

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, April 13, 2020
6:00 PM**

ATTENDANCE

The Planning Commission held its Regular meeting of the month on Monday, April 13, 2020, via Zoom. In attendance:

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Rob Crassweller – Secretary
Shannon Holliday
Bill Keough
Ellen Taricani
Ralph Wheland
Lisa Rittenhouse--Alternate
QianZhang – Alternate

Staff:

Jenna Wargo, Planning & Zoning Director
Jeff Ressler, Zoning Administrator
Kristina Aneckstein, Community Planner
Ron Seybert, Township Engineer
David Pribulka, Township Manager

Others in attendance: Rhonda Demchak, Recording Secretary; Mark Kunkel, Ferguson Township Resident; John Sepp, President, PennTerra Engineering; Mark Torretti, Project Manager, PennTerra Engineering; Brent Brubaker, Sheetz Corporation; Matt Burns, Ferguson Township Resident; Justin Mandel, Ferguson Township Resident; Doug Hill, Wooster & Associates

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, April 13, 2020 at 6:00 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES MARCH 9, 2020

Mr. Thompson called for a motion to approve the minutes from March 9, 2020. Mr. Keough made a motion to approve the minutes. Mr. Crassweller seconded the motion, and the motion passed unanimously.

III. CITIZEN INPUT - NONE

IV. LAND DEVELOPMENT PLANS

A. Modification Request

Ms. Aneckstein presented the Modification/Waiver for Harner Farm 4-Lot Subdivision. PennTerra Engineering, Inc. is requesting modifications from Chapter 22-512. Section 512.A.1 and 2 require sidewalks to be along both sides of all streets in Commercial and R-1 Zoning Districts. The proposed modification is to not require the sidewalks be shown on the Harner Farm Subdivision because the proposed sidewalks will be shown on the Sheetz Land Development Plan and the Orchard View Subdivision Plan. Penn Terra requested that when Lot 2 is developed, sidewalks will be shown on that land development plan. Mr. Keough asked if the Sheetz Lot will have sidewalks up to the Lot 2 location and will Lot 2 have sidewalks when we receive the land development plan plan for Lot 2? Mr. Sepp stated that this is correct. Mr. Keough asked if the subdivision plan for the 37 lots that are part of Orchard View, are they to be developed prior

to Lot 2 being developed? Also, he noted there is a gap between the access road, the housing development, and the Sheetz property where there would be no sidewalks until Lot 2 is development. Mr. Sepp noted that this was correct. He also noted that the sidewalks on Lot 3 (Orchard View Subdivision) will go in house by house and the road system will be put in prior to the sidewalks. Mr. Keough had concerns with connectivity. He would rather see the sidewalks extend across the Sheetz property, then across Lot 2 that will connect to Lot 3. Mr. Crassweller noted that the corner closest to College Avenue will be the last ones to be developed and that the sidewalks will come off Whitehall Road. Mr. Keough noted that we have no control of the timing or location of development in Lot 3. Ms. Aneckstein referred the Planning Commission to Ms. Wargo's memorandum of Application for Consideration of a Modification/Waiver. It states that staff recommends the sidewalks in Lot 2 be built when a land development plan is submitted for Lot 2 or when Lot 3 is fully developed, whichever comes first. Mr. Sepp noted that the sidewalks on Whitehall Road will be built and they could be utilized to get to Sheetz. Mr. Sepp also suggested that the sidewalks could be installed when 75% of the residential lots (Lot 3) are sold and/or when a land development plan is submitted for Lot 2, whichever is first. Mr. Thompson noted that there will be a CATA bus stop most likely in Lot 2. Mr. Thompson called for a motion to recommend approval with a modification that the sidewalks for Lot 2 could be installed when 75% of the residential lots (Lot 3) are sold and/or when a land development plan is submitted for Lot 2, whichever is first. Mr. Crassweller made a motion to recommend the approval. Mr. Binney seconded the motion, and the motion passed unanimously.

B. Harner Farm Subdivision Plan of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C

Ms. Aneckstein presented the Harner Farm 4 Lot Subdivision Plan. It is located on the corner of West College Avenue and Whitehall Road. This subdivision proposes to divide into 4 lots:

- Lot 1: 5.7 acres – southwest corner – Sheetz LDP
- Lot 2: 3.689 acres – adjacent to Lot 1 along W College Ave – Commercial Lot
- Lot 3: 16.568 acres – south of Lot 1 & 2 – Orchard View Subdivision
- Lot 4: 44.196 acres – northwest corner of Whitehall Rd & W College Ave

