

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, AUGUST 28, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, August 28, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

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

Staff:

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

Others in attendance were: Marcella Bell, Recording Secretary; Ruth Cooper, C-Net Discussion; Lynda and Greg Mussi, Petcare in the IRD; and Mariam Taleb, new resident.

II. CALL TO ORDER

Mr. McMaster called the August 28, 2017 Planning Commission meeting to order at 6:00 p.m.

III. CITIZEN INPUT

Ms. Cooper complained that the Planning Commission agendas come too late on the Friday before the meeting. She explained that when she gets it at 4:00 or 4:30 in the afternoon on Friday, she does not have a chance to ask staff any questions before closing time. She went on to say that she can't get in touch with staff on Monday morning due to their staff meeting; however, she mentioned that staff does return her call immediately when she leaves messages. Other Planning Commission members indicated that they receive the agenda around the same time.

IV. SCIENCE PARK PLAZA LAND DEVELOPMENT PLAN

Mr. Stolinis stated that Gulfstream Equity Partners intends to develop an 18,529 square foot office building on tax parcel 24-433-027B-0000 of 2.71 acres. The parcel is currently zoned as Industrial, Research, and Development (IRD). The proposed site will also contain approximately 191 parking spaces along with five handicap accessible spaces. An existing access currently services 441 Science Park Road, CEI Networks, Inc., and the proposed office building. An additional future southern access along with a traffic signal may be developed across from Sandy Drive, if warranted, and the existing access will be abandoned and blocked. A stormwater plan has also been submitted for Detention Basins 1 and 2 along the northwestern side property line. A previous Final Land Development Plan for Science Park Plaza, dated August 23, 2004, had been recorded February 5, 2007.

The Planning Commission provided the following comments:

- How will parking change if the southern entrance is used and the northern entrance is closed?
- Note 14 indicates, "If and when a traffic signal is warranted, the northern entrance will be abandoned and the southern entrance with a traffic signal will be installed." When will the Planning Commission know if this signal and entrance is warranted?
- What is the circulation of traffic on the site? The Planning Commission had concerns that there would not be enough room for all uses of the building, plus any deliveries to easily flow through the site.
- The Planning Commission would like to see both accesses to the property remain open—possibly one being an entrance only, and the other being an exit only.
- It was suggested that the southern entrance be moved closer to the property line to widen the lane of traffic through the site.

Staff indicated that the Township Engineer will make the determination of whether or not a traffic signal and/or additional entrance is warranted in his comment letter, which is due back to Ms. Schoch by September 1. Staff will compile all of the comments and send them to PennTerra to make changes to the plan. Once PennTerra resubmits the plan, the Planning Commission will review it and see the changes, including any proposed signal.

V. PETCARE SERVICES WITHIN THE IRD – PROPOSED TEXT AMENDMENT

Mr. Stolas stated that on April 14, 2017, Planning & Zoning staff received an ordinance amendment application from Robert and Judy Burgess of 3020 Research Drive to add Pet Daycare Facilities as a permitted use in the Light Industrial/Research and Development (IRD) Zoning District. The Planning Commission reviewed the proposed request at the June 12 meeting and requested staff to work with its consultant, EPD, to draft new language as part of the zoning update. Staff did develop and review the proposed language with the Planning Commission on August 14 and incorporated review comments into the new draft considering a consolidated use known as "Pet Care Services". Staff also received comments from Ansusan Brewer of Stonebridge on August 14 as provided within the Planning Commission packet.

The Commission members provided the following comments:

- If the number of dogs is governed primarily by the square footage of the facility, the ordinance should mirror the state dog law of 25-50 dogs.
- Under number 12 on page 3, use the words "sound buffering" instead of just "buffering" because a chain link fence would not help reduce the decibel of noise from barking dogs.
- Instead of using the words "pet care services", consider using the words "pet care service facility" to refer to the definition that includes "a building or structure."

- Consider making pet care service facilities a conditional use in the RR, RA, IRD, and Commercial districts.
- Consider adding language in the ordinance to require a an employee for every 12-15 dogs.
- Under number 4, page 3, clarify who would incur the costs of the acoustical engineering review.
- Under number 6, page 3, reduce the maximum number of dogs in the outdoor exercise area from 10 to 5. Also, consider using the language “outdoor areas” instead of “outdoor exercise areas and runs.”
- Some of the commission members felt that the text amendment to the ordinance is being designed to fit this specific property instead of the IRD in general.

