

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

ATTENDANCE

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

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Rob Crassweller - Secretary
Shannon Holliday
Bill Keough
Lisa Rittenhouse – Alternate
Lewis Steinberg - Alternate
Dr. Ellen Taricani
Ralph Wheland
Qian Zhang - Alternate

Staff:

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

Others in attendance: Rhonda Demchak, Recording Secretary; Chris Schubert, Esquire; Chris Rogan, Ferguson Township Resident; Christopher Lash, Project Manager, Jacobs; Jim Maund, Ferguson Township Resident; Mark Torretti, Penn Terra Engineering; Richard Weidhaas, Ferguson Township Resident; Chad Stafford, Penn Terra Engineering; Justin Mandel, Ferguson Township Residents; Debra Smart, Ferguson Township Business Owner

I. CALL TO ORDER

Mr. Thompson noted that the Planning Commission meeting had been advertised in accordance with the PA Sunshine Act as a virtual zoom meeting with space available in the Township main meeting room for any public members to participant. Persons attending and wanted to participate were asked to enter their name, municipality, and topic by utilizing the Q&A bubble at the bottom of the screen. The chat feature is no longer available on zoom.

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

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, March 14, 2022, at 6:00 p.m.

II. CITIZEN INPUT

There were none.

III. APPROVAL OF MINUTES

Mr. Keough asked to correct the minutes to reflect Ms. Zhang's comment regarding the waterlines to read within the ditch and not into the ditch. Also, Mr. Keough noted that it is not county auctions under Chapter 16, Parks and Recreation but rather it is to be country auctions.

Mr. Keough moved that the Planning Commission **approve** the February 28, 2022, Regular Meeting Minutes as amended. Dr. Taricani seconded the motion. The motion passed unanimously.

IV. OLD BUSINESS

A. Draft Ordinance Amendment - §27-710 Wireless Communications Facilities

Ms. Wargo reported that on January 10, 2022, Chris Schubert, Esq. on behalf of his client, AT&T, submitted an application to request a text amendment to the Traditional Town Development zoning district that was referred to Planning Commission for further review. Planning Commission reviewed a draft amendment as proposed by the applicant at the February 28, 2022, Planning Commission meeting and discussed implementation options for the Township, as well as identified other sections of the Township's ordinances that would need to be amended. Planning Commission directed staff to draft an amendment to §27-710 as discussed.

Provided in the agenda is a draft amendment to §27-710—Wireless Communication Facilities proposed by staff. The amendments included in the agenda are based on research and peer review of other PA Municipalities. Staff has identified additional sections that will need to be amended, §27-303—Traditional Town Development, §27-1102—Definitions, and District Quicks for the RA, AS, RR, C, FG, I and IRD zoning districts and compliance with Act 50 in order to move forward with amendments included in §27-710.

Mr. Keough expressed concerns with the reference to visual impacts and asked what standards were being used to determine if the visual impact is acceptable or unacceptable. Ms. Wargo noted that it is referencing the painting of the tower so that it blends in with the surroundings. Mr. Keough suggested modifying the language to clarify the meaning. Mr. Steinberg concurred with Mr. Keough and expressed his concerns with the word "satisfactory". Mr. Steinberg suggested deleting the first sentence (*Provide evidence satisfactory to the Board of Supervisors that the design of the tower-based WCF effectively minimizes its visual impact*) on page 11 of the agenda packet. Mr. Keough agreed with deleting the first sentence. Mr. Schubert noted that it would be handled in a conditional use process in which the applicant would present 2-3 different design options and the Board of Supervisors would pick the best design.

Mr. Thompson conveyed his concern with the placement of the tower in close proximity of the bike path and pedestrians.

On page 11 item #5 of the agenda packet, Mr. Steinberg asked whether the criteria are specific enough. Ms. Wargo stated that the criteria is specified further along in the amendment.

Dr. Taricani reported that she drove to the site to look around and asked how important it is being located near a populous location versus a non-populous location. Mr. Schubert stated that it is important for the tower to be in the proposed location because it needs to be near the population and road.

Mr. Schubert suggested under item #5 moving the last part of the sentence (*for example, if adjacent to trees or a structure which may provide a visual screen*) to the ending of *visual impact* to add clarity.

Dr. Taricani inquired about the hindering's in other communities with the placement of towers. Mr. Schubert stated that the roadblocks he encounters is ordinances that prohibits them in residential areas.

Mr. Keough noted that the western end of the Township has very little good service and need to look at the Township as a whole.

Ms. Wargo will include the comments into the updated draft and will bring back to the Planning Commission on March 28th.

V. NEW BUSINESS

A. MP Machinery—Parking Analysis/Study

Ms. Wargo reported that Penn Terra Engineering, Inc., on behalf of their client, MP Machinery, has submitted a Parking Analysis/Study for a potential land development plan. Tax parcel 24-433- 007-0000, located at 2161 Sandy Drive, MP Machinery is proposing an addition to its existing structure in an effort to provide additional storage and testing areas. The current proposal includes an additional 8,088 square feet to be added to the building.

Since this proposed use is not included within the Required Off-Street Parking Table, per Chapter 22-5C01.1.B.92, the parking will be determined through a parking analysis/study for Planning Commission to review and recommend the required parking for this project.

A result of the November 2019 Comprehensive Update, §22-5C01.1.B.92 was a new addition to the Subdivision and Land Development Ordinance, and this is the first time Planning Commission is reviewing a request like this.

Staff has reviewed the study and is recommending that 3 additional parking spaces, for a total of 27 on site, be required for the 8,088 square foot addition.

Mr. Crassweller asked what would happen if MP would sell or move. Ms. Wargo stated that a change in use would need to be submitted.

Mr. Binney asked what the MP arguments are and what the recommendations from the staff are for the 3 additional spaces. Ms. Wargo stated that there is no requirement and it's up to the Planning Commission to decide based off the analysis.

Mr. Chad Stafford, Penn Terra Engineering stated that the applicant wants the 3 additional parking spaces.

Mr. Keough inquired if the current entrance will be both an ingress and egress entrance. Mr. Stafford stated that it will remain both. Mr. Keough suggested adding signage for one-way traffic. Mr. Stafford stated that not only will signage be included but will also place indicators on the pavement.

Mr. Wheland moved that the Planning Commission **review** the parking study and recommend that 3 additional parking spaces, for a total of 27, be required with the proposed land development plan to the Board of Supervisors. Mr. Crassweller seconded the motion. The motion passed unanimously.

B. Orchard Square Final Land Development Plan

Ms. Bassett reported that the land development plan proposes the construction of a 19,856 square foot Commercial/retail shopping center with associated parking and utilities. As proposed, there will be 3 retail store fronts and 113 parking spaces,

including 5 ADA handicap spaces provided. The retail spaces are proposed to be 10,722 square feet, 6,483 square feet and 2,566 square feet.

Staff has reviewed the proposed Orchard Square Final Land Development Plan and is recommending conditional approval pending outstanding comments as included in the agenda packet.

Ms. Bassett stated that per the Planning Commission recommendations a connecting sidewalk was added along West College Avenue.

Mr. Keough thanked the developer and engineers for significantly improving the pedestrian access. Mr. Keough inquired about the status of the vehicle access coming from the Sheetz property. Mr. Torretti stated it has been built.

Mr. Crassweller asked if the second-floor apartments were taken out of the original plan. Ms. Wargo stated they were not included.

Mr. Binney asked for an update with the traffic study or additional traffic counts with regards to the Sheetz project and potential impacts with the land development plan. Mr. Torretti reported the original traffic study included Sheetz and Orchard Square, so there are no further updates.

Mr. Keough asked if the island at the rear of the building is a requirement and noted that snow plowing around them is difficult. Mr. Wheland stated they are a nightmare, but you can push the snow on top of the islands.

Dr. Taricani stated that she appreciated all the landscaping and the trees that were added. Mr. Wheland reminded Dr. Taricani that they removed a lot of trees to build.

Mr. Wheland moved that the Planning Commission **make** a recommendation to the Board of Supervisors to conditionally approve the Orchard Square Final Land Development Plan pending outstanding comments included in the agenda. Mr. Crassweller seconded the motion. The motion passed unanimously.

VI. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo noted that the Board met on March 1st. Mr. Thompson presented the 2021 State of Planning Report; authorized a variance for the Park Hills Drainageway; proclamation to recognize Women's History Month; and authorized to proceed with replacing ornamental streetlights for Pine Grove Mills.

B. CRPC Meeting

Dr. Taricani reported they met and discussed the replacement of boardwalks at the Millbrook Marsh; Whitehall Regional Park groundbreaking spring 2022; High Point Park skateboarding area; and a new medical building being built in Patton Township. For roadwork project updates, Dr. Taricani reported that the information can be found here. Mr. Thompson noted that there is an upcoming meeting on April 5th from 3:00 p.m. – 8:00 p.m. at the Calvary Church in Boalsburg regarding updates on the State College Connector.

C. Land Development Plans

Ms. Bassett noted that staff has been busy reviewing plans that were returned. Ms. Bassett reviewed the following:

- Centre Animal Hospital – comments back to reviewer
- Centre Volunteers in Medicine – comments back to reviewer
- Fusion Japanese Steakhouse – completing the review
- Farmstead View Subdivision – developer has plans
- Subdivision of an Imp Property on Blue Course Drive - developer has plans
- New Submission in the TSD for a 75-foot building between Butz and Osmond that will be part commercial and part apartments.

Mr. Keough stated that he likes when Ms. Bassett lists the plans in the agenda and suggested to keep incorporating the lists.

Public Comment

Mr. Jim Maund, Ferguson Township Resident noted that he sent an email to Mr. Thompson with a picture of the tree at the Farmstead View Subdivision. Mr. Thompson will forward Mr. Maund's email to the Planning Commission. Mr. Maund expressed his concern with cutting down a once in a lifetime tree and asked if there is a way to get the developer to understand the importance.

Mr. Keough asked if there was a land development plan submitted for the property. Ms. Wargo stated that a subdivision plan has been submitted and noted that the Tree Commission is recommending that the tree be saved. Ms. Wargo is working with the engineer for the project to get a modification waiver and the conditional use through the process prior to the subdivision plan. There is a way to save the tree, but it is not feasible for the applicant to do so.

Ms. Holliday asked if the tree could be registered as an historical landmark. Ms. Wargo stated that in order for the tree to be designated as a heritage tree, the owner would need to give permission, but the owner wants the tree to be cut down. Ms. Wargo stated that by ordinance they need to preserve the tree, but the owners want to cut it down. It will be decided by the Board of Supervisors if they waive the requirement of the Tree Preservation Ordinance or not.

Mr. Wheland commented that trees have a life span and suggested before a lot of effort is put into saving the tree, have the Township Arborist inspect the tree. Mr. Wheland is in favor of keeping the tree if it is healthy. Ms. Wargo reported the arborist inspected the tree and found it to be healthy.

Mr. Keough reminded Mr. Maund that the Planning Commission can only recommend to the Board of Supervisor who will have the final decision.

Ms. Debra Smart, Owner, Centre Animal Hospital inquired when their plan will appear on the agenda. Ms. Bassett reported that the comments went back to Mr. Todd Smith. Ms. Wargo will email Ms. Smart the dates of the process so far.

D. Staff Updates

Ms. Wargo reported that the new Administrative Assistant for Planning and Zoning will be starting on March 21.

Ms. Wargo stated that they finished interviewing consultants for the RFP.

VII. COMMUNICATIONS TO THE BOARD

As mentioned earlier, Mr. Thompson received a communication from Mr. Maund regarding the tree.


Mr. Keough asked when in person meetings will start. Mr. Thompson discussed with staff, but they need to meet with the leadership team. Mr. Thompson asked the Planning Commission their preference on meeting style. Ms. Holliday preferred the hybrid method. Ms. Zhang prefers the hybrid method but will accommodate as needed. Mr. Keough is more comfortable in person to communicate and noted that people in the western end of the township are not comfortable participating in meetings via zoom.

Ms. Holliday shared that she is a member of the Centre County Bridge of Hope and there is a fundraiser bringing awareness to homelessness on March 25th at 7:00 p.m. to March 26 at 7:00 a.m. More information can be found [here](#). Ms. Holliday will be attending a memorial service for Osaze Osagie on March 20th.

VIII. Adjournment

Mr. Wheland made a motion to **adjourn** the March 14, 2022, Planning Commission meeting at 7:56 p.m. The motion passed unanimously.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission