

**FERGUSON TOWNSHIP PLANNING COMMISSION
MEETING MINUTES
MONDAY, FEBRUARY 27, 2017
6:00 PM**

I. ATTENDANCE

The Planning Commission held its regular meeting of the month on Monday, February 27, 2017 at the Ferguson Township Municipal Building. In attendance were:

Commission:

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

Staff:

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

Others in attendance were: Marcella Bell, Recording Secretary; Mike Leakey, J.L. Farm Cidery; Diane Boden, J.L. Farm Cidery; John LeClair, J.L. Farm Cidery; Pierre LeClaire, J.L. Farm Cidery; and Jeremie Thompson

II. CALL TO ORDER

Mr. McMaster called the February 27, 2017 meeting to order at 6:00 p.m.

III. CITIZEN INPUT

There was no citizens' input.

IV. J.L. CIDERY @ J.L. FARM LAND DEVELOPMENT

Mr. Stolas stated that John W. LeClair owns T.P. #24-004-,092B-, 0000- at 3392 Shingletown Road containing approximately 31 acres with an existing home, multiple greenhouses, an apple orchard, vineyard, and a proposed cidery. The cidery will also include a new parking area with a handicap parking space to support a proposed tasting room. Total impervious coverage equals approximately 50,042 ft.² as the development plan indicates that there will not be an increase to impervious coverage. The site is entirely within the Rural Agricultural (RA) zoning district.

Mr. Stolas went on to say that the proposed tasting room will be approximately 2,000 ft². The parking area will include seven spaces and one handicap space. The access to this lot is off of Shingletown Road. Mr. Stolas referred to the projector, which showed the lot and the proposed tasting room. He pointed out the existing building that will be repurposed into a tasting room.

In response to a question from Mr. Crassweller regarding the width of the access road, Mr. LeClair stated that it is 19 feet across the gravel section with berms on both sides and allows for the road to be 20 feet across.

Mr. LeClair added that there is a section on the property that can be used for parking space for an additional 20 cars. This area was going to be used for the ReFarm Café plan before it was withdrawn.

Staff indicated that this is the initial review of the land development plans and the request for further review will be sent to the Township engineer, CRPA, Centre County Planning Office, Township arborist, Township solicitor, etc. Planning Commission members did not offer any additional comments with this initial review.

V. DRAFT SIGN AND BILLBOARDS ORDINANCE

Mr. Stolinis stated that Planning & Zoning staff have worked the past several months on proposed ordinance language amending the existing Chapter 19 - Signs. This is a result of the Supreme Court decision in the Reed vs. Town of Gilbert, AZ case related to content neutral sign regulations. Municipal sign regulations should adhere to time, place and manner. Planning & Zoning staff presented a summary of information at the Board of Supervisors meeting along with the draft ordinance for the Board's consideration on February 21, 2017. The Board of Supervisors referred the draft ordinance to the Planning Commission for their review and recommendation. Mr. Stolinis turned the floor over to Mrs. Schoch.

Ms. Schoch gave a presentation summarizing information about the proposed ordinance. The existing ordinance has been in effect since 1969 and was last amended in 2014. Planning & Zoning staff reviewed and revised Chapter 19 to reflect the Montgomery Planning Commission Model Sign Ordinance prepared in 2015-2016. The biggest change to the ordinance was the addition of terms and definitions. Electronic message centers, illuminated, and animated signs were also added due to the popularity. Staff kept the general provisions for type, area, height, and locations.

Mrs. Schoch explained that the proposed ordinance continues to regulate signs based on use, and not zoning district. Most signs are now prohibited in the Township right-of-way, which is a big change from the previous language. Gas canopy signs have been incorporated into the proposed language, and staff added agriculture preservation and century farm signs as exempt.

Mrs. Schoch stated that during the time staff worked to update the ordinance language, a request was received to amend the language to allow two ground signs in certain situations (Hoss's and Mattress World on North Atherton Street) in the Commercial District. Instead of going through another amendment process, staff incorporated the change into the current amendment.

Mrs. Schoch stated that reoccurring issues that staff face are that business owners want more signs, people want to put signs in the right-of-way, and digital message boards are highly requested.

