

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, APRIL 24, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, April 24, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Marc McMaster, Chairman
Rob Crassweller, Vice Chair
Ralph Wheland
Lisa Strickland, Absent
Bill Keough
Eric Scott
Andrea Harman
Alternate, Cristin Mitchell

Staff:

Ray Stolas, Director of Planning & Zoning
Lindsay Schoch, Community Planner
Jeff Ressler, Zoning Administrator

Others in attendance were: Jeremie Thompson, Wes Glebe, Steve Miller, and Todd Giddings

II. CALL TO ORDER

Mr. McMaster called the April 24, 2017 Planning Commission meeting to order at 6:00 p.m.

III. CITIZEN INPUT

Mr. Steve Miller stated that at the last Board of Supervisor's Meeting, there were comments made about the rate of which the Planning Commission is forwarding items to the Board of Supervisors. Mr. Miller stated that as Chair, he completely disagrees with the comments made and believes that the majority of the Board would agree with him. Mr. Miller said that the Board of Supervisors appreciates the diligence and thoroughness that the Planning Commission has put into its workload. He stated that there have been several other ordinances that have a comparable amount of time to the draft Sourcewater Ordinance. Mr. Miller stated that any requests to the Planning Commission from the Board of Supervisors will be conveyed by Mr. Stolas.

IV. DRAFT SIGNS AND BILLBOARDS ORDINANCE

Mr. Stolas stated that as a result of the Planning Commission's discussion on March 27 and April 10, staff updated the proposed Draft Sign & Billboards Ordinance for the Planning Commission's review.

Mr. Scott expressed concern that because murals are exempt in the proposed draft ordinance, business owners might use that right to paint vulgar images. Ms. Schoch stated that while the draft ordinance is content neutral, there is a public health, safety, and welfare clause that can protect the Township from vulgarity.

In response to a question from Mr. Wheland, Ms. Schoch stated that in the proposed ordinance there is a section that details the Township's right to remove any signs that are abandoned or in a bad state of repair.

In response to a question from Mr. Scott, Ms. Schoch stated that freedom of expression signs are allowed on private property and are not required to have a permit.

A motion was made by Mr. Wheland and seconded by Ms. Harman to recommend approval of the proposed draft Chapter 19 – Signs and Billboards to the Board of Supervisors. The motion carried 5-1.

V. SOURCEWATER PROTECTION – A PRESENTATION BY TODD GIDDINGS

Todd Giddings, hydrogeologist, gave a presentation on the science behind the Ferguson Township Sourcewater Protection Overlay District. In summary, he discussed five ways to protect Sourcewater: protection plans, physical devices, land ownership, land easements, and zoning ordinances. Mr. Giddings also discussed the factors that the overlay district addresses: hydrogeological imprecision, seasonal variation in precipitation, climate change, population growth, and the varieties of land uses. Groundwater is more than 99% of the total public water supply in the watershed. The two water reservoirs are only used when there is an adequate water supply in them. Many water authorities in the area have created sourcewater protection plans, which are advisory in nature. Existing sources of regulation include land use zoning, storm water, on-lot septic systems, nutrient management plans, farm conservation plans, geothermal borehole and water well standards, and underground storage tank regulations.

After Mr. Giddings' presentation, he answered questions from the Planning Commission and members of the audience. In response to a question from Mr. Glebe, Mr. Giddings explained that Penn State University has a program called Living Filter Spray Irrigation that treats sewage water in an extensive treatment plant and then sprays the water on the ground in certain places for liquid fertilizer. Mr. Giddings stated that "sludge" has to abide by a whole separate set of regulations that include chemical analysis; where, how, and what type of land it can be present on; how far from streams and sinkholes it can be; and what application rate is allowed.

In response to a question from Mr. Scott, Mr. Giddings stated that the reason the Sourcewater Protection Group decided not to change the effect of the overlay is because the width and length of the Zone 2 areas changes with whether the pumps in that wellfield are on high, medium, or off. The Zone 2 areas can change based on the precipitation volume for the year, and hydrogeological imprecision is not 100% accurate.

In response to a question from Mr. Keough, Mr. Giddings stated that in 25 years, it may be very possible that agriculture will need to rely on irrigation to maintain healthy crops. Mr. Giddings explained that irrigating crops is necessary maintain soil moisture that is absent in droughty soils. In the future, it may be necessary to use more than the proposed ordinance's limit of 100,000 gallons of water per day. In this case, it may be beneficial to develop a permit for this use that would require the applicant to prove that using over 100,000 gallons of water per day would not impact surrounding wellfields and

other water resources. Mr. Giddings explained that while it would be consistent to increase the number of allowable gallons of water per day to the Department of Environmental Protection's threshold, the Sourcewater Protection Work Group felt that putting the limit at 100,000 gallons per day would allow the proposed ordinance to be more effective. The work group felt that if the time came, the ordinance could be amended to allow for more or less gallons per day. Mr. Giddings stated that as a work group, they did not do a water budget or look at the aquifer properties in Ferguson Township. Mr. Giddings went on to explain that the 100,000 gallons per day limit was an educated guess fueled by his knowledge and experience of the area.

Mr. Keough stated that it is easier to change the proposed ordinance now, rather than amend it in the future.

In response to a question from Mr. McMaster, Mr. Giddings explained that the impact that a new land use might have is not directly addressed in the current process of a new land development plan. Mr. Giddings stated that there is no mechanism at the state level within the land development process to step in regarding regulations.

In response to a question from Mr. Keough, Mr. Giddings stated that the radii around the wells are calculated from an Environmental Protection Agency (EPA) furnished formula, as well as being a requirement out of the Federal Safe Drinking Water Act.

There was a lengthy discussion about the Zone 1 radii and the impacts it may have on adjacent land owners. The discussion centered around the issue that land owners whose property is within the Zone 1 radius are restricted from developing anything within that radius. These property owners may not be aware, or might not have had a choice when the well was placed. After the discussion Mr. Giddings suggested that the work group remove Zone 1 altogether. In conclusion, the Planning Commission would like to have a discussion with the State College Borough Water Authority regarding the radii around wells in the proposed Sourcewater Protection Ordinance.

In response to a question from Mr. Scott regarding the differences in geology in Zone 1 versus Zone 2 and 3, Mr. Giddings stated that if there was a chemical spill in Zone 1, it would already be too late to protect the water because of the limestone that is present in Zone 1. Ms. Schoch stated that Sarah Walters of the Sourcewater Protection Work Group, contacted the Centre County 911 Center and they were in favor of having a digital map of the zones for future reference.

Wes Glebe suggested having an informational session on the hazards of dumping liquids into sinkholes. It would be beneficial for residents to know about the dangers and consequences of hazardous material making its way into sinkholes. Mr. Glebe also suggested writing educational references into the proposed ordinance so that residents aren't "afraid" of it.

Planning & Zoning staff will review and consider the comments to take back to the work group.

VI. PLANNING DIRECTOR'S REPORT

Mr. Stolas reviewed the Planning Director's Report.

On April 12, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner met with representatives from Capstone Collegiate Communities, LLC and Kitchen and Associates regarding the redevelopment of the 900 block of W. College Ave. Redevelopment would encompass a multi-story mixed use building with on-site parking.

On April 13, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner conducted a conference call with Carolyn Yeagle and met with A.J. Schwartz of EPD regarding updates to the Subdivision and Land Development process table. Staff provided a separate list of mark-up items in both zoning and subdivision for further discussion. Staff and EPD also discussed potential accessory uses within the RA District along with the current subdivision restrictions and building allowance.

On April 13th and 20th, the Planning & Zoning Director and Community Planner conducted two (2) public outreach meetings on the draft Official Map to gather further input prior to public hearing. The first was conducted on April 13th, 7:00 p.m. at the Ferguson Township Building and the second will be conducted on April 20th, 7:00 p.m. at the Baileyville Community Building. The CRPC will review the draft Official Map at their May 4, 2017 meeting. Planning & Zoning staff have also received comments from Patton Township.

On April 17, 2017, the Planning & Zoning Director and Zoning Administrator met with Nathan Bish of Aquarius Supply regarding building upon a vacant lot located at 2321 W. Whitehall Rd.

On April 18th and 20th, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner met on revisions to the Draft Sign and Billboard Ordinance. Also on April 18, 2017, the Planning & Zoning Director, Zoning Administrator, Community Planner and Asst. Township Manager met with Joe Green, Esq. regarding legal correspondence related to the Pine Hall Revised Master Plan.

On April 19, 2017, the Planning & Zoning Director met with the CCHLT Project Development Committee to discuss future affordable housing initiatives. Also on April 19, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner met with Todd Giddings to discuss the proposed Sourcewater Protection Overlay Map and Zone development for the Planning Commission presentation. On April 19, 2017, the Planning & Zoning Director attended the Spring Neighborhood Association Open Forum in the Main Meeting Room.

On April 20, 2017, the Planning & Zoning Director and Asst. Township Manager met with Jim May, CRPA Director to discuss the process of regional plan reviews.

On April 21, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner met with Justin Mandel of Aspen Hill Partners, LLC and John Sepp, PennTerra Engineering regarding the proposed rezoning application for Harner Farm.

VII. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans in the Township including: West Cherry Lane Multi-Use Building Lot Consolidation Plan & Land Development Plan, J.L. Cidery at J.L. Farms Land Development Plan, Guenot Subdivision, CSC Northland-Buffalo Wild Wings, The Cottages at State College, and Whitehall Road Regional Park

Ms. Schoch expressed her thanks to the Commission for all of its comments and discussions on the Sign & Billboard ordinance.

VIII. CENTRE REGION PLANNING COMMISSION REPORT

There was no report, as Ms. Strickland was absent.

IX. SOURCEWATER PROTECTION WORK GROUP UPDATE

Since Mr. Giddings gave a presentation on the science behind the proposed Sourcewater Protection Ordinance, there was no update.

X. ZONING/SALDO STEERING COMMITTEE UPDATE

There was no update.

XI. APPROVAL OF THE REGULAR MEETING MINUTES – APRIL 10, 2017

A motion was made by Mr. Keough and seconded by Mr. Crassweller to approve the April 10, 2017 Planning Commission meeting minutes as published. The motion carried 6-0.

XII. ADJOURNMENT

There being no further business for the Planning Commission, Mr. Keough made a motion to adjourn the meeting at 8:48 p.m. The motion carried 6-0.

RESPECTFULLY SUBMITTED,



LISA STRICKLAND, SECRETARY
FOR THE PLANNING COMMISSION