

**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
MONDAY, FEBRUARY 14, 2022
6:00 PM**

ATTENDANCE

The Planning Commission held its first meeting of the month on Monday, February 14, 2022, as a zoom meeting. In attendance:

Commission:

Jeremie Thompson – Chair
Jerry Binney – Vice Chair
Shannon Holliday
Bill Keough
Lisa Rittenhouse - Alternate
Qian Zhang - Alternate

Staff:

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

Others in attendance: Rhonda Demchak, Recording Secretary; Wes Glebe, Ferguson Township Resident; Cristine Bailey, Ferguson Township Resident; Chris Schubert, Esquire; Chris Rogan, Ferguson Township Resident; Christopher Lash, Project Manager, Jacobs; Dave Kerr, Government Affairs, AT&T

I. CALL TO ORDER

Mr. Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, February 14, 2022, at 6:04 p.m. Mr. Thompson noted that the Planning Commission meeting had been advertised in accordance with the PA Sunshine Act as a virtual zoom meeting with space available in the Township main meeting room for any public members to participant. Persons attending and wanted to participate were asked to enter their name, municipality, and topic by utilizing the Q&A bubble at the bottom of the screen.

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

II. CITIZEN INPUT

There were none.

III. APPROVAL OF MINUTES

Ms. Holliday moved that the Planning Commission **approve** the January 24, 2022, Organizational Meeting Minutes. Mr. Keough seconded the motion. The motion passed unanimously.

Mr. Binney moved that the Planning Commission **approve** the January 24, 2022, Regular Meeting Minutes. Mr. Keough seconded the motion. The motion passed unanimously.

IV. OLD BUSINESS

1. Planning Commission Introduction

Mr. Keough moved that the Planning Commission **move** the Planning Commission Introduction to the end of the meeting. The motion passed unanimously

2. 2021 State of Planning Report

Ms. Bassett reported that she included the changes/additions to the Planning

Report from the last meeting that included the following:

- Mr. Keough's request on decisions of the Conditional Use Hearings
- Ms. Wargo collected information on all the zoning permits

Ms. Basset reviewed the 2021 Zoning permits that were included in the agenda packet. The chart is on page 26 of the packet.

Mr. Keough asked if a chart of citations should be included. Mr. Ressler noted that there aren't many issued per year but would give it consideration. Mr. Ressler stated that there is more notice of violations than citations. Mr. Keough requested seeing both citations and notice of violations in the Planning Report.

Mr. Keough requested including a vision statement to the end of future Planning Reports to include items that need increased attention such as affordable housing, economic development, and expanding community input on issues. Also, Mr. Keough suggested including a statement on where the Township will be in 20 years with regards to land use, housing, and agriculture

Ms. Bassett will review Mr. Keough's suggestions when the 2022 Planning Report is being created.

Mr. Keough moved that the Planning Commission **recommend** approval of the 2021 State of Planning Report to the Board of Supervisors. Mr. Binney seconded the motion. The motion passed unanimously.

V. NEW BUSINESS

1. Ordinance Amendment Application – Traditional Town Development Zoning District

On January 10, 2022, Chris Schubert, Esq. on behalf of his client, AT&T, submitted an application for a text amendment to the Traditional Town Development zoning district. Included in the agenda is the draft text amendment submitted by AT&T. AT&T submitted requests for variances from §27-303.A.D. (prohibits telecommunication facilities within this zoning district), §27-710.3.A., (setbacks), and §27-710.H.2. (buffer landscaping) to the Zoning Hearing Board and the application was denied. AT&T is proposing a text amendment to locate a telecommunications tower in the Traditional Town Development Zoning District.

The Board of Supervisors received the application at the January 18th Regular Meeting and referred it to the Planning Commission for review and recommendation.

Mr. Schubert introduced Dave Herr, AT&T External Affairs and Christopher Lash, Project Manager, Jacobs.

Mr. Schubert and Mr. Herr presented the PowerPoint presentation that was included in the agenda packet.

Mr. Keough asked if there is a back up to the tower in case there is a power outage. Mr. Schubert stated that there will be a backup generator in place.

Mr. Keough asked if the site will require a building. Mr. Schubert noted that it will

not require a building because the tower will have a built-in cabin.

Mr. Keough asked about security around the tower. Mr. Schubert stated there will be a fence around the perimeter and it is remotely monitored 24/7.

Mr. Keough asked if the tower will be 5G. Mr. Schubert stated that the tower will be 5G capable, however the tower is being designed for 4G LTE. Mr. Schubert and Mr. Kerr explained the differences between the two. Mr. Keough inquired about the number of towers needed and the space in between. Mr. Schubert stated that they would be a half mile to a mile apart. Mr. Keough asked if the tower space is shared with other providers. Mr. Lash noted that the tower is being built for multiple carriers. Mr. Keough asked for clarification. Ms. Wargo and Mr. Ressler stated that the TTD prohibits communication towers in the district.

Mr. Keough inquired about the types of housing that the tower will be located by. Mr. Schubert viewed an aerial map of where the proposed tower will be located and noted it wouldn't be too close to residential areas.

Ms. Zhang asked for the height of the tower. Mr. Schubert answered it will be 165 feet. Ms. Zhang inquired about environmental restrictions. Mr. Schubert stated that where the tower will be located there wouldn't be restrictions. Ms. Zhang asked if the Township knows how many people use AT&T.

Mr. Binney asked if the applicant heard from Harmony in State College about the proposed tower. Ms. Wargo stated that they have not because the Board saw this on January 18th and recommended to the Planning Commission.

Mr. Keough asked if there has been any consideration to include as a conditional use in the TTD as opposed to the entire TTD. Ms. Wargo stated that the Planning Commission can recommend whatever they decide.

Mr. Wes Glebe, Ferguson Township Resident requested to view the aerial map again and suggested placing on the PS Blue Course. Mr. Lash noted that Penn State is not interested in having a tower on their property.

Ms. Holliday asked if the tower would have any negative or positive effects with the Harmony Senior Living Center. Mr. Schubert stated that it will have a positive impact because of the connectivity it will provide. Ms. Holliday inquired about the financial impact the tower may impose. Mr. Kerr stated there would be no impact. Mr. Lash identified that there are affordable programs put in place by the federal government which AT&T participates in.

Mr. Keough stated that he would prefer recommending as a conditional use and as the technology changes review at that time to move forward. Mr. Thompson asked the opinion of the other commission members. Mr. Schubert noted in the other districts they are permitted by right with no conditional uses and stated there is a lot of criteria that the staff would need to figure out. Ms. Wargo and Mr. Ressler stated there are conditional uses if they are between 200 – 300 feet.

Mr. Keough reviewed the following list of his suggested conditional uses:

1. In the TTD there would be minimum distance to the nearest residents.
2. Height
3. Opposed to having it located in a designated open space area

Mr. Lash noted that 2 of the 3 uses that Mr. Keough suggested are already in place at Ferguson Township, height, and the opposing of the open space area.

Mr. Schubert recommended working with Ms. Wargo and Mr. Ressler on additional language to be included before it is moved to the Board of Supervisors. Ms. Wargo stated that the Acting Township Manager wants a recommendation to go to the Board at their next meeting.

Cristine Bailey, Ferguson Township Resident asked what the tower will look like. Mr. Schubert showed a picture of the proposed tower.

Mr. Binney agreed with including additional language.

Mr. Keough moved that the Planning Commission *refer* to the Board of Supervisors the request to review additional information on the part of staff and the applicant to be brought back to the Planning Commission one more time before moving to the Board of Supervisors.

Mr. Schubert looks forward to further discussion.

Mr. Binney seconded the motion. The motion passed unanimously.

2. Amendment to the Regional Bike Plan

Ms. Wargo reported that since the adoption of the Centre Region Bike Plan in 2015, many municipalities have constructed new bicycle facilities and amended Official Maps to include or remove bicycle facilities. CRPA has been working with municipalities and Penn State Transportation Services to update facilities to accurately reflect the changes that have been completed since the Bike Plan was adopted. Provided with the agenda is a copy of a table of comments provide to CRPA staff and CRPA staff's response for review.

Mr. Keough stated that a bike path along Nixon Road is not an acceptable use due to the preserved farms.

3. Application for Consideration of a Modification/Waiver

Ms. Bassett reported that PennTerra Terra Engineering, Inc, on behalf of their client, has requested a modification/waiver from PennTerra Engineering, Inc, on behalf of their client, has requested a modification/waiver from Section 22-401.C.1.f – Fire Lanes and Section 22-401.C.1.g —General, landscaping plan and lighting plan. This plan is a simple Land Development and Subdivision. Staff is in the process of removing the requirements of a landscaping plan and lighting plan for single-family homes that require a land development plan. Staff has reviewed the application and isn't recommending any conditions be included with the request.

Mr. Keough moved that the Planning Commission *recommend* granting the Application for Consideration of a Modification/Waiver from §22-401.C.1.f and §22-401.C.1.g to the Board of Supervisors. Mr. Thompson seconded the motion. The motion passed unanimously.

4. 264 Sycamore Drive/Rogan Land Development Plan

Ms. Bassett reported that on behalf of their client, PennTerra Engineering, Inc. has submitted 264 Sycamore Drive/Rogan Preliminary/Final Land Development Plan. The applicant is proposing to construct a single-family home on the 7.566 acre lot. The residential home is required to submit a land development plan because it is proposed in an area identified as having steep slopes.

A Modification/Waiver was granted on October 4, 2021, for this plan to proceed as Preliminary/Final. The parcel is located within the Single Family Residential (R1) zoning district.

Mr. Keough asked if further subdivisions could be made on the lot. Mr. Chris Rogan stated that there will not be further subdivisions.

Mr. Binney moved that the Planning Commission **recommend** approval of 264 Sycamore Drive Preliminary/Final Land Development Plan to the Board of Supervisors. Mr. Keough seconded. The motion passed unanimously.

VI. OLD BUSINESS

1. Planning Commission Introduction

Ms. Wargo noted there is a video titled "Duties & Responsibilities of a Planning Commission" available for review. Ms. Wargo reminded the Commission members that they are subject to the Sunshine Act and reviewed key points.

Ms. Bassett reviewed Mr. Thompson's draft Planning Review document. Ms. Bassett reviewed how she reviews a plan by showing a plan that was withdrawn last year. Mr. Ressler also reviewed how he looks over a plan.

Ms. Zhang requested the Planning Review document be sent to everyone.

VII. COMMUNICATIONS TO THE COMMISSION

Mr. Thompson received a communication from Cindy Hahn, Executive Director, C-NET that starting today, the Planning Commission meetings at will be aired at different times.

Mr. Keough received a communication from Fredrick Sepp. Mr. Sepp noted his concerns with the stormwater fee system and not receiving a reply from staff on information he sent.

VIII. OFFICIAL REPORTS AND CORRESPONDENCES

A. Board of Supervisors

Ms. Wargo noted that the Board met on February 1st. They discussed the Strategic Plan, Anti-Discrimination Ordinance, Resolution to adopt the Master Plan at Songbird Sanctuary Park, and they adopted a monthly standing worksession to be held the second Tuesday of each month from 2:00 p.m. – 4:00 p.m.

B. CRPC Meeting

Mr. Thompson reported on behalf of Dr. Taricani. They discussed the amendments to the regional bike plan.

Mr. Keough reported that he had a conversation with Jim May, Director, Centre

Regional Planning Agency regarding the cell tower boom that is happening. Mr. May noted that the County Planning Commission will be overseeing the cell towers.

C. Land Development Plans

Ms. Bassett reviewed the following:

- a. Farmstead View Subdivision – Under 3rd Staff review
- b. 264 Sycamore Dr LDP – Staff complete 1st review. Awaiting Response
- c. CVIM – 2026 Sandy Dr – Awaiting Response to comments
- d. JL Cidery Proposed Deck – Awaiting Response
- e. Peace Center and Cemetery – Awaiting Response
- f. Orchard Square Final LDP – Under 1st Staff Review
- g. Centre Animal Hospital – Awaiting Response
- h. Salvation Baptist Church – Under First Staff Review

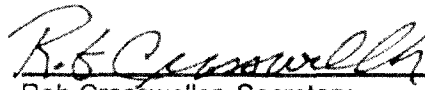
D. Staff Updates

Interviews were conducted for the Planning Commission Administrative Assistant, and they are down to two candidates.

IX. Adjournment

Mr. Binney made a motion to adjourn the February 14, 2022, Planning Commission meeting at 8:55 p.m.

Respectfully Submitted,



Rob Craswell, Secretary
For the Planning Commission