Mrs. Schoch stated that the Planning Commission and staff will go over the proposed sign ordinance in detail at the March 27, 2017 meeting so commission members will have a month to look through the ordinance and provide comments. If the Planning

Commission is satisfied with the ordinance at that time, it could recommend approval to the Board of Supervisors. The Board of Supervisors would then advertise a Public Hearing, repeal the existing ordinance, and enact the new sign ordinance.

In response to a question from Mr. Wheland, Mrs. Schoch stated that the intent and purpose language stayed the same, but the definitions were updated.

Mr. Scott requested that staff add the definition of nit to the proposed ordinance. He also asked if the Township has a way to measure a nit or illuminance. Mr. Stolinis stated that the Township has a light meter.

There was concern from several of the commission members that the proposed ordinance is not business-friendly. Mr. Scott stated that it becomes a safety hazard when a citizen is driving really slow on a four-lane road looking for a business's sign but can't see it because it's too small. Mr. Scott pointed out that the language that states "preserve the character of the Township while regulating physical characteristics of signs in order to create content-neutral signage controls", is subjective. Mr. Ressler stated that the Planning Commission and Board of Supervisors determine the level of subjectiveness in the proposed ordinance.

Mr. Keough asked staff to consider regulating signs based on zoning districts. He had concern about who determines what is clutter and unsightly. Mr. Keough feels that the wording is a court case waiting to happen. Mr. Keough stated that the ordinance needs to address directional signs in the Township. The current ordinance does not allow Tourist Oriented Directional (TOD) signs and puts a burden on agriculture businesses that have limited access from major roads. He went on to state that there should be special exceptions for businesses such as the Happy Valley Winery behind the Foxpointe development.

The commission will revisit the sign ordinance in detail at the March 27, 2017 meeting.

VI. THE OFFICIAL MAP

Mr. Stolinis stated that Ferguson Township adopted its last Official Map under Ordinance #903 on May 19, 2008. Staff completed the draft 2017 Official Map Update and presented the map to the Board of Township Supervisors on February 21, 2017. At the meeting, the Board of Supervisors referred the draft Official Map to the Ferguson Township Planning Commission, adjacent municipalities, the Centre Region Planning Commission, Centre County Planning Community Development Office for the 45-day review and comment period prior to public hearing and adoption. The February 27, 2017 Planning Commission meeting starts the official 45-day review and comment period.

Mr. Stolinis stated that staff attended a meeting with Planning Commission member Andrea Harman and Ferguson Township Communications Coordinator Diana Griffith about outreach for the Official Map. Mr. Stolinis stated that staff is planning to set up at least two public meetings to allow citizens to view and comment on the draft Official Map.

Ms. Harman stated that these meetings will be a good opportunity to engage with the public. She went on to say that she wants more public involvement in local government and the official map could be an easier way to accomplish that. One of the public meetings will be at the Ferguson Township building and the other might be at the Ferguson Township Elementary School in Pine Grove Mills. Ms. Strickland and Ms. Mitchell offered their assistance to coordinate public outreach.

Mrs. Schoch stated that staff plans to create a "map room" on the Township website. There will be maps of Penn State land, agriculture security areas, wetlands, etc. Mrs. Schoch stated that doing this will make the Official Map easier to read. Mrs. Schoch announced that she and the Township GIS Technician, Kristina Aneckstein will be going out into the field with a GPS to map exact locations of wells to better show them on the Official Map.

After additional discussion, the Planning Commission members provided the following comments:

- Consistency with park names
- Confirm the fire station location with Township Administration
- The Breezewood connection to Pamela Circle is not correct
- Consider adding Home Owners Association parks
- Confirm the lot line between Rock Springs.
- Confirm the location of the bike path through the Landings
- Confirm the location of the proposed bike path coming out of Foxpointe into the farm land
- Confirm the accuracy of the proposed bike path on the backside of Clinton Avenue near the Penn State Arboretum
- Consider showing forest land and state game land
- Confirm whether or not the D'armit Wells are certified by DEP
- Consider showing the Park Centre Boulevard connection to Westerly Parkway
- Rock Springs Well is not shown on the map
- Confirm the location of the Prairie Rose Lane bike path
- What is the blue line on West Park Hills Avenue
- Confirm accuracy of wetlands
- Coordinate with CATA for review and comment of the Official Map.

VII. PLANNING DIRECTOR'S REPORT

Mr. Stolin reviewed the director's report.

On January 23, 2017, the Planning & Zoning Director, Community Planner, and Zoning Administrator met with Chad Stafford of PennTerra Engineering to discuss a potential land development at 3510 W. College Ave. (J.D. Byrider).

On January 23, 2017, the Planning & Zoning Director and Zoning Administrator met with Tom Songer regarding a change of use permit for 1981 Cato Ave.

On January 24 & February 23, 2017, the Planning & Zoning Director met with CRPA staff in preparation of the "Introduction to Planning in the Centre Region" Course to be held on March 18, 2016 at Millbrook Marsh.

On January 25, 2017, the Planning & Zoning Director and Township Manager participated in a webinar titled: "Green Parking Lot Zoning & Design". Also on January 25, 2017, the Planning & Zoning Director and Zoning Administrator met with representatives from the SCBWA and their consultant, Gwin, Dobson & Foreman to discuss variance and appeal requests for the proposed filtration facility at 3062 Ernest Lane (Nixon/Kocher).

On January 26, 2017, the Planning & Zoning Director and Township Manager met with Scott Smith and Mike Croyle regarding 225 Science Park Road to discuss a potential subdivision between an adjacent 10.87-acre property. Also on January 26th, February 9th, and 23rd, Planning & Zoning staff met with the Sourcewater Protection Workgroup to discuss comments and revisions to the draft ordinance and map.

On January 27, 2017, the Planning & Zoning Director met with the CCHLT Executive Director to discuss CCHLT Goals, expectations of Board members and committee obligations.

On January 30, 2017, the Planning & Zoning Director and Zoning Administrator met with representatives from S&A Homes to discuss the placement of an unpermitted 2nd driveway at 1362 Sconsett Way.

On January 31, 2017, the Planning & Zoning Director met with the Township Police Chief, Public Works Director and Township Manager to discuss E. Park Hills Traffic Calming Presentation Follow-Up.

On February 1, 2017, the Planning & Zoning Director, Community Planner, and Zoning Administrator met with Rich Wilber of Pine Grove Mills to discuss community initiatives and the consideration for a Small Area Plan. On February 1, 2017, the Planning & Zoning Director, Community Planner, and Zoning Administrator met with Attorney Scott Eppers regarding J.L. Farm Cider Land Development application. Also on February 1,

2017, the Planning & Zoning Director and Zoning Administrator met with Edgar Bruce of Westway Gardens regarding existing floodplain.

On February 2, 2017, the Planning & Zoning staff met with representatives of the farm community and our consultant, A.J. Schwartz from EPD, to discuss the Sourcewater Protection Ordinance Draft and the revisions to the Zoning/SALDO Ordinances. Also on February 2, 2017, the Planning & Zoning staff participated in the Pine Hall Town Center Revised Master Plan Design Workshop. A follow-up Joint Work Session with the developer and Board of Supervisors will be scheduled as part of the regularly scheduled Planning Commission meeting on March 13, 2017.

On February 8, 2017, the Planning & Zoning Director attended the monthly CCHLT Board of Directors meeting at the College Township Building.

On February 10, 2017, the Planning & Zoning staff met with Dr. Thomas Argondizza to discuss the proposed Hillside Farms PRD. Also on February 10, 2017, the Planning & Zoning staff participated in a conference call with Carolyn Yeagle of Environmental Planning & Design to follow up from the farm community meeting and future of the RA and RR districts.

On February 13, 2017, the Planning & Zoning Director met with other Township Department Heads and Joellen Earl from GovHR regarding the search for a new Township Manager.

On February 15, 2017, Planning & Zoning Director and Community Planner met with Andrea Harman and Diana Griffith and discussed potential outreach for the Draft Official Map adoption process. Also on February 15, 2017, the Planning & Zoning Director and Community Planner attended the Penn State Extension Webinar titled "The SALDO Process in PA".