All utilities will be installed on the lots. The sewer connects at the Scott Road Pump Station. Mr. Torretti noted that this is dividing the original 70 acres into four lots, three of them on the southside of Whitehall Road that is called Phase I of the Harner Farm Development plan. We will be tying into an existing sewer line at the bottom of Scott Road. He noted that they met and coordinated with the Russian Church of Christ on a previous easement where they wanted the sewer to run. Also, they met and coordinated with Mr. Danny Harner (owner of TP 24-4-67C) where his sewer would be replaced. The line will also run up Whitehall Road for the future Phase II Development. Mr. Keough commended everyone who worked on the Harner project and wanted to know what is across the street at the intersection of Whitehall Road and the proposed Apple View Drive? Mr. Torretti noted that it is a driveway for a house. Mr. Mark Kunkel, Ferguson Township Resident, asked with regards to the sewer line connection, are we assured that the sewer lines being proposed beyond the Harner

properties are within the Act 537 Sewage Facilities Program? Ms. Aneckstein noted that they do have an approved sewer module. Mr. Kunkel noted that the sewer service does not include the Corl Farm nor the Islamic property. Mr. Sepp noted that he is correct and that the lines can run through the properties, just not serve the properties. Mr. Crassweller wanted to know what would stop the Islamic Center from petitioning to get connected? Mr. Sepp noted that they can make that request. The 537 process has changed since the Russian Church of Christ request. They can make that request since it is located there. Mr. Thompson suggested it might make more sense if they would be on the UAJA system versus their own considering how close we are to Slab Cabin Run from an environmental standpoint. Ms. Aneckstein noted that she read a lot about this today. The Centre Region Act 537 Plan states that 5 out of the 6 municipalities must agree to any expansion. If the Islamic Center wanted to be included in the UAJA service area and connect to that line, they would need to go through a DRI application process. This is part of the implementation agreement that was adopted, and it is a long process. Mr. Thompson called for a motion. Mr. Keough made a motion to recommend the Board of Supervisors approve the Harner Farm Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C, contingent upon any remaining outstanding staff comments. Mr. Binney seconded the motion, and the motion passed unanimously.

C. ORHARD VIEW SUBDIVISION

Ms. Aneckstein presented the Orchard View Subdivision. It proposes to subdivide Lot 3 of the Harner Farm a division of tax parcel 24-4-67 into 36 single family lots with one storm water management lot. There will be a public road with a 50-foot right of way and all associated utilities. There will also be a 10-foot flat utility and sidewalk easement in front of all the lots. There will be a 5-ft easement along West College Avenue on the sides of lots 19 and 20. There is a 20-ft storm water access easement located between lots 11 and 12. It will be maintained by the Homeowners Association (HOA) once it is established. The storm water easement in the south west corner of the lot. Mr. Torretti noted that on the storm water easement lot there will be landscaping and some fencing. They added islands at both entrances off West College and Whitehall Road. They are paying the parkland fee-in-lieu and it is settled as part of the proposal. Mr. Binney wanted to know if people would be able to skip across Whitehall Road in order to avoid the intersection at West College and Whitehall? Mr. Sepp noted they are not planning the secondary entrance at this time, but when they do, they will make note of this. Mr. Keough asked Mr. Seybert to give an overview of the traffic study that was prepared for these subdivisions. Mr. Seybert reported that none of the land north of Whitehall Road was included in the traffic study. They did prepare a planning study, which looked at the entire project to evaluate what the impact would be. The traffic study has been approved by PennDOT. The study included the intersections of Whitehall Road and West College Avenue, Whitehall Road and Research Drive, West College Avenue and Bristol Avenue and down to West College Ave and Science Park Road. They considered the new accesses at the two Sheetz entrances, and the two accesses for the 36 lots in the subdivision. These were all included in the traffic study. The intersection of Whitehall Road and West College Avenue is required to have improvements constructed in order to mitigate impacts from the new developments. The proposed improvements will have a right turning lane on the northbound lane turning onto Research Drive, and a pedestrian crosswalk with handicap

accessibility. As for the left turning lanes on Whitehall Road, they would have flashing yellow arrow signals installed that would give a green arrow to allow traffic to make a left turn. Along Whitehall Road, the existing left-hand lane will be extended, and the road widen to enter Sheetz. Mr. Keough had concerns with traffic flows and wanted to know if the Toll Brothers and the Regional Park traffic study had any mitigating areas? Mr. Hill noted that Whitehall Road and College Avenue was included in the Toll Brothers study, but Pine Hall Road was not. Mr. Binney expressed concerns with regards to exiting Sheetz onto West College Avenue, he wanted to know if there will be a left-hand lane from Sheetz onto West College Avenue? Mr. Seybert noted that there will be a left-hand lane. Mr. Keough asked about the tree line on this property. Mr. Torretti noted that the tree line will remain as is on Lots 1 thru 5 and no plans for removal. Mr. Keough wanted to know if Orchard View residents have access to the Sheetz Property? Mr. Torretti noted that they would have to go onto College Avenue or Whitehall Road. Mr. Keough wanted to know if there is going to be street parking on Apple View Drive? Mr. Torretti noted that this road is not designed for street parking. Mr. Hill noted that the road is the standard street width of 26 feet wide curb to curb. Although a curvy road, it meets all the requirements. Mr. Keough wanted to know that since the HOA will be managing the Storm Water Facility, will the Commercial Properties belong to the HOA as well? Mr. Torretti noted that an agreement has been proposed but has not been submitted yet, because it is still at the attorney's office. Mr. Keough expressed concerns about the development of the lots. He hopes the HOA agreement will reference possible changes that could impact them financially in terms of control and maintaining the storm water facilities that are on their properties. Mr. Torretti noted that people generally don't read their HOA agreements and we should continue strong communications with the HOA. Mr. Keough expressed his concerns with the islands that are on the plans. They can be dangerous because of the location of them, poor lighting, and when it is raining. Mr. Torretti noted that islands can prevent speeding and cut throughs. Mr. Thompson noted they appear to be set back far on the plans. Mr. Thompson called for a motion. Mr. Crassweller made a motion to recommend the Board of Supervisors approve the Orchard View Subdivision Plan pending any outstanding comments. Shannon Holliday seconded the motion, and the motion passed unanimously.

D. STATE COLLEGE, PA WHITEHALL ROAD SHEETZ LAND DEVELOPMENT PLAN

Ms. Aneckstein presented the Sheetz Land Development Plan. It is located on Lot 1 of the Harner Farm Subdivision Plan. The plan will include the Sheetz Convenience Store and a drive-thru with a car wash. It is a 5.7 acre lot located at the southwest corner of Whitehall Road and West College Avenue. It will connect to the utilities and stormwater management basins that was proposed in the Harner Farm Subdivision Plan. There will be 12 gas pumping stations, 47 parking spaces that will include 3 ADA spaces. The car wash will be 1,048 square feet. Mr. Torretti noted there are accesses off Whitehall Road and West College Avenue. The sidewalk connects at the entrance of West College Avenue. There is a bus pad being installed on West College Avenue as part of the Sheetz plan. There will be sidewalks installed on Lot 2 in the future. Any spills that would occur, there are trench drains along the pumps. He noted lighting has been a concern, but Sheetz had a lighting consultant prepare a report. The canopy is smaller to minimize the bright illumination and the lighting is designed to reduce

lighting spread. There is landscaping around the store and parking area. Mr. Keough asked if there will be lighting at the entrances off West College Avenue and Whitehall Road? Mr. Torretti stated that there will be lighting at both entrances. Ms. Holliday asked if there have been any concerns with noise complaints with regards to the drive-thru speaker? Mr. Thompson and Mr. Torretti noted they have never recalled them to be too loud and would keep that in mind. Mr. Thompson called for a motion. Mr. Wheland made a motion to recommend the Board of Supervisors approve the Whitehall Road Sheetz Land Development Plan pending any outstanding comments. Mr. Crassweller seconded the motion, and the motion passed unanimously.

V. OFFICIAL REPORTS AND CORRESPONDENCES

A. BOARD OF SUPERVISORS

Ms. Wargo reported that the Board met on March 16, 2020. They received Chapter 19 the draft Sign Ordinance amendment. They gave the ordinance to the Planning Committee to review and make a recommendation to the Board, specifically looking at banner signs and Pine Grove Mills. Also, signage on commercial business windows. This will be coming to the Planning Commission soon. At the last Board meeting, there was a zoning complaint about the O.W. Houts property, on the Borough half of the property. Mr. David Pribulka and Ms. Laura Dininni will be writing a letter to the State College Borough Council.

B. CRPC REPORT

Ms. Taricani reported that they haven't met but are reviewing past issues.

C. LAND DEVELOPMENT PLANS

Ms. Aneckstein reported on the Harner Farm Development, Orchard View, and Sheetz Land Development Plan are final reviews. The only other land development plan now is Thistlewood Lot 19, and review comments were sent to the applicant/consultant.

D. STAFF UPDATES

Ms. Wargo reported that the APA-PA and the PA Municipal League have been advocating for language with senate leadership. The Senate passed this by 50-0. The Bill is at the House for a concurrence vote. They are scheduled to return tomorrow, April 14, 2020. The final language of this Bill suspends or tolls all municipal government permitting requirements from March 6, 2020, until 30 days after the passage of the Bill. This Bill also provides all Municipalities and their Boards with the ability to hold meetings electronically. This has been a struggle for the Borough codes and third-class city codes, because they are required to meet in person to make a quorum. They have not been able to meet. The Tree Canopy Survey selection committee has completed their review of submissions and they are recommending a consultant to the Board at the May meeting. This survey will tie into the Tree Preservation Ordinance that the Planning Commission will be reviewing. It should show the impact that past and future land development has had on the urban forest. There will not be another Planning Commission Committee meeting in April. The next meeting is scheduled for May 11, 2020.

VI. ADJOURNMENT

Mr. Thompson made a motion to adjourn the March 9, 2020 Planning Commission meeting at 8:15 p.m.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission