

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting
Monday, May 4, 2015
7:00 pm

I. ATTENDANCE

The Board of Supervisors held its first regular meeting of the month on Monday, May 4, 2015, at the Ferguson Township Municipal Building. In attendance were:

Board:	Andrew Clemson, Vice Chair	Staff:	Mark Kunkle, Township Manager
	Janet Whitaker		David Modricker, Public Works Director
	Steve Miller		Maria Tranguch, Planning & Zoning Director
	Elliott Killian		Diane Conrad, Chief of Police

Others in attendance included: Heather Bird, Recording Secretary; Jonathan Dietz, UAJA Representative; Trish Meek and Tom Zilla, Centre Regional Planning Agency; Kimberly Fragola, Centre Area Transportation Authority; John Sepp, PennTerra Engineering, Bob Poole, S & A homes; Alicia Cornali, Laura Dininni

II. CALL TO ORDER

Mr. Clemson called the Monday, May 4, 2015, regular meeting to order at 7:00 pm.

III. CITIZENS INPUT

IV. ABC REPORTS – Mr. Jonathan Dietz, University Area Joint Authority

Mr. Dietz state University Area Joint Authority (UAJA) continues to operate effectively. Mr. Dietz presented three key issues to the Board. An update was received from a consultant regarding the ongoing odor study being completed. Specific odor issues have been identified and remediation measures have been taken to improve these odors. UAJA has submitted a grant application to evaluate Slab Cabin Run to determine where beneficial reuse water can be discharged to improve the impaired classification of the stream. This is important to UAJA because of the beneficial reuse water being released into Slab Cabin Run. A resident submitted a request to UAJA to switch billing from to a flow based system as opposed to EDU which is currently used.

V. COMMUNICATIONS TO THE BOARD

VI. ACTION ITEMS

1. TRESSLER SUBDIVISION – PLAN LAST DATED APRIL 7, 2015 PLAN DEADLINE JULY 10, 2015

Ms. Tranguch stated the Tressler subdivision plan was previously disapproved by the Board and a new plan has been submitted. The new plan proposes to subdivide a 9.24 acre parcel. The plan requested a modification to Chapter 22, Section 512.1.B requiring the installation of sidewalks. The majority of the comments remaining are administrative.

Mr. Killian made a motion to APPROVE the Tressler Subdivision plan subject to the completion of the outstanding conditions for approval as set forth in the Planning and Zoning Director memorandum dated April 28, 2015 and further that a modification to Chapter 22, Section 512.1.B requiring sidewalks to be constructed be granted. Ms. Whitaker seconded the motion. The motion passed unanimously.

2. CONFER BMW LAND DEVELOPMENT PLAN – PLAN LAST DATED MARCH 25, 2015 PLAN DEADLINE JUNE 25, 2015

Ms. Tranguch stated the plan proposed to consolidate two lots and add an expansion onto an existing building. The expansion was proposed to be 6,570 square feet. Parking will also be added in the rear of the property. The applicant did receive a variance for the additional parking from the Zoning Hearing Board. Ms. Tranguch noted that Mr. Scott Brown and her discussed comment items #13-16, stormwater, and the proposed responses to the plan review comments were acceptable.

Mr. Killian made a motion to APPROVE the Confer BMW Land Development Plan subject to the completion of the outstanding conditions as set forth in the Planning and Zoning Director memorandum dated April 28, 2015. Mr. Miller seconded the motion. The motion passed unanimously.

3. DISCUSSION CATA 2015-2016 BUDGET

Mr. Kunkle stated the Board's comments are due to the Finance Committee by May 14th. Mr. Kunkle stated the Operating Budget amount proposed for Ferguson Township is \$95,204 and the Capital Contribution is \$22,410 for a total contribution of \$117,614 for the 2015/2016 fiscal year. This amount is an increase of \$6,862 from the 2014/2015 budget. Ms. Kim Fragola was present from CATA to answer any of the Board's questions.

Mr. Killian stated the increase in operating for Ferguson was only increased by 2% but he noticed the State College Borough, Benner Township, Spring Township and Bellefonte Borough had significantly larger increases. Ms. Fragola stated the calculations are primarily based on mileage and these municipalities added more mileage (more service) to their area.

Mr. Clemson questioned the reason for the significant increases proposed in the Capital budget for 2015/2016. Ms. Fragola stated it is due to the construction of the new CATA facility. CATA had created a five year plan for increases to cover these expenses. The proposed budget for 2015/2016 is the third year in the five year plan. The following two years will also include the same increase of \$25,000.

4. DISCUSSION OF DRAFT CENTRE REGION BICYCLE PLAN

Ms. Trish Meek, Centre Regional Planning Agency Transportation Planner, presented the Centre Region Bike Plan to the Board. In 2012 the Centre Region applied for designation as a bicycle friendly community from the League of American Bicyclists and was awarded as a bronze level community. The League provided feedback to the region and included a recommendation to have a comprehensive bike plan. This plan will create a regional approach including three key principles: route connectivity, view bicycles as a form of transportation and best practices. The existing bike facilities map will be created as an interactive map on the web in the future. The map includes shared use paths, bike lanes, bike paths and a state designated bike touring route. The comprehensive bike plan is anticipated to be complete by December 2015. In March 2016 the region will reapply to the League for a designation update. Currently nationally 60% of the population is classified as interested but concerned bicyclists, with the concern being safety. This group of cyclists feels safer travelling on individual bike lanes and shared use paths. When building a bike facility a standard "build it for Isabella" can be used. Isabella is a 12 year old girl. If you build a bike facility safe for Isabella then it would be safe for anyone. Ferguson Township currently has 14.45 miles of shared use paths, .99 miles of bike lanes, zero bike routes and 8.58 miles of statewide bicycle pa route 8.58. Ms. Meek encouraged individuals to complete the bike survey on the Centre Region Council of Governments website. They would like to have feedback from all types of cyclists from casual to serious.

Mr. Killian asked if the region will be able to achieve silver when the reapplication is submitted. Ms. Meek believes that getting the comprehensive bike plan in place will aide in achieving the silver ranking.

Ms. Whitaker asked if state game lands affect the development of bike paths. Ms. Meek stated the game lands were purchased and maintained by the fees from hunting licenses. In the past they have not been able to formalize bike paths in the game lands.

5. REVISED FOXPOINTE PRD PLAN – ACCESS TO OLD GATESBURG ROAD

Mr. Kunkle stated the revised plan shows Foxpointe Drive and the access point onto Old Gatesburg Road. This plan was submitted after the Board's worksession on April 27th.

Mr. Bob Poole, S & A Homes, presented the new proposed plan. He stated staff was concerned with the driveway access onto Foxpointe Drive which is currently a collector road. After review of this concern the solution presented is to create two additional proposed accesses. This would lower the traffic count from 3,800 to 2,440 lowering it to sub collector road status.

Mr. Clemson questioned on the intersections along Foxpointe Drive. Mr. John Sepp stated this intersection was found to be in compliance.

Mr. Miller stated he is in favor of the proposed changes for this plan and he asked if there was any chance of including affordable housing in this plan. Mr. Poole stated at this time he does not know if affordable housing can be incorporated into this plan.

Mr. Killian stated he would like to see the Township partially fund road a collector road and this road to not be residential. He believes Foxpointe Drive will be a high traffic road. He also commented about the plan including affordable housing and his concern for individuals buying multiple homes and then renting them out. He would want a condition on the homes to be owner occupied if affordable housing is incorporated.

Ms. Whitaker stated she prefers to see Foxpointe Drive be a sub collector road over collector road.

Ms. Laura Dininni, resident, questioned planned residential developments (PRD) being modified, the Township comprehensive plan and the effects of an old PRD on the transportation plan for the community. Mr. Clemson stated the Township does have a comprehensive plan in place. The PRD is being modified to comply with today's standards and needs in the community. Mr. Kunkle stated the transportation network has been in place on the Township's Official Map for many years. The connecting roadways have been in place to be constructed as development occurs.

The Board was in consensus to give staff time to meet and review this plan to verify this plan meets the established criteria.

6. VARIANCES

1. THEODORE C. MANNINO, 183 ANACONDA DRIVE

Mr. Kunkle stated the variance application submitted by Theodore C. Mannino for property located at 183 Anaconda Drive, Pennsylvania Furnace. The applicant received a zoning permit on September 27, 2009 to construct a free standing garage and second floor storage area above the garage. No power and no water service was part of the application. In March 2015 the Zoning Administrator was requested by the realtor listing the property for sale to provide

confirmation that the area above the garage was permitted as a second residence on the property. The realtor asked if the carriage house could be rented. This was the first knowledge the township had that the "storage space" had been converted into living quarters. No building, electrical, plumbing permits or inspections by Centre Region Code Administration occurred. There is no sewer permit for this residence. The applicant is requesting a variance to allow a second residence on a 1.41 acre lot located in the Rural Residential zoning district.

Mr. Killian made a motion to OPPOSE the variance request of Theodore C. Mannino for property located at 183 Anaconda Drive, Pennsylvania Furnace. Mr. Miller seconded the motion. The motion passed unanimously.

2. THOMAS AND CHRISTA WATSHKE, 1168 LONGFELLOW LANE

Mr. Kunkle stated the variance application submitted by Thomas and Christa Watshke for property located at 1168 Longfellow Lane, State College. This property is in Saybrook and is adjacent to the Rural Agricultural zoning district and has a 200 foot Ag buffer on the rear of the property. In 2011 the Township amended the Ag buffer yard requirements by reducing the buffer for future subdivisions from 200 feet to 50 feet. This amendment did not affect the 200 foot Ag buffer on the Saybrook subdivision. Contrary to the variance application did not receive a variance but the applicant did receive a permit to construct a 20' x 30' patio based on the proposed ordinance reducing the Ag buffer to 50 feet. The patio encroaches into the 200 foot Ag buffer setback. The applicant is now requesting a variance to construct a roof partially over the patio that will encroach into the buffer yard setback by 9'.

Mr. Killian made a motion to REMAIN NEUTRAL o the variance request of Thomas and Christa Watshke for property located at 1168 Longfellow Lane, State College. Ms. Whitaker seconded the motion. The motion passed unanimously.

VII. REPORTS

1. Manager

Mr. Kunkle provided the Board with a listing and map showing the planned road maintenance and improvements for the 2015 construction season by the PADOT in Centre County. West College Avenue from Bristol Avenue to Blue Course Drive is scheduled for a scratch and overlay a total distance of .726 miles.

At the last meeting the Board received a petition presented by Pam Steckler and Bill Hechinger. The petition was signed by 68 persons. The Township Home Rule Charter states that a petition signed by 50 or more electors requires the Board of Supervisors to hold a public hearing on the subject of the petition within three months. Staff reviewed the current voting list for the Township and residency and staff determined that 41 electors had been identified. The Board may still hold a public hearing on this matter. The topic of the public hearing would be revisiting the Terraced Streetscape Zoning District. Mr. Killian suggested a general information open house about this district. Mr. Miller would be opposed to a public hearing on this topic. Ms. Whitaker would like an informational open house on this topic. Mr. Miller stated the petition did not request an informational meeting, the petition requested a reworking or rejection of the terraced streetscape. Mr. Clemson agreed with Mr. Miller.

Mr. Kunkle reviewed a Memorandum of Agreement between Penn State and the Chamber of Business and Industry of Centre County in an effort to partner on economic development within the county and on a regional basis.

2. Public Works Director

Mr. Modricker stated HR Excavating is constructing improvements on the stormwater basin in Haymarket Park. A road closure is planned this week for Rosemont Drive for UAJA to relocate a sewer main. Last week approximately 90 street trees were planted. Currently maintenance includes brush and leaf collection, mowing and open house preparations. Today Mr. Modricker met with a consultant hired by COG to evaluate the brush collection by Centre Region municipalities.

3. Planning and Zoning Director

Ms. Tranguch stated the Planning Commission met on April 27th on the Tressler Subdivision and BMW Confer Land Development Plan. Currently there are nine land development plans under review. Ms. Lindsay Schoch has started as the new Community Planner.

4. COG Committee Reports

1. Transportation and Land Use

Mr. Miller stated the committee had a more detailed presentation of the bike plan.

5. Other Non-COG Regional Committee

VIII. MINUTES

Mr. Killian made a motion to APPROVE the April 20, 2015 Regular Meeting Minutes. Ms. Whitaker seconded the motion. The motion passed unanimously with Mr. Clemson abstaining.

Mr. Killian made a motion to APPROVE the April 27, 2015 Worksession Meeting Minutes. Ms. Whitaker seconded the motion. The motion passed unanimously.

IX. ADJOURNMENT

Mr. Killian made a motion to ADJOURN the meeting. Ms. Whitaker seconded the motion. The motion passed unanimously.

With no further business to come before the Board of Supervisors, Mr. Clemson adjourned the regular meeting at 9:00 pm.

Respectfully submitted,



Mark Kunkle, Township Manager
For the Board of Supervisors
Date approved by the Board: 05/18/2015