On February 22, 2017, the Planning & Zoning Director and Community Planner met with the Township Manager to review the Summary of the Pine Hall Town Center Revised Master Plan Design Workshop and provided feedback to Land Design.

The Next Zoning/SALDO Steering Committee meeting with EPD staff is tentatively scheduled for March 16, 2017 at 10:00 a.m. This may be changed to March 13th to accommodate EPD staff to attend the Joint Work Session for Pine Hall.

VIII. ACTIVE PLANS UPDATE

Mrs. Schoch reviewed the active plans in the Township: J.L. Cidery at J.L. Farms Land Development Plan, Jerrold G. Condo Replot/Subdivision, Guenot Subdivision, CSC Northland/Proposed Commercial Development-Buffalo Wild Wings, Bowman Subdivision, The Cottages at State College, and White Hall Road Regional Park.

Mrs. Schoch stated that she attended a Traffic Scoping meeting for the Whitehall Road Regional Park earlier in the day. Stahl Sheaffer will be studying the intersections of Blue Course Drive and Waupelani Drive, Blue Course Drive and Whitehall Road, and

Bristol Avenue and Blue Course Drive. The firm is also proposing four soccer fields as a part of Phase I.

There was a lengthy discussion about asking the firm to include the intersection of West College Avenue and Whitehall Road as a part of the traffic study. Many of the commission members felt that there would not be much traffic coming through that intersection to get to the Whitehall Road Regional Park, instead the members felt that the traffic would be most significant coming from the Blue Course Drive and Waupelani Drive intersection. Ms. Schoch stated that she would mention it at the next Traffic Scoping meeting.

IX. CENTRE REGIONAL PLANNING COMMISSION REPORT

Ms. Strickland stated that CRPC has several new members. The Commission heard a presentation from Clearwater Conservancy on the Slab Cabin Run Initiative. It also heard about a new development going into Toftrees, similar to the Retreat, on the other side of Waddle Road. The CRPC will hear a presentation from Ed Poprik of the State College Area School District regarding school renovations and Memorial Field at its March 2, 2017 meeting.

X. SOURCEWATER PROTECTION WORK GROUP UPDATE

There were three meetings of the Sourcewater Protection Work Group: January 26, February 9, and February 23. Staff is almost finished responding to all of the comments received. Mr. Stolinis stated that his goal is to incorporate the comments into the next draft and provide it to the Planning Commission at its March 27, 2017 meeting.

Staff met with representatives of the farm community on February 2. There were about 15 farm community representatives.

Mr. Keough stated that the biggest issue within the farming community is that the well radiuses cross lot lines. He expressed concern that it could become a legal issue because the water authority owns or leases a portion of the land around the well but not the whole radius. He would like the work group to consider getting legal opinion on this matter.

Mr. Scott stated that the work group should look at the science behind why the radiuses were specifically chosen.

Mr. Stolinis stated that at the last work group meeting, Todd Giddings explained that back when the radiuses were first established, there were agreements made between the water authority and the property owners and compensation should have been given at that time. Mr. Stolinis stated that staff is trying to obtain one of those agreements to clarify whether or not the property owners were compensated.

XI. ZONING/SALDO UPDATE STEERING COMMITTEE

Staff met with representatives of the farm community and the Township consultant, A.J. Schwartz from Environmental Planning and Design (EPD) on February 2. There were about 15 farm community representatives.

Mr. Stolas stated that there was discussion about consolidating the Rural Agricultural zoning district and the Rural Residential zoning district during the meeting, but after staff discussed this further with EPD, it was decided not to go this route.

Mr. Wheland stated that most of the represented farmers were in favor of reducing the 50-acre lot restriction to 25-acres to allow for "niche farming operations".

XII. APPROVAL OF MINUTES JANUARY 23, 2017

Mr. Wheland made motion seconded by Ms. Strickland to approve the January 23, 2017 meeting minutes. The vote carried unanimously.

XIII. ADJOURNMENT

There being no further business, Mr. Crassweller made a motion to adjourn the meeting at 8:00 pm. The vote carried unanimously.

RESPECTFULLY SUBMITTED,

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

LISA STRICKLAND, SECRETARY
For the Planning Commission