Mr. Keough asked why the state dog law refers to kennels but the proposed ordinance does not mention it—instead it uses the words “pet care services.” Mr. Stolinis explained that in the ordinance, kennel and pet care service are defined differently. Staff combined the definitions of pet daycare and pet care services because of the similarities. Mr. Mussi explained that pet day care or pet care services is a new term that was developed by the industry.

There was discussion about adding veterinary services to the ordinance down the road. It was of the opinion of the Planning Commission that the use was outside of the scope of a pet care service facility and would require many changes to the ordinance beyond what is being proposed currently.

Ms. Cooper asked several questions regarding the state dog law and the proposed ordinance on vaccinations, dog licenses, and a vet coming every six months for check-ups. Mr. Mussi stated that under the state dog law, the Department of Agriculture sends a dog warden to inspect the property and dogs every six months.

A motion was made by Mr. Crassweller and seconded by Mr. Scott to recommend the proposed ordinance text amendment with the aforementioned changes to the Board of Supervisors for consideration. The motion carried unanimously.

VI. DRAFT OFFICIAL MAP REVISIONS

Mr. Stolinis stated that on July 17, 2017, the Board of Supervisors agreed to allow Foxpointe Drive Extension remain on the Draft Official Map and authorize a date for Public Hearing to adopt the Official Map and Ordinance. After further discussion, the Board of Supervisors made a motion to extend the proposed shared use path from the end of Foxpointe Drive Extension across Whitehall Road and connect it to Pine Grove Mills. Staff met with Trish Meek on July 25 and developed a proposed alignment to connect the shared use path. This change constitutes a review of the Ferguson Township Planning Commission this evening and the Centre Regional Planning Commission on September 7, 2017. A proposed Public Hearing date is scheduled for October 2, 2017 for the Board of Supervisors to consider adopting the Draft Official Map and Ordinance.

Ms. Schoch stated that the proposed future bicycle facility will be extended from Whitehall Road to East Pine Grove Road. The actual Foxpointe Drive extension is not being extended. In response to a question from Mr. Keough, Ms. Schoch stated that the proposed bicycle facility is not in an agricultural preservation area.

A motion was made by Ms. Harman and seconded by Mr. Scott to recommend the Board of Supervisors adopt the Official Map and Ordinance at the Public Hearing on October 2, 2017. The motion carried unanimously.

VII. C-NET COVERAGE OF FERGUSON TOWNSHIP PLANNING COMMISSION MEETINGS

Mr. Stolas stated that at the August 7, 2017 Board of Supervisors meeting, members discussed C-NET coverage of future Planning Commission meeting due to a request from a Ferguson Township resident. Prior Boards have discussed C-NET coverage of Planning Commission meetings and have historically left the decision up to the Planning Commission. At this time, the Board of Supervisors provided consensus on requesting feedback from the Planning Commission on whether they support or oppose coverage from C-NET at their meetings. The Planning Commission initiated discussion on C-NET coverage at the August 14 meeting, however, members tabled full discussion until all members were present to provide comments.

Ms. Harman stated that she personally does not want to be on C-NET; however, she recognizes the value of public record.

Mr. McMaster stated that if the Planning Commission was on C-NET, the cost would be \$650 per meeting, or \$16,000 per year on top of what the Township already pays for the Board of Supervisor meetings.

Mr. Scott stated that the Township could utilize that money to create a Facebook or Instagram page. He feels that more people would utilize Facebook and other social media outlets more than the C-NET webpage. Mr. Wheland stated that a lot of the western part of the Township does not have cable, so the residents would be paying for a service they could not use. Mr. McMaster clarified that if the people in the western end of the Township have internet, they can access C-NET online. Mr. Crassweller reminded the members that even if the Planning Commission does not want to be on C-NET the Board of Supervisors can still decide to budget for it.

Ms. Strickland stated that she is not in favor of the Planning Commission meetings being on C-NET because she feels the discussion would be stifled. She explained that citizens may not realize they would be televised at this level of government, which may intimidate them and keep them from speaking. She stated that she was not aware of the \$16,000 cost. Mr. McMaster stated that the intimidation factor was discussed at the last meeting as well. Ms. Strickland explained that she's on C-NET at the Centre Regional Planning Commission (CRPC) meetings and even feels stifled there. She feels that being televised is a much different atmosphere.

Mr. Wheland stated that he is not in favor of the Planning Commission being on C-NET. Mr. Scott stated that discussions like this one are why the Planning Commission is not on C-NET.

Mr. Keough explained that he prefers not to be on C-NET; however, he realizes there is a segment of the population that would like the Planning Commission meetings to be on TV. He stated that if the Board of Supervisors chooses to have the Planning Commission televised, it should consider establishing a committee that includes staff, C-NET staff, and Planning Commission members to determine the staging for meetings.

Ms. Cooper stated that she is disappointed that the Planning Commission does not want to be televised because it would be an opportunity for the public to provide input. She stated that it would be invaluable for the Board of Supervisors to be able to hear the discussion of the Planning Commission members. She stated that the minutes are nice but incomplete. Not being televised is not in the best interest of Ferguson Township. Mr. McMaster explained that even if the majority of the Planning Commission does not want to be televised, the Board of Supervisors can choose to do so anyways.

Mr. McMaster stated that it seems that it takes a few days for C-NET to post the videos on their website. He went on to say information now moves in hours, not days.

Mr. Scott stated that the new generation is social media driven. Minutes should be posted on the Facebook page. It was of his opinion that more people would know and understand what is going on in the Township from Facebook.

In response to a question from Mr. McMaster, Mr. Stolinas stated that Cindy Hahn of C-NET did not provide him with the statistics of how many people view our Board of Supervisors meetings online, as well as other similar municipal commissions and boards.

Ms. Harman stated that for the amount of money the Board is considering for C-NET, she would like to have more feedback from other people, particularly residents. Mr. McMaster stated that with \$16,000, the Board of Supervisors could make the Communications Coordinator position full-time. Ms. Mitchell stated that originally, she was in favor of being televised on C-NET; however, since there has been more information, she believes the Township could look into innovative ways to use the \$16,000 for the Communications Coordinator position and Facebook. She supports the idea of discussing the staging of the Planning Commission, and she agreed that being televised could be scary and intimidating for some people.

A motion was made by Ms. Harman and seconded by Mr. Wheland to recommend that the Board of Supervisors instead use the Communications Coordinator position and social media strategies to engage with the public, with the supplementation of audio recordings being made available to the public. The motion carried unanimously.

VIII. PLANNING DIRECTOR'S REPORT

On August 16, 2017, the Planning & Zoning Director and Zoning Administrator met with Chris Summers to discuss properties related to the proposed private skateboard facility at tax parcel 24-002A-124-0000 within the Terraced Streetscape District (TSD). Mr. Keough stated that when the Planning Commission was creating the TSD, the intent was not to allow uses like skateboard parks within the district. He stated that the use does

not match the intent of the zoning district. Mr. Scott stated that there are many health benefits and benefits in general of having a skate park or an active sports park.

On August 17, 2017, the Planning & Zoning Director, Zoning Administrator, and Community Planner met with Eric Casanave, P.E. of Stiffler McGraw and Associates to discuss the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement for Developments of Regional Impact considering tax parcel 24-004-078C-0000 owned by the Islamic Society of Central PA.

On August 22, 2017, the Planning & Zoning Director and Zoning Administrator attended the Zoning Hearing Board meeting for the variance requests submitted for the following:
1 - TowerCo LLC for property at 500 Science Park Road under Chapter 27-209 (D)(3) to reduce the required setback from the nearest adjacent property line from 500' to 1 foot for every foot of tower height. The Zoning Hearing Board granted the requested variance.
2 - The Russian Church of Christ, 3465 W. College Avenue requesting variances to the Zoning Ordinance permitting to keep a community garden, unpaved roadway through a floodplain, and a sand volley ball court and associated lights located in a flood plain, that were all constructed without zoning approval. The requested variances were Chapter 27-301, Chapter 27-801, and Chapter 27-213. The Zoning Hearing Board granted the requested variance for community garden, however, the floodplain related requests have been tabled for further engineering analysis.
3 - Eugene H. Corl regarding his property at 3717 W. College Avenue proposing to build a 40 x 80 implement shed and requested variances to Chapter 27-301 (Table 301) Setbacks, Chapter 27-801.1 Floodplain Conservation and Chapter 27-801.1.1 Flood plain use buffer. The Zoning Hearing Board granted the requested variances for the placement of the implement shed.

On August 23, 2017, the Planning & Zoning Director attended the Centre County Housing and Land Trust Strategic Planning Meeting at the College Township Building. As part of the session, the Board of Directors discussed the resignation of Executive Director, Rachel Fawcett, as Ms. Fawcett will become the new Budgets and Publications Coordinator for the Pennsylvania Housing Research Center at Penn State University.

On August 24, 2017, the Planning & Zoning Director, Zoning Administrator, Community Planner, and Township Manager met with John Sepp, PennTerra Engineering to discuss one possible land alternative for the Cottages project located along the frontage of the Penn State Blue Course. Earlier in the day, staff had the opportunity to walk the site and examine access, utility locations, floodplain, storm water, and elevation considerations.

Approximately 15 minutes prior to the September 11, 2017 Planning Commission meeting, Sgt. Morrison of the Ferguson Township Police Department will provide defensive ballistic shield training for all members.

Due to the upcoming APA/PA Annual Conference that will be held here in State College October 22 through the 24, the Planning & Zoning Director is requesting the cancellation of the October 23rd Planning Commission meeting.

Planning and Zoning staff will be meeting with Joe Green, Township Solicitor, on September 6 to discuss Zone 1 in the Sourcewater Protection Ordinance and his opinion of whether or not the limitations of land uses in Zone 1 are considered takings.

IX. ACTIVE PLANS UPDATE

Ms. Schoch reviewed the active plans in the Township, which included Science Park Plaza Land Development Plan, West Cherry Lane Multi-Use Building, J.L. Cidery at J.L. Farms Land Development Plan, CSC Northland Buffalo Wild Wings, The Cottages at State College, and Whitehall Road Regional Park.

Ms. Schoch also reviewed the rezoning requests and text amendment requests, which included Harner Farm Rezoning Request, Traditional Town Development Text Amendment, Water Production Facilities Text Amendment, and Official Map.

Ms. Schoch stated that staff is inviting Planning Commission members to attend the Pennsylvania Annual American Planning Association (APA/PA) Conference here in State College from October 22-24, 2017. Ms. Schoch and Mr. Stolinis are volunteering at the conference so the conference fee has been waived for them. She asked the Commission members to review the conference agenda and let her know by the next Planning Commission meeting (September 11, 2017) whether or not they would like to attend all three days or just one or two days.

X. CENTRE REGION PLANNING COMMISSION (CRPC) REPORT

Ms. Strickland stated that at its last meeting, the CRPC received a presentation from the developers of the Pine Hall Development. A lengthy discussion followed and comments were forwarded to Ferguson Township Staff. The main discussion point centered around whether or not the Township is getting enough back on the changes they're agreeing to make. The Commission also discussed having future discussion regarding sharing future land uses among municipalities. Finally, the Commission also discussed the Beneficial Reuse Program and expanding the Regional Growth Boundary (RGB). There were mixed opinions of expanding the RGB.

XI. SOURCEWATER PROTECTION WORK GROUP UPDATE

There was no update.

XII. ZONING/SALDO STEERING COMMITTEE UPDATE

Mr. Stolinis stated that he will be coordinating dates for a committee meeting with Carolyn Yeagle of EPD.

XIII. APPROVAL OF THE REGULAR MEETING MINUTES – AUGUST 14, 2017

Mr. Keough stated that he would like to see language in the meeting minutes regarding the discussion between members about concern for paperwork management for the Facilities Profile Sheet within the Sourcewater Protection Ordinance. He explained that he believes it was an important discussion and should be dictated in the minutes.

A motion was made by Mr. Wheland and seconded by Mr. Crassweller to approve the corrected August 14, 2017 Planning Commission meeting minutes. The motion carried unanimously

XIV. ADJOURNMENT

There being no further business for the Planning Commission, Mr. Keough made a motion to adjourn the meeting at 8:32 p.m. The motion carried unanimously.

RESPECTFULLY SUBMITTED,

A handwritten signature in cursive script, appearing to read "Lisa Strickland", is written over a horizontal line.

LISA STRICKLAND, SECRETARY
FOR THE PLANNING COMMISSION