

FERGUSON TOWNSHIP PLANNING COMMISSION

Regular Meeting

Monday, March 24, 2014

7:00 pm

I. ATTENDANCE

The Planning Commission held its first regular meeting of the month on Monday, March 24, 2014 at the Council of Governments General Forum Meeting Room. In attendance were:

Commission: Rob Crassweller, Chairman
Marc McMaster, Vice Chair
Kurt Homan
Scott Harkcom
Ralph Wheland
Richard Killian
Lisa Strickland

Staff: Mark Kunkle, Township Manager
Jeffrey Ressler, Zoning Officer

Others in attendance included: Heather Bird, Recording Secretary; Mark Johnson; Jeanne Fudrow, John and Carol McKeever, John Sepp, Toll Brothers Campus Living PRD; Ken and Delores Sills, Joe and Delorse Homan, Susan Shields, Athletic Field Lighting

II. CALL TO ORDER

Mr. Crassweller called the Monday, March 24, 2014 Ferguson Township Planning Commission meeting to order at 7:00 pm.

III. DISCUSSION OF FERGUSON TOWNSHIP ZONING DISTRICT ANALYSIS – MARK BOECKEL, CRPA

Mr. Kunkle stated that this analysis was completed by the Centre Regional Planning Agency (CRPA) staff, as a result of the recent regional comprehensive plan and the sewer facilities implementation agreement. These processes helped the region recognize uses in the rural zoning districts that would lead to the extension of public services.

Mark Boeckel, Senior Planner CRPA, went over the Centre Region Zoning District Analysis. In 2011 the COG Public Services and Environmental Committee (PSE) discussed advanced wastewater treatment systems outside of the Regional Growth Boundary (RGB). Currently waste water outside of the RGB is treated by soil remediation. An option for treatment outside the RGB is a Membrane Bio Reactor and with this type of system it would be possible to treat wastewater to a high purity standard and inject it into the ground. This type of system could allow for higher density development outside the RGB than was previously thought possible. This would allow for development on soils that may not be suitable under current regulations. PSE requested that CRPA staff conduct three exercises which included: (1) determine the amount of development potential available on vacant land within the RGB. This was completed in 2012 and a Regional Development Capacity Report (REDCAP) was completed. The result of this report was that there is a significant amount of development potential on lands within the RGB, enough to meet the future needs for the next 20-30 years. (2) Hold a workshop with elected officials to discuss results of the REDCAP, which was completed in 2012 (3) review zoning districts for consistency with comprehensive plan particularly outside the RGB.

The review was conducted by the municipal planning staffs. After all of the municipalities completed their reviews, CRPA finalized the Zoning District Analysis Report. The report identifies uses that are inconsistent and uses that are inconsistent but could be made consistent through changes to ordinances. Also through the process a build out analysis to determine the residential build out capacity for vacant land or land that could be further developed outside the RGB. This is a build out of total potential based on land and not any restraints. The results showed that with vacant land or land that could be further developed there could be an additional 25,000 dwelling units spread across the five municipalities. This is roughly 70% of what currently exists. Ferguson has a very strong agricultural area which would not allow for a lot of future development outside the RGB.

The results of the zoning analysis are listed by municipality. There are some common results among all municipalities. The common results included increasing minimum lot size for residential uses, considering scale

limitations for non-residential uses and finally NIMBY (not in my back yard) uses such as prisons and sanitary land fill that must be allowed for by Pennsylvania laws.

When the analysis was completed it was based strictly on the current Ferguson Township zoning. The analysis included eight uses of which two were listed as inconsistent. The first use was forest research and forestry uses. A better definition would be the recommendation. The second use was large personal care homes. This was recommended for removal from rural areas. The third use was mining and quarrying, this would be an example of NIMBY, may want to increase the buffer and location within the ordinance. The fourth use was public and private parks / outdoor recreation areas. The recommendation is to further define the definition. The fifth use was single family detached dwellings, was looked at based on zoning. Ferguson Township has a good base for this and as a regional discussion other municipalities may be able to use Ferguson to better define within their ordinances. The sixth use was for a mobile home park. Ferguson Township already has a mobile home park but this park would most likely not meet today's density requirements. The seventh use was forestry uses within the mobile home districts and this was recommended for removal.

How do we implement the comprehensive plan for Zoning? The municipalities will decide what changes to make and what modifications will be made to the municipalities' ordinances.

Mr. Crassweller asked regarding forestry uses such as timbering. Mr. Boeckel stated that the recommendation for this would be define what would be permitted uses within the area.

Mr. Kunkle stated that Ferguson needs to decide based on regional responses where to head next.

Mr. McMaster asked if CRPA will be gathering the consensus of the municipalities for changes recommended. Mr. McMaster would like to wait for these recommendations.

Mr. Wheland made a motion to RECOMMEND to the Board of Supervisors to RECOMMEND to the Planning Commission to examine the Township's RR and RA zones. Mr. McMaster seconded.

The motion passed unanimously.

IV. TOLL BROTHERS CAMPUS LIVING PLANNED RESIDENTIAL DEVELOPMENT (PRD)

Mr. Kunkle reviewed the project schedule which included an original submission of the plan on February 27, 2014. The first Public Hearing will be on April 21, 2014 with the Board of Supervisors. The Planning Commission will forward a recommendation to the Board of Supervisors after their April 28, 2014 meeting and the Board will conclude the Public Hearing process by June 27, 2014 and finalize the Finding and Fact and Terms and Conditions if approved by August 26, 2014. Today notices went out to 138 adjacent property owners regarding the public hearing.

Mr. John Sepp presented information from the preliminary plan including the existing conditions plan. The entrance to the development will be off Whitehall Road at the newly signaled intersection of Blue Course Drive. The project is in two zoned R4 parcels. The southwest corner of the project will be the site of the future regional park. Toll Brothers will be developing Blue Course Drive down to the future site of the regional park, providing water, sewer and electric service to the Toll Brothers Development and the future regional park. A five acre parcel will be the site of a stormwater detention basin. The site of the stormwater detention basin will remain RA and will not be part of the PRD. The Master Plan shows the future Blue Course Drive Extension, which will be a public road, ending in a cul-de-sac large enough to accommodate CATA buses. The first phase on the western side of the tract will include a 208 unit four story apartment building and also two sections of townhomes, and 38 townhomes per section for a total of 76 townhomes. The second phase will be the eastern side of the tract including another 208 unit four story apartment building. The design of the egress and ingress has been discussed with CATA. Vehicles will enter and exit primarily at the signalized intersection of Whitehall Road and Blue Course Drive Extension. The final traffic signal arm will be constructed at the intersection as part of the project. The secondary access to the east side of the property will be a controlled exit/entrance. This will be used solely by CATA buses and emergency vehicles. The site

does have a drainage way going through the site which was not determined to be an intermittent stream by DEP but the plan includes a 50 foot buffer along the drainage way. There will be no construction within the floodplain of the property except a pedestrian crossing. Emergency vehicles will be able to easily move around the full exterior of the buildings. Each of the apartment buildings will have trash compactors and the townhomes will have dumpsters. The boulevard designed road will allow CATA to move throughout the property. The plan includes a proposed bike path along the eastern side of Blue Course along with sidewalk on the western side of Blue Course. Completed traffic and parking studies have been completed and are currently under review by the Township's traffic consultant and PennDot. A parking study has been submitted. Parking requirements for a student community are different than a typical community and include a .7 - .8 parking stalls per bed. This plan includes proposed .8 parking stalls per bed. The plan has been submitted as a PRD because this type of plan provides flexibility for the Township to work with the developer on provided different kinds of designs. The PRD provides for 50% impervious coverage, more restrictive than R4. The other aspect of the PRD is that it allows apartments and townhomes to have more than 3 unrelated. The project includes 50% impervious coverage. The apartment buildings will include fitness centers, game rooms, WiFi cafes, study rooms, automatic vending machines, yoga / Pilates rooms with exercise on demand programs and libraries. Outdoor will include swimming pools, volleyball courts, outdoor kitchen grills and gas fire pits as well as walking trails. The plan meets the open space requirements of the PRD which is 20%. Toll Brothers will hire a 3rd party property manager including an onsite manager and close circuit surveillance throughout the full complex.

Ms. Strickland questioned the increased traffic. John stated that with the traffic study the number of trips will be estimated and this will determine the impacts of the new facility.

Mr. McMaster questioned the total parcel size of 43 acres.

Mr. Wheland questioned if an agreement has been made with CATA yet on the agreement for their services. He would like to see CATA make an agreement to sufficiently cover the cost of the approximate three mile trip to campus.

Mr. Harkcom asked if Blue Course Drive Extension will be a Township Maintained road. Mr. Kunkle verified that this road will be maintained to the cul-de-sac by the Township.

Mr. Killian questioned if the ascetics of the building will be changed. He would like to see then building less flat.

Mr. Homan questioned if this is housing only for students. Mr. Sepp stated that this is not only allowing students but it will be primarily filled with students.

Mr. Kunkle pointed out two green space areas that could in the future be used as parking if needed.

Mr. Homan questioned the secondary access. Mr. Sepp stated that the traffic study will help to determine if that will be an entrance or an exit. A second access also allows for better traffic movement for CATA and provides secondary access for emergency vehicles.

Mr. Crassweller questioned whether the detention basin is only for the development. Mr. Sepp stated that this basin will be fully for the development. He also verified that bus pull offs are included on the Boulevard to allow CATA to pick up riders.

Mr. Crassweller would still like to see other examples of Toll House Brothers projects.

Mr. Kunkle stated that this plan will be back to the Planning Commission on April 14th will a full listing of the review comments from all of the agencies.

V. DISCUSSION OF ATHLETIC FIELD LIGHTING – 3406 WEST COLLEGE AVENUE

Mr. Mark Torretti, PennTerra Engineering, representing SJM Enterprises and St. Joseph's Catholic Academy. This property is located on W College Avenue. In 2004 a plan was submitted for a private recreational athletic field and was approved and built in 2005. At this time the applicants would like to investigate the feasibility of adding lights to the field. This would be to allow St. Joseph's Catholic Academy football program to hold their fall Friday night games at this location. The field would be used with lights approximately 5-6 times this year for these games. The games average approximately 120 people per game. The existing layout of the parcel would be changed in order to accommodate additional parking stalls. The site would include a total of approximately 100 parking stalls. Some small portable bleachers would be brought in but mainly the fans bring lawn chairs. During the first season they would request traffic control from the Ferguson Township Police Department.

Mr. Homan questioned the restroom facilities for the site, overflow parking and the overflow of the lighting. Mr. Torretti stated that at this time porta potties would be brought in, if the attendance was anticipated to be high, St. Joseph's could bus their fans in to reduce the amount of traffic. The lights will be on 50-60 foot high poles and the lights will have shutters around the ends.

Mr. Killian questioned the current use of the field and the option for more night games by other groups once the lights are up. Mr. Sam Malizia, field property owner, stated that the team will practice at the school but use this field for games only. The field is being used by OLV for practice while the Little Lions and Bulldogs (youth football) play daytime games there.

Ms. Susan Shields, Leisure Lane resident, stated she is not concerned with the lighting of the field but is concerned with traffic along Leisure Lane.

Mr. Killian also stated concern with pedestrian safety within the intermittent parking lots. Mr. Malizia stated that there may be area designated as pedestrian traffic.

Mr. Harkcom confirmed that there would only be one entrance/exit for the site.

Leisure Lane residents would like to see signage and/or direction from people directing people to not use Leisure Lane as a drop off or pick up area.

Mr. McMaster stated that he is not opposed to this but would like more information.

Ms. Strickland questioned if this a permanent solution for the school? The field property is for sale so this is not planned as a permanent solution.

Mr. Joe Homan, neighboring property, does not have a problem with the lighting and loud speaker. His concern is kids wondering into his field and crops. Mr. Malizia stated that they will take measures to discourage that happening.

Mr. Kunkle questioned if the lighting will be run by generators or hard wired and if the field will have concessions. Mr. Malizia responded that the lighting will be hard wired and that they have a small concession area to purchase drinks and chips.

Mr. Wheland made a motion to RECOMMEND SUPPORT to the Board of Supervisors for the athletic field lighting located at 3406 West College Avenue. Mr. Harkcom seconded the motion.

By a vote of 6-1 the motion for recommendation was passed. Mr. Killian voted against the field lighting.

VI. HALFMOON CREEK RESTORATION PROJECT

Mr. Ressler stated that On February 26 the Township received notice from the US Department of the Interior, Fish and Wildlife Service of a project to restore a 7,200 foot section of Halfmoon Creek in Ferguson Township on property

of Dale Bressler, 965 Marengo Road. This project will use fish habitat enhancement structures approved by the PA Fish and Boat Commission including rock and log vanes, mudsills and toe wood structures. The goal of the project is to restore sustainable wild trout fishery in this tributary to Spruce Creek. Enclosed is the letter from the US Fish and Wildlife Service describing the project. Under the MPC the Township has a 30 day window to comment on this project.

Mr. Wheland stated that in the last several years this stream has had significant dry periods. The water is generally too warm for trout and does not run regularly enough to support the habitat.

Mr. Homan stated that the reason for this should be based on the stream running 12 months a year continuously. Since the stream is not running regularly a comment should be made stating this.

Mr. Wheland stated that the Township would like to have justification from the US Fish and Wildlife as to why these changes are occurring with this Creek.

VII. PA DCNR NOTICE OF STREAM CROSSING PROJECTS IN ROTHROCK STATE FOREST

Mr. Ressler stated that on March 12 the Township received notice of a stream crossing project on lands of Rothrock State Forest in the Musser Gap. The project entails three streams crossing of an unnamed tributary to Slab Cabin Run. Two of the crossings are stream ford crossings and a third is a pedestrian timber bridge. Provide with the agenda is the application and mapping for the project. The Township has 30 days in which to make any comments to the Commonwealth.

The Planning Commission had no comments for transmittal on this matter.

VIII. STAFF REPORT ON PLAN SUBMISSIONS

Mr. Ressler stated that the new plans include a revised site plan for Centre Area Transportation Authority, Chestnut Street Subdivision for Witherite, College Court apartments for Galen Dreibelbis and Whitehall Road Regional Park, and a Home and Pet Care Facility for Joe Homan located off Route 45.

IX. APPROVAL OF PLANNING COMMISSION REGULAR MEETING MINUTES FROM FEBRUARY 10, 2014.

Mr. Wheland made a motion to APPROVE the Planning Commission minutes from the February 10, 2014 Regular Meeting. Mr. McMaster seconded the motion.

The motion passed unanimously.

X. ADJOURNMENT

Mr. McMaster made a motion to adjourn. Mr. Killian seconded the motion.

The motion passed unanimously.

With no further business, the March 24, 2014 regular Planning Commission meeting was adjourned at 8:54 p.m.

RESPECTFULLY SUBMITTED,



Scott Harkcom, Secretary
For the Planning Commission