

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, APRIL 25, 2022
6:00 PM**

ATTENDANCE

The Planning Commission held its second meeting of the month on Monday, April 25, 2022, as a hybrid meeting. In attendance:

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Rob Crassweller - Secretary
Bill Keough
Shannon Holliday
Dr. Ellen Taricani
Ralph Wheland
Qian Zhang - Alternate

Staff:

Jenna Wargo - Planning & Zoning Director
Kristina Bassett - Community Planner
Jeff Ressler - Zoning Administrator

Others in attendance: Rhonda R. Demchak, Recording Secretary; Michael Siggins, Applicant, 500 West Aaron Drive; Chad Stafford, PennTerra; Cheryl White, Centre Volunteers in Medicine

I. CALL TO ORDER

Mr. Thompson welcomed everyone to the meeting and asked all participants from home to mute their microphones when not speaking. Any Planning Commission members making motions to please state your name so it can be accurately recorded on the minutes.

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

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, April 25, 2022, at 6:02 p.m.

II. CITIZEN INPUT

There were no comments.

III. APPROVAL OF MINUTES

Mr. Wheland moved that the Planning Commission **approve** the April 11, 2022, Regular Meeting Minutes. Mr. Binney seconded the motion. The motion passed unanimously.

IV. OLD BUSINESS

Mr. Keough asked what the outcome was for the Nittany Dental Associates that was extensively reviewed at the last Planning Commission meeting. Ms. Wargo reported that Nittany Dental submitted a minor alteration plan that will get them into the office space and then they will submit their minor land development plan. The Board agreed with the minor land development plan for the addition of enclosing the drive thru lane to include as part of the building.

V. NEW BUSINESS

A. Application for Consideration of a Modification/Waiver-Farmstead View

a. 500 West Aaron Drive, Building 1 | Suite 1

Ms. Wargo reported that Michael Siggins has requested a waiver from §22-306.2.—Minor Alteration Plan. This section of the ordinance permits any change in use that doesn't result in additional parking on-site to proceed as a Minor Alteration Plan. Mr. Siggins has requested the Board to waive that requirement and proceed with a zoning permit.

The applicant previously had a hair salon within Suite 1 of Building 1 that required 8 parking spaces. The applicant has been approached by a new tenant to locate a Veterinarian Office within Suite 1 that would require 1 parking space/250 SF of net floor area. Suite 1 has a net floor area of 906 SF which would require 4 parking spaces for the Veterinarian Office. The applicant is proposing interior renovations to Suite 1 and no exterior construction or changes are being proposed.

Ms. Bassett stated that staff has reviewed, and they have mixed feelings. Staff is recommending denying the modification/waiver.

Mr. Michael Siggins stated that he understands the need and reason to document changes to a property that includes parking, but the process to file a minor alteration plan is an unnecessary time and expense for his client. Mr. Siggins noted that there will be four less parking spaces and there isn't a hardship with parking. Mr. Siggins is requesting an inhouse review then to issue a zoning permit.

Mr. Wheland asked why staff has mixed feelings. Mr. Ressler reported that it has been done this way historically before his time with the Township. Mr. Ressler reported that the review time is 45 days. Mr. Ressler agrees that it is a lot of work for something that won't affect anything, but it is what the Township Ordinance states.

Ms. Wargo stated that she and Ms. Bassett have started reviewing minor alternation plans. Ms. Wargo's reviewed the municipal code in question and stated that nothing is changing on the site. They will be maintaining all eight spaces and in her opinion that it should be a zoning permit for a change in use. Mr. Ressler responded that the section was recently moved to the SALDO to give people the option to come in for a medication and not for a variance. Mr. Ressler stated that it is applicable and doesn't feel it is wrong to ask for a modification.

Mr. Wheland asked what the differences with this request and the dental office are. Ms. Wargo stated that if the Board waives this request, it will argue the point that if nothing physically is changing on the site, does the applicant need to revise their land development plan to document the change in use or can it be documented in a zoning permit.

Mr. Keough stated that there are two interpretations of the same language that aren't necessarily wrong and is proposing an alternate recommended motion.

Mr. Keough moved that the Planning Commission make a recommendation to

the Board of Supervisors to **approve** the application for modification/waiver from §22-306.2.— Minor Alteration Plan and to have the zoning officer issue a zoning permit when the applicant supplies the net square foot interior calculation to be part of the zoning permit.

Ms. Bassett asked if just the property is being altered or the entire lot that includes two buildings. Mr. Ressler noted it is obvious if the one suite needs less than before then it would be ok for the entire building. Ms. Wargo reported that it becomes an issue when the change in use requires more. Mr. Thompson stated that he has been living near the establishment for 10 years and has never seen an issue with parking.

Mr. Wheland seconded the motion.

Mr. Wheland asked what is being done with the four parking spaces. Mr. Ressler said they are extra spaces, and they can be used by anyone. Mr. Wheland suggested to change the wording in the ordinance to make things simpler in the future. Mr. Ressler concurred.

Mr. Binney echoed Mr. Wheland's statement and stated that the Planning Commission shouldn't be involved because it is a cumbersome process. Mr. Binney noted that he feels it is between the staff and supervisors due to the minor request.

Mr. Siggins stated that he would be willing to include the calculation sheet onto his drawing's. Mr. Ressler noted it would be easier to keep track.

Mr. Keough stated that he understands what Mr. Binney stated about not reviewing, but on the other hand he is glad the Planning Commission is reviewing because it appears there is a need to tweak the ordinance that the Planning Commission needs to recommend to the Board. Mr. Thompson asked Ms. Wargo how the ordinance discussion could be started. Ms. Wargo reported that any recommendation to the Board on any amendments is completely within the prevue of the Planning Commission.

Mr. Keough reviewed the intent of his motion and stated that it is more business-friendly approach than to deny the request.

The motion passed unanimously.

b. 2026 Sandy Drive—Centre Volunteers in Medicine

Ms. Bassett presented the next two agenda items together and reported that Penn Terra Engineering, Inc., on behalf of their client, has requested a modification from §22-301—General. This section of the ordinance defines the subdivision and land development review process and requires certain proposals to proceed as a preliminary, and final land development plan, preliminary/final land development plan, or a minor alteration plan.

The applicant recently acquired the property at 2026 Sandy Drive (TP: 24-433-022-0000). The existing building is 10,979 square feet and the applicant is proposing an addition to the building of 2,228 square feet. The addition will extend into the front of the building, removing the existing covered patios and sidewalks. A new entrance and sidewalks will be constructed.

The applicant is proposing to have their plan processed as a Minor Land Development Plan. Chapter §22-306.3. (as amended by Ord. 1076, 3/15/22) outlines criteria for a plan to be considered as a Minor Land Development Plan.

Ms. Bassett reported that the land development plan proposes a 2,228 SF addition to the existing 10,979 SF building. The owner recently acquired the property, and the addition will expand the front of the building, removing the existing covered patios and sidewalks. A new entrance and sidewalks will be constructed.

Ms. Wargo shared her screen and reviewed the plans. Mr. Chad Stafford, PennTerra, gave an overview of the changes. The building addition will be enclosed, modifying the sidewalks, new entrance will have a set of stairs with an ADA ramp, the Centre Volunteers will enter the building on a new sidewalk, replacing a tree, eliminating a parking space, water quality improvements to the stormwater for the site, and preserved and added landscaping.

Ms. Holliday asked how many ADA parking spaces there will be. Mr. Stafford answered that there are two but replacing the signs because they are older. They will be repainting the parking spaces. There will be one ADA space for loading/unloading van capacity.

Mr. Binney moved that the Planning Commission make a recommendation to the Board of Supervisors to **approve** the application for modification/waiver from §22- 301.—General. Mr. Keough seconded the motion. The motion passed unanimously.

B. 2026 Sandy Drive—Centre Volunteers in Medicine Preliminary Land Development Plan

Ms. Bassett didn't add anymore because it was covered in agenda item 1.b.

Mr. Keough questioned the current motion and stated it should be for approval on the Preliminary/Final Land Development Plan. Ms. Bassett agreed.

Mr. Wheland ask if staff was comfortable with all the comments on the plan. Ms. Bassett stated that the majority of the comments have been addressed and most of the outstanding comments are stormwater which are minor.

Mr. Wheland moved that the Planning Commission make a recommendation to the Board of Supervisors to **approve** the 2026 Sandy Drive – Centre Volunteers in Medicine Preliminary/Final Land Development Plan pending outstanding comments. Mr. Keough seconded the motion. The motion passed unanimously.

VI. COMMUNICATIONS TO THE COMMISSION

Mr. Thompson received a communication from Jim Maund, Ferguson Township Resident with regards to the tree on Farmstead View.

VII. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo reported that the Board met on April 19th and appointed Centrice Martin as the new Township Manager. The Assistant Manager's position is being advertised. The Centre Animal Veterinarian Hospital land development plan was reviewed and approved. There was a public hearing for the conditional use of the flag lot on Farmstead Lane. The Board denied the applicants request to cut the tree down on Farmstead Lane, but it doesn't mean they need to preserve the tree. They need to meet the 20% preservation requirement. Nittany Dental Associates amended their request to go through as a minor land development plan per the Planning Commission's recommendation. The plan was approved by the Board.

Mr. Wheland noted that there is a Stormwater Engineer position listed in the CDT and questioned why it was needed. Ms. Wargo stated that it was her understanding that during the budget planning meetings to hire a fulltime person to manage the program. Ms. Wargo will confirm and let the Planning Commission know. Ms. Bassett stated that the part-time engineer retired so that work will need to be completed too.

B. CRPC Meeting

Dr. Taricani reported they will have a meeting next week. Mr. Keough stated that the Planning Commission received an invitation for a series of training programs that CRPC is offering. Ms. Wargo reported that this was a staff request for new members of ABC's. The meetings will be recorded and listed on CNET if anyone misses a live class.

C. Land Development Plans

Ms. Bassett reviewed the following:

- a. Farmstead View Subdivision – Awaiting Response to 4th review.
- b. CVIM – 2026 Sandy Dr – PC Review
- c. Peace Center and Cemetery – Awaiting Response to first review
- d. Orchard Square Final LDP – Gather Signatures (BOS Approved 4/5)
- e. Centre Animal Hospital – Awaiting Preliminary Plan to be signed
- f. Fusion Japanese Steakhouse – Awaiting Response to first review
- g. Imbt Subdivision - Awaiting Response to first review
- h. West College Avenue Vertical Mixed-Use Development – Awaiting Response to first review.

D. Staff Updates

Ms. Wargo reported that the Owl 360 camera will be available from CNET for the Planning Commission meetings starting in May. Commission members are welcome to attend in person.

Mr. Keough asked when the Planning Commission will get to see for the first time the West College Avenue Vertical Mixed Use Development Plan. Ms. Wargo stated that the applicant has a lot of areas that need to be worked on, specifically stormwater. Mr. Keough is interested in looking at the status of the alley as it relates to the development.

Mr. Binney updated the Planning Commission on the Pine Grove Mills Mobility Study and noted there was an informational session held last week. Ms. Bassett will email the online survey to the Planning Commission members.

VIII. Adjournment

Dr. Taricani made a motion to **adjourn** the April 25, 2022, Planning Commission meeting at 7:15 p.m. Mr. Crassweller seconded the motion. The motion passed unanimously.

Respectfully Submitted,

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

Rob Crassweller, Secretary
For the Planning Commission