of the facility and answer any questions the Commission may have. Adam explained where the new 13,000 sq ft building will be located and all the amenities it will include such as: 4 bays, new fueling island, breakroom, locker rooms, and office space on the second floor for public works staff. There will also be an employee patio and an electric car charging station that will be able to charge 2 vehicles. Adam also showed the Commission where the reserved parking would be at the facility for car pool/low emission vehicles and where the ADA parking would be. The carpool/low emission parking, electric car charging station, and covered and uncovered bike racks meet the LEED standard. Another LEED goal was to increase pollinator habitat, because of this, a pollinator garden and 2 reforestation areas will be installed. He went on to tell the Commission that the building is proposed to be some level of LEED certification at this point we are targeting Gold status. Adam went over storm water management and how that will be handled via our rain garden. The rain garden will meet both the Township ordinance and the National Pollutant Discharge Elimination System (NPDES) requirements. Adam also went over the spill containment system and the emergency stop the new fueling island will have along with the concrete containment tank that a spill would go into if one was to occur. Per the Commission's request, Adam explained the difference between a storm water basin and a rain garden, where all 109 parking spaces would be located/that the 109 parking stalls include the already existing parking on the campus, and that the already existing public works building 1 will be used for vehicle storage. Vice Chair Person Mr. Bill Keough expressed concern about the electric car charging station, stating that the Township doesn't own electric cars and that it would not be used. Mr. David Pribulka, Township Manager stated to the Commission that Ferguson Township has in the budget this year to purchase an electric car and will be doing so before the end of the year for the Engineering and Administrative staff. The Township has also received a grant to help with the purchasing of these cars in the future.

A big concern that most members of the Commission expressed was that the plan included the planting of fruit trees. They felt this was a big issue given the care these types of trees require and the proximity to the Harner Farm and the possible contamination of their commercial fruit tree business. Mrs. Lindsay Schoch stated the new public works facility was extensively reviewed by the Township Arborist and the Tree Commission and they had no positive or negative comments regarding the fruit trees.

Staff Recommendations:

Secretary Mr. Rob Crassweller made a motion to approve the Ferguson Township Public Works Facility plan under the condition that they replace the fruit trees in the plan with another type of tree. Mr. Bill Keough seconded the motion.

V. HARNER FARM SUBDIVISION OF TAX PARCEL 24-4-67 & REPLOT OF TAX PARCEL 24-4-67C

Mrs. Lindsay Schoch explained to the Planning Commission that Harner Farm was rezoned in 2018 to include both commercial and residential zoning districts. As a result of that, the Harner Farm Subdivision Plan of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C is being proposed and that this is the Planning Commission's opportunity to have an initial review of this subdivision plan. The lot total is about 72 acres and is zoned commercial and single family residential with corridor overlay. The proposed use is a gasoline convenience store with a drive thru, car wash and a mixed-use building with housing above. The proposed lots are: Lot 1 that is about 5.6 acres, Lot 2 that is about 3.6 acres and the residual track/Lot 3 is 16 acres.

So far the Township has received comments back from the Centre County Department of Planning and Community Development and Centre Regional Planning Agency. The Township Zoning Administrator and Township Engineer have both reviewed this plan as well and at this point the plan looks clean. This is the Commission's initial review and any comments that are made tonight will be included in the comment letter that will go back to Penn Terra Engineering. John Sepp from Penn Terra and Lindsay both explained to the Commission the road layouts and the traffic study that occurred and is currently being reviewed. The roads that were studied in the traffic study are:

- W. College Ave & Whitehall Road
- Whitehall Road & Research Drive
- W. College Ave & Bristol Ave
- W. College Ave & Science Park Road
- W. College Ave & Nissan Driveway/Northern Site Driveway
- W. College Ave & Southern Site Driveway
- Whitehall Road & Eastern Site Driveway
- Whitehall Road & Western Site Driveway

The proposed traffic improvement recommendations from the traffic study is to construct a 225 foot South bound Right Turn lane on W. College Ave to turn right into the Northern Site driveway. Construct a 100 foot Westbound Left Turn lane on Whitehall Road to turn left into Eastern Site Driveway. Lengthen Eastbound Left Turn lane on Whitehall Road on approach to W. College Ave from 175 feet to 225 feet. Increase green signal time during AM peak period for the Eastbound/Westbound phase at the intersection of W. College Ave and Whitehall Road, and put in a signal with signal timing adjustments at peak times. Improvements to the cross walk that that will connect the Sheetz to the other side walks that are there was also recommended. These are the recommendations of the traffic study but cannot be validated because the study has not yet been approved. The traffic study should be reviewed and approved in the next week.

VI. STATE COLLEGE, PA (WHITEHALL ROAD SHEETZ PRELIMINARY/FINAL LAND DEVELOPMENT PLAN

Mrs. Lindsay Schoch stated this is the Planning Commission's initial review and that we are just taking comments and will incorporate them in our response letter to give to the agents this week. Mrs. Lindsay Schoch explained that the State College Whitehall Road Sheetz Preliminary Plan is proposed to be a gasoline convenience store with a drive thru and a car wash with access points on both Whitehall Road and W. College Ave. Penn Terra Engineers and representatives from Aspen Whitehall Partners are present to take any questions the Commission has. Mrs. Lindsay Schoch wanted to note that this is the second time the Planning Commission is seeing this plan, the first time was in December during the Pre-Application Conference. John Sepp from Penn Terra Engineering explained that this plan is very similar to the plan the Commission saw in December. Some changes were made such as the entrance being moved down away from the intersection. John stated that Penn Terra will be submitting a residential subdivision plan for the remainder of the track tomorrow May 14, 2019. John also added that PennDot is also reviewing the traffic study as well as the Township Engineer and the Township's consulting Traffic Engineer, McCormick Taylor. Commission member Mr. Jerry Binney asked if a separate trip generation will be done for Sheetz and one for the residential area or if one was done for Sheetz and residential together. John Sepp explained that one was done for Sheetz and one for residential development.

Mrs. Lindsay Schoch explained that the land use codes being used in the traffic impact study are Single Family Detached Housing (210), Multifamily Housing Low Rise (220) for housing above the mixed used building, Shopping Center (820), Drive-In Bank (912), and Super Convenience Market/Gas Station (960). Mr. Jerry Binney asked if a trip generation will be made for all the entities John stated that yes a trip generation for these entities will be done as well and Lindsay followed up that one will be done for peak am and pm hours. Lindsay stated that the next time the Planning Commission sees this plan the traffic study will be approved by the Township and PennDot and signed off on by all parties. Commission member Mr. Jerry Binney asked about the spill containments, a representative from Aspen Whitehall stated that the spill containment basins are made from prefabbed fiber glass. Mrs. Lindsay Schoch added that this plan was submitted after the source water protection overlay was adopted by the Township so there are some notes and requirements that will have to be added to the plan including secondary containment and what well zone this is located in.

There was some discussion that there will be two sidewalks to nowhere. Commission member Mr. Jeremie Thompson asked that there be some consideration for the sidewalk to have connection from Lot 2 that wouldn't require a pedestrian to go to the intersection to go into the store. He also wanted to address lighting with this particular plan as he knows this has been addressed several times by residents. He said it would be nice if Sheetz could implement a plan during overnight hours where not every light will be on, possibly motion sensors, or the possibility of turning on every other light but still have enough light for the area but not so bright for residents but also conserve energy.

Chairperson Mrs. Lisa Strickland asked if CATA is reviewing this plan, Lindsay stated that CATA has reviewed and submitted comment. Lisa said that there are two CATA stops over in the area and she is pleased to see that the sidewalk will connect down to where the first stop is located. She voiced that pedestrian access needs to be a big consideration as

pedestrian traffic will increase due to the development and especially with the Whitehall Road Regional Park that will be developed in the future.

Mrs. Lisa Strickland also followed up on the lighting at the proposed Sheetz and asked if it is the same lighting 24 hours or if there is difference between night and day. Mr. Brad Brubaker from Sheetz said the lights are generally the same during the night as they are during the day. Due to the response of lighting comments they have had Brad will be bringing a real time rendering of day and night time lighting in all 4 directions to the next meeting. Lisa then asked if it would be possible to move the lighting along the Whitehall Road access to the other side of the road. Mrs. Lindsay Schoch has spoken with Township Engineer Ron Seybert about this and the lighting when the light abuts up to another property needs to be zero.

There was one resident that wanted to make a public comment. Mr. Dennis Myers and his wife Wendy live at 2210 W. Whitehall Road and other than Tom Harner they will be the closest neighbor to this project. He wanted to voice a few concerns they have about this project. He first wanted to make it known that he feels like he's six months behind on the Sheetz part of this project. Dennis' biggest concern with the Sheetz plan being the closest resident is the big red canopy. Dennis asked why the plan can't put the canopy on the W. College Ave side instead of Whitehall Road side; questions why wouldn't the pumps be on the business side of the property and not the residential side. He asked that this be taken into consideration. Dennis also has concerns about the traffic flow. By moving the entrance it is now closer to his home. Another concern for the Myers' is boundary protection for their property and the residential development. He stated there are some trees there now but they are mostly gone so they would like some type of boundary protection. He requested the consideration on putting a cul de sac at the end where his house is located to cut down on this traffic congestion. Mr. Jerry Binney asked about thru traffic in the subdivision and the possibility of posting signs and would like to discuss this at the next Planning Commission meeting.

VII. CONSENT AGENDA

There were no consent agenda items.

VIII. PLANNING DIRECTOR REPORT

Mr. Ray Stolinas prepared his last director report. Mrs. Lindsay Schoch was available to answer questions

- Mr. Jeremie Thompson had a question on item number four the Petition for Appeal Bond. Mrs. Lindsay Schoch stated that residential housing is requesting a bond from Circleville partners for the amount of time and costs that have been holding the Pine Hall plan up for so long. Judge Pam Ruest will make a verdict in about 30 days and it can be appealed.
- Secretary Mr. Rob Crassweller had some questions about the location of where the Hillside Farms project is. Mrs. Lindsay Schoch explained the location and that it is owned by Armen Sahakian and that the Township has met with him to discuss his options for the property. Mrs. Lindsay Schoch explained there are two Sahakian's that are discussing building in the township.
- Vice Chairperson Mr. Bill Keough had some questions on item fourteen the George Novosel Property. Mrs. Lindsay Schoch explained The Community Planner and Township Manager have met with Mac McKinzie and his realtor. They want to work

on subdividing a portion of the property off and selling the rest. Mrs. Lindsay Schoch stated she also believes they want to keep the rest of the property and somehow conserve the wooded area. Mrs. Schoch added that it is a Flag Lot, Flag Lots are a conditional use so there are a few things the Township is talking to our solicitor about. At one point Clearwater Conservancy was interested in preserving the property.

IX. ACTIVE PLANS UPDATE

Mrs. Mrs. Lindsay Schoch thanked the Planning Commission for their input tonight on the Sheetz Land Development Plan. She also thanked them for their participation in the Whitehall Road Regional Park joint meeting in which she felt was very productive.

The Hummel Subdivision will be requesting a few modifications such as one for Fee in Lieu and for the widening of the road to be in compliance with our Subdivision and Land Development ordinance. Also, in the rural residential zoning district the Board of Supervisors can determine whether or not sidewalks should be installed or not. It's not an actual modification but just the decision of the Board of Supervisors and in this case it would be a sidewalk that does not at the current time have a connection. This will be going on the Board's agenda for the meeting on Monday May, 20th.

The mylar for King Wealth Strategies was received for signatures.

Pine Hall: The Terms and Conditions, transportation improvements on site and off site, were discussed with the developers.

Mrs. Lindsay Schoch thanked the Planning Commission for their input on the Public Works Building.

Vice Chairperson Mr. Bill Keough wanted to make a point that another supervisor has resigned. Bill is disappointed that we have lost three elected officials in the last year and he feels it doesn't paint a good picture for Ferguson Township.

Mrs. Lisa Strickland inquired about the Sheetz variance request on sidewalks. She wanted Mrs. Lindsay Schoch to point out which ones they are referring to. Mrs. Lindsay Schoch stated that she has not yet had the opportunity to look at the variances but that there will be more information in the agenda for the Board meeting on Monday May 20th.

X. CENTRE REGIONAL PLANNING COMMISSION REPORT

Mr. Jeremie Thompson attended the meeting on May 2. They had presentation from Deborah Nardone the Executive Director of Clearwater Conservancy. She outlined some of the accomplishments/activities of Clearwater and some of their goals and objectives for the future. They reviewed the request by the State College Area School District to install 70 foot high luminaries on the high school track. They went over Harris Township's Planning Commission's rural rezoning proposal. The meeting also covered for a matter of record the Whitehall Road Regional Park Plan. Next meeting will be Thursday June 6th at 7:00 pm in the General Forum room at the COG offices. They will be seeing a presentation from Centre Region Parks & Rec regarding the Whitehall Regional Park and the ongoing comprehensive parks plan.

XI. ZONING/SALDO UPDATE

Mrs. Lindsay Schoch stated that we are on our 6th draft. Last Friday staff voiced concerns about some items like parking and net vs. gross to the consultant and she addressed the comments. Mrs. Lindsay Schoch is working toward putting a schedule together. Staff anticipate an August 5th Public Hearing and at this time staff is unsure if zoning and SALDO will be at the Public Hearing together or separate. Staff would like the Planning Commission to have ten to twelve days to review the ordinances prior to the next discussion.

Vice Chairperson Mr. Bill Keough asked when the Planning Commission's next interaction will be. Mrs. Lindsay Schoch stated that Carolyn will be getting the books to the Planning Commission on the 22nd and then we will be able to see that in our meeting on May 28th but we do have some wiggle room and may see it on June 10th. The Zoning books will be received by the end of the week on May 20th. Mr. Bill Keough asked Mrs. Lindsay Schoch if she has spoken to Carolyn regarding the Fee and Lieu issue. Mrs. Lindsay Schoch stated she did and when Carolyn is here again she will be able to cover it. Bill stated he may have a suggestion to fix it.

Mrs. Lisa Strickland said it is a good idea to separate the Zoning // SALDO in her opinion. Mrs. Lisa Strickland asked if the Commission should read the book they are to receive on the 22nd as a final draft. Mrs. Lisa Strickland asked if the Commission was to see it on the 28th when they would see it again. Mrs. Lindsay Schoch stated that we may be able to give it you the week of May 20th and that will give you the opportunity to look at it until June 10th. Mrs. Lindsay Schoch will meet with staff and see what would be most appropriate. Mrs. Lisa Strickland asked if the Planning Commission will be going through the whole thing during the meeting on May 28th or if we will be breaking up. Mrs. Lindsay Schoch stated that we would break it up and Carolyn will go over heavily questioned areas, areas we have worked on the most, and sections we aren't familiar with. Eventually once everyone is comfortable the Planning Commission will make a recommendation to the Board of Supervisors. Mrs. Lindsay Schoch stated that there is a required 45 day period the County and Public will need to review as well as Centre Regional Planning Commission and Centre Regional Planning Agency. Mrs. Lisa Strickland stated that timeline sounds ambitious and Mrs. Lindsay Schoch said this is the tentative schedule. Mrs. Lindsay Schoch stated the deadline to get the ordinances out for review/Public comment period is Friday June 21st.

XII. PINE GROVE MILLS-SMALL AREA PLAN

Chairperson Mrs. Lisa Strickland took the lead on this item as she attended the meeting that was held Wednesday May 8th. They started out with a discussion on two parcels of State Game Lands in Pine Grove Mills and the potential of giving those to Department of Conservation and Natural Resources (DCNR) to own and maintain. There was a lot of discussion about traffic concerns and ways to address the concern. Possible signage at the top of Pine Grove Mountain saying "Welcome to Pine Grove Mills" or "Village of Pine Grove Mills" to let people know they will be entering a residential area was a suggestion of the committee. Mrs. Lisa Strickland stated that another big part of the meeting was spent on alleyways in the village. The ownership of most is unknown and often disputed. Questions

on who's responsible for maintenance/upkeep was a large part of the discussion. Another big issue with the alleyways is accessibility. The need to lay out who is responsible for these is a necessity that needs to be addressed in the Small Area Plan. The next meeting is scheduled for June 12th and they will be talking about implementing the plan.

Vice Chairperson Mr. Bill Keough said he had a suggestion years ago that the Township facilitate a meeting and have all alleyway owners/residents attend and discuss the issues, ask for feedback, and possible resolutions/how they would resolve it. Mrs. Lisa Strickland stated that she will bring this idea up at the next small area plan meeting.

XIII. APPROVAL OF REGULAR MEETING MINUTES: APRIL 22, 2019

Mr. Bill Keough moved to approve minutes for April 22, 2019. Mr. Jerry Binney seconded the motion.

XIV. ADJOURNMENT:

Meeting was adjourned at 8:06 pm.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission