

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, DECEMBER 1, 2020
6:00 PM**

ATTENDANCE

The Planning Commission held its first regular meeting of the month on Tuesday, December 1, 2020, as a virtual meeting. In attendance:

Commission:

Jeremie Thompson – Chair
Rob Crassweller - Secretary
Jerry Binney
Shannon Holiday
Bill Keough
Lisa Rittenhouse
Dr. Ellen Taricani
Ralph Wheland

Staff:

Jenna Wargo, Planning & Zoning Director
Kristina Aneckstein, Community Planner
Dave Modricker, Director of Public Works
Lance King, Township Arborist

Others in attendance: Rhonda Demchak, Recording Secretary

Mr. Thompson noted that the Planning Commission meeting had been advertised in accordance to the PA Sunshine Act as a virtual meeting via Zoom. There was also an audio conference bridge that was accessible by dialing the Ferguson Township's main line at 814-238-4651 and then dialing extension 3799. Persons attending the meeting as members of the public 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. C-NET is recording as well.

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

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Tuesday, December 1, 2020 at 6:00 p.m.

II. APPROVAL OF REGULAR MEETING MINUTES OCTOBER 26, 2020

Mr. Thompson called for a motion to approve the minutes from October 26, 2020. Mr. Binney made a motion to approve the minutes. Dr. Taricani seconded the motion. The motion passed unanimously

III. CITIZEN INPUT

None

IV. REVIEW AND APPROVAL OF THE 2021 PLANNING COMMISSION CALENDAR

Ms. Wargo reviewed the calendar that was included in the packet.

Mr. Crassweller moved to approve the 2021 Planning Commission Calendar. Mr. Keough noted that February 22, 2021 is not President's Day. Ms. Aneckstein will update the calendar to reflect that the meeting will be held on February 22, 2021. Mr. Keough also noted that he would like the Planning Commission to have a meeting on November 22, 2021. After consideration, it was decided not to hold a meeting on November 22, 2021. Mr. Crassweller amended the motion to change the meeting from February 23, 2021 to February 22, 2021. Mr. Binney seconded the motion. The motion passed unanimously.

V. REVIEW AND APPROVAL OF THE 2021 PLANNING COMMISSION WORK PROGRAM

Ms. Wargo presented the Work Program that was included in the agenda packet. Routine activities were included from previous years. Staff is dedicating time to the Zoning/SALDO Ordinance Amendments because there were some errors that were left out during the comprehensive update and will continue to monitor. The Pine Grove Mills Small Area Plan is reviewing the Village Zoning District, but the Planning Commission will be involved at a later date. Ms. Wargo noted that the Workforce Housing Ordinance will be on the Board of Supervisors agenda for December 14, 2020. The Planning Commission will assist with implementation activities as identified in the Pine Grove Mills Small Area Plan. Staff will be reviewing Post-COVID-19 Planning and Zoning Observations along with the Planning Commission. It will be reviewed to analyze the impact the Township's ordinances have on different types of businesses and business models. Ms. Wargo noted that if the Recreation, Park, and Open Space plan would come to fruition in 2021, the Planning Commission will be involved with the plan. Under Additional Duties, Ms. Wargo indicated that at a recent Board meeting a Supervisor brought up the Recreation Economy in Ferguson Township with regards to COVID-19. Lastly, the Planning Commission will provide input and technical assistance where necessary to the Ferguson Township Climate Action Ad Hoc Advisory Board.

Mr. Binney inquired if the West College Avenue Streetscape will be included in the work program. Ms. Wargo indicated that representatives from Penn State attended the November 2, 2020 Board meeting and presented a PowerPoint on the West Campus development. After discussions during the Board meeting, the Supervisors decided to pull the contract for the zoning re-writes. Mr. Keough expressed concerns with the alley along the back of the current TSD and noted that the alley is a critical component that has not been addressed. Ms. Wargo noted that historically the Board does not want to be involved with alley's because there is not a clear understanding of ownership. Ms. Wargo noted that if the Planning Commission would like the alley's to be included in the Work Program a motion would be needed because the Board approves the Work Program.

Mr. Keough made a motion to review and study the alley functions within Ferguson Township. Mr. Wheland seconded the motion. The motion passed 7-1 with Mr. Crassweller opposing.

Mr. Crassweller noted he understands the need to address the alley's, but if the Board historically doesn't do anything, why waste the time. Ms. Rittenhouse stated that someone needs to determine who will maintain the alleyways and agrees that it needs addressed. Mr. Modricker stated that he can provide a lot of information and to let him know when they would like to meet to discuss at length. Ms. Holiday asked if there are a lot of alley's or just in a certain area of the Township. Mr. Modricker noted that there are numerous alley's in the older part of the Township and the alleys are treated like private roads. Some of the alleys are maintained nicely by a Homeowners Association and others are neglected. Ms. Aneckstein stated that in the Pine Grove Mills area that the Pine Grove Mills Small Area Plan are investigating alleys and noted that the deeds are inconsistent.

Mr. Keough suggested adding to the Work Program as a low priority item, the Elder Cottage Housing Opportunities (ECHO). Centre County has approved the ECHO process which are temporary cottages for senior citizens that are placed in the backyard of a relative and connects to the relative's utilities. When the cottage is no longer needed, it is removed from the property and taken to another location.

Mr. Keough made a motion to add the Elder Cottage Housing Opportunity program and how the program would fit within Ferguson Township to the 2021 Work Program. Ms. Holiday seconded the motion. The motion passed unanimously.

Mr. Keough made a motion to approve the amended 2021 Work Program. Dr. Taricani seconded the motion. The motion passed unanimously.

VI. TREE PRESERVATION ORDINANCE

Ms. Wargo introduced the ordinance that was provided in the agenda. The Public Works and Planning & Zoning Department have drafted an amendment to Chapter 22, Subdivision and Land Development to establish a new part, Tree Preservation. The intent of this chapter is to encourage the protection of trees through sound land use and tree management practices. This chapter will preserve, protect and maintain existing trees in Ferguson Township, as well as, increase the overall tree canopy and understory with native species and improve tree and ecosystem health on both public and private lands. The Board authorized staff and the Ferguson Township Tree Commission in September 2018 to draft a Tree Preservation Ordinance. Since that time, the Tree Commission has met to review this ordinance several times. Mr. Lance King, Ferguson Township Arborist, reported that since his employment in 2015 he has had multiple people inquire on how to stop cutting down all the trees within the Township. Ms. Wargo presented a PowerPoint in which the goals are to Preserve, Protect & Maintain, Increase Tree Canopy, and Respect Existing Trees. The ordinance would apply to applications submitted to the Township for Grading Permits, Subdivision Plans, and Land Development Plans.

Discussion

Mr. Keough expressed issues with subdivision plans going through the reporting process and suggested taking out the Subdivision Plan from the ordinance because all it will do is move lot lines. Mr. Keough suggested adding language to the ordinance that represents single landowners. The current draft ordinance currently states that there is no difference between a single landowner purchasing a lot and a developer who could purchase multiple acres. Ms. Wargo noted that she will address Mr. Keough's concerns within the ordinance. Mr. Binney asked if existing condo developments would be exempt. Ms. Wargo will add an exemption for condo's in the ordinance. Mr. Keough expressed concerns with all of the definitions of trees. Mr. King noted that they were trying to be consistent throughout the ordinance, because that is what is listed in the Zoning Ordinance. Mr. Keough suggested under Hedgerow, to remove the second sentence due to it being an opinion. Mr. Keough noted that Heritage Tree and Significant Tree have the same definition.

Ms. Wargo continued with the presentation. The ordinance would not apply to the following:

1. Agricultural Business
2. Existing Single-Family residences
3. Removal of Trees (Horticultural Properties)
4. Utility Construction & Maintenance
5. Timbering and Forestry Practices

Ms. Wargo reviewed the process. Once the application is submitted to the Township the applicant is required to provide an existing Tree Survey Plan. All applicants must preserve 20% existing tree canopy. Additional trees may be planted to increase tree canopy. The Township would issue a parking credit not to exceed 20%.

Mr. Wheland expressed concerns with the grammar in the ordinance and reviewed the issues. Ms. Wargo will address the issues. Mr. Keough inquired about Agricultural Business exemptions and suggested exempting RR and RA. Mr. Keough expressed concerns with mixing urban canopy and urban tree environment with rural canopy and rural tree environment because of the differences. Mr. Binney suggested to add more context to the Applicability and Exemption sections to better understand the ordinance better.

VII. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo noted that at the October 16, 2020, meeting the Board had four public hearing on the agenda. The Board approved the Zoning and Map Amendments. The Board tabled the Workforce Housing Ordinance and the Resolution for Schedule C to include the Workforce Housing fee-in-lieu amount until the December 14, 2020 meeting. The Board approved the ordinance regarding family child-care in homes. There was also a Tree Canopy Survey presentation given to the Board. Mr. Keough requested the maps to be sent to the Planning Commission from the survey.

B. CRPC Report

Dr. Taricani reported that at the November meeting, Ms. Wargo and Ms. Aneckstein gave a presentation on the Planning Process and thanked them. They also talked about the new part of the Arboretum gardens. The next meeting will be held in January.

C. Land Development Plans

Ms. Aneckstein noted that they are on their second review of the West College Student Housing project.

D. Staff Updates

Ms. Wargo reported that typically during this time of year it slows down, and staff is working on scanning the land development plans. Mr. Binney thanked the staff for all their hard work this past year especially during the pandemic. Mr. Keough noted that at the special budget meeting last month, the Board is proposing to pull the Township's participation in Agricultural Preservation from the 2021 budget. Ms. Wargo stated that she will verify the information and update Mr. Keough.

VIII. ADJOURNMENT

Mr. Binney made a motion to adjourn the December 1, 2020 Planning Commission meeting at 8:00 p.m. Mr. Wheland seconded the motion. The motion passed unanimously.

Respectfully Submitted,



Rob Crassweller, Secretary
For the Planning Commission