

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, NOVEMBER 14, 2022
6:00 PM**

ATTENDANCE

The Planning Commission held its first meeting of the month on Monday, November 14, 2022, as a hybrid meeting. In attendance:

Commission:

Jerry Binney – Chair
Dr. Ellen Taricani – Vice Chair
Rob Crassweller - Secretary
Shannon Holliday
Bill Keough
Ralph Wheland

Staff:

Jenna Wargo – Director of Planning
Jeff Ressler - Zoning Administrator
Kristina Bassett – Community Planner

Others in attendance: Rhonda R. Demchak, Recording Secretary; Chris Schubert, Esq. on behalf of his client, AT&T

I. CALL TO ORDER

Mr. Binney called the Ferguson Township Planning Commission's regular meeting to order on Monday, November 14, at 6:00 p.m. and it has been advertised in accordance with the PA Sunshine Act as a hybrid meeting.

Ms. Wargo took roll call, and the Planning Commission had a quorum.

II. CITIZEN INPUT

There were no comments.

III. APPROVAL OF MINUTES

Mr. Keough moved that the Planning Commission **approve** the October 24, 2022, Regular Meeting Minutes. Dr. Taricani seconded the motion. The motion passed unanimously

IV. NEW BUSINESS

1. ORDINANCE AMENDMENT REQUEST—CHAPTER 27, ZONING, SECTION 303, TRADITIONAL TOWN DEVELOPMENT AND SECTION 710, WIRELESS COMMUNICATIONS FACILITIES

Ms. Wargo reported on January 10, 2022, Chris Schubert, Esq. on behalf of his client, AT&T, submitted an application for a text amendment to Section 303—Traditional Town Development and Section 710—Wireless Communications Facilities. The Board of Supervisors referred the request to Planning Commission for further review.

Planning Commission received a presentation from the applicant at the February 14, 2022, meeting and worked with Staff on identifying all areas in the Township Code that would need to be amended as a result. That draft was reviewed by Planning Commission at the March 14, 2022, meeting and was recommended to the Board of Supervisors for consideration.

The Board of Supervisors chose to separate the text amendment request and focus on the amendments that were required for State compliance (Act 50) with the understanding that the text amendment request would be revisited after adoption. On November 1, 2022, the Board adopted the Small Wireless Facilities in the Right-of-Way amendments for compliance with Act 50.

Provided in the agenda is a draft amendment to §22-5B01—Design Standards, §27- 303—Traditional Town Development, §27-710—Wireless Communication Facilities, and District Quicks for the Rural Agricultural (RA), Agricultural Research (AR), Rural Residential (RR), General Commercial (C), Forest/Game Lands (FG), Industrial (I) and Light, Industry, Research and Development (IRD) zoning districts that was referred to the Board for their consideration in March. This draft amendment is based on research and peer review of other Pennsylvania Municipalities. Staff has also included the Staff Report that was completed for the initial review by Planning Commission. Staff is prepared to review the proposed amendments with Planning Commission.

Ms. Wargo noted that the Board of Supervisors had concerns with the buffer with regards to the monopoles and the zoning districts.

Ms. Wargo presented a PowerPoint presentation that covered the following:

1. What/Where are they
2. Examples
3. Engineering of Monopoles
4. Existing Vs. Proposed Ordinance
5. Conditional Use
6. Act 50
7. Questions

Ms. Wargo stated that the heaviest weight on the tower is at the top and the bottom 2/3 of the tower is engineered to withstand wind speeds and gusts of 85 mph.

Ms. Wargo reviewed what is existing and what is being proposed. Proposed are that monopoles are above ground; permit free standing telecommunication towers; added the TTD into the zoning districts, change in setbacks, buffers, and will be permitted by conditional use.

Ms. Wargo reviewed and discussed an example of a 200-foot pole outside the right of way for a Wireless Communication Facilities (WCF).

Chris Schubert, Esq. on behalf of his client, AT&T, expressed his concerns with having the setback more than 3,000 feet because the functionality won't be as good.

Mr. Keough stated that he would like to see an effort for technology to reach the western end of the Township sooner rather than later.

Mr. Binney inquired about testing in areas for certain needs. Mr. Schubert stated they perform test utilizing sophisticated software and also rely on customer feedback.

Mr. Schubert reviewed a slide of 700 MHz reliable coverage without proposed facility and pointed out where the proposed location of the facility will be.

Ms. Wargo reviewed another recommendation that came forward from the spring meeting and it was that the accessory structures must meet the zoning district requirements.

Ms. Holliday asked if it would impact the senior living facility that it is near. Mr. Schubert described that it would enhance the services.

Mr. Crassweller moved that the Planning Commission **recommend** approval to the Board of Supervisors of the draft ordinance amendment to the Board of Supervisors. Mr. Keough seconded the motion. The motion passed unanimously.

2. REVIEW OF THE 2022 STATE OF PLANNING REPORT

Ms. Bassett stated that The Pennsylvania Municipalities Planning Code (MPC) requires the Planning Commission to keep a full record of its business and annually make a written report to the governing body by March 1st of each year. This is an opportunity to provide the community and elected officials with a review of the activities and achievements from the previous year.

Ms. Bassett reviewed the report that was included in the agenda.

Mr. Binney suggested removing the titles of the Planning Commission members. Mr. Keough suggested adding dates of service to each member.

Mr. Keough noted that food trucks should be moved on page 55 of the agenda packet to chapter 16.

Mr. Crassweller pointed out that there are more bars than titles on the graph that is on page 56 of the agenda packet.

Mr. Keough suggested including projects that are in review status for 2023.

3. REVIEW AND APPROVAL OF THE 2023 PLANNING COMMISSION WORK PROGRAM

Ms. Bassett reviewed the draft 2023 Planning Commission Work Program for review that was included in the agenda packet.

Mr. Crassweller asked when the last traffic study presentation was. Mr. Binney stated that it would be a good idea to take a comprehensive look at Blue Course Drive and West College Avenue. Mr. Keough suggested having Ron Seybert attend a meeting to discuss the traffic pinch points. Mr. Crassweller suggested looking at the connectivity of the bike paths as well.

Mr. Keough stated that the alley issue needs to be addressed. Mr. Keough stated that growth in the Township needs to be addressed as well.

4. REVIEW AND APPROVAL OF THE 2023 PLANNING COMMISSION CALENDAR

Ms. Bassett stated that provided in the agenda is a draft 2023 Planning Commission Meeting Calendar for review.

Mr. Wheland stated that there are two meetings in November 2023 and it should only be one.

V. COMMUNICATIONS TO THE COMMISSION

Ms. Holliday reported that Pennsylvania Human Relations Commission (PHRC) will be holding a public session of the monthly Commission Meeting in State College on Monday, November 28th, 2022, at the State College Borough Hall. Ms. Holliday will email everyone the details.

Mr. Keough suggested to include Workforce Housing to the Planning Commission Workplan for 2023. Ms. Wargo reported that Workforce Housing Ordinance is only applicable to the Traditional Town Development which is the existing cottages, Pine Hall, and the Terrace Streetscape District.

Dr. Taricani has noticed that at the West College Student Housing development that the lane is extremely close to the sidewalk/building and stated it seems very dangerous.

VI. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo reported that the Board of Supervisors adopted the amendments to Chapter 27 Tower-Based Wireless Communications Facilities. The Board reviewed and approved the Salvation Baptist Church Preliminary Land Development Plan.

B. CRPC Meeting

Dr. Taricani reported they met last week and discussed the College Township biking situation. They discussed a 4-story building being construction on the corner of Burrowes and Foster. The removal of Hammond Building and the renovation of Sackett Building at PSU. Discussed the construction on North and South Atherton Streets.

C. Land Development Plans

Ms. Bassett compiled the following plans:

PLAN NAME	SUBMISSION DATE	REVIEW PERIOD	PLAN EXPIRATION
All Washed Up Auto Spa Preliminary Land Development Plan	September 12, 2022	Comments returned September 28, 2022	December 11, 2022
Farmstead View Preliminary Subdivision Plan	July 30, 2021	Conditionally Approved—June 21, 2022	February 25, 2023
Peace Center and Cemetery Preliminary Land Development Plan	May 18, 2021	Second Review comments returned October 12, 2022	December 15, 2022
IMBT Preliminary Subdivision Plan	January 31, 2022	Conditionally Approved—September 6, 2022	March 5, 2023
1004 West College Ave Vertical Mixed-Use Building	March 14, 2022	Second Review comments returned October 5, 2022	December 12, 2022
MP Machinery Preliminary Land Development Plan	April 6, 2022	Third Review Comments returned November 8, 2022	January 10, 2023
Minor Subdivision /Replot of TP 4-433-007-0000 and 24-433-008-0000 at 2151 and 2161 Sandy Drive	August 30, 2022	Conditionally Approved—October 3, 2022	January 1, 2023
Salvation Baptist Church Preliminary Land Development Plan	June 1, 2022	Conditionally Approved—November 1, 2022	January 30, 2023
125 East Pine Grove Road Preliminary Land Development Plan	October 12, 2022	First Review Comments returned October 27, 2022	January 9, 2023
165 Volos Lane Minor Land Development Plan	June 3, 2022	Conditionally Approved—September 20, 2022	December 19, 2022
LeCrone Minor Subdivision Plan	October 21, 2022	Comments Returned November 8, 2022	January 19, 2023

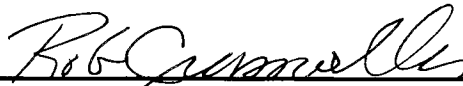
D. Staff Updates

Ms. Wargo reminded the Planning Commission that there is a Land Use Webinar on November 16th at noon. Ms. Bassett will email everyone the new zoom link.

VII. Adjournment

Dr. Taricani made a motion to **adjourn** the November 14, 2022, Planning Commission meeting at 7:48 p.m. Mr. Crassweller seconded the motion. The motion passed unanimously.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission