

TOWNSHIP OF FERGUSON

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FERGUSON TOWNSHIP PLANNING COMMISSION REGULAR MEETING AGENDA Monday, April 13, 2020 6:00 PM

- I. Call To Order
- II. Approval of Regular Meeting Minutes
- III. Citizen Input
- IV. Land Development Plans

A. Modification Request

PennTerra Engineering is seeking a waiver/modification of §22-512 – Sidewalks. The Subdivision of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C (Subdivision Plan”) was submitted concurrently with the State College, PA Whitehall Road Sheetz Land Development Plan on April 19, 2019 and the Orchard View Subdivision submitted on May 14, 2019. The ordinance §22-512 requires sidewalks be shown on both sides of all streets on all new preliminary and final subdivisions, land development plans and surety be posted upon final plan approval.

Recommendation: The Planning Commission recommend that the Board of Supervisors **approve** The Modification waiver for §22-512 for the Harner Farm Subdivision and Replot of Tax Parcel 24-4-67C.

B. Harner Farm Subdivision Plan of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C

On April 22, 2019, revised March 25, 2020, PennTerra Engineering submitted a 4-lot subdivision plan, situated at the corner of West College Avenue and West Whitehall Road, on behalf of Aspen Whitehall Partners, LLC. The subdivision includes two lots within the General Commercial zoning district, Lot 1 of 5.6 acres and Lot 2 of 3.68

acres, one lot in the Rural Agricultural zoning district, being revised Tax Parcel 24-004-067C,0000- totaling 0.603 acres (Lands of Thomas P. Harner) and one lot within the Single-Family Residential zoning district, Lot 2 of 16.568 acres.

Staff Recommendation: That the Planning Commission recommend the Board of Supervisors ***approve*** the Harner Farm Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C, contingent upon the remaining any outstanding comments.

C. Orchard View Subdivision

This Subdivision Plan was submitted by Penn Terra Engineering, Inc. on behalf of the applicant, Aspen Whitehall Partners LLC. It is a proposed 36 lot subdivision, zoned single-family residential with corridor overlay. The site is approximately 16.568 acres (721,716 SF).

Staff Recommendation: That the Planning Commission recommend the Board of Supervisors ***approve*** the plan contingent upon any outstanding comments.

D. State College, PA Whitehall Road Sheetz Land Development Plan

On April 22, 2019, revised March 25, 2020, PennTerra Engineering submitted a land development plan, situated at the corner of West College Avenue and West Whitehall Road, as Lot 1 on the Harner Farm Subdivision Plan, on behalf of Aspen Whitehall Partners, LLC. The land development plan will include a 6,077 square foot Sheetz Convenience Store and Drive-Thru with a 1,048 square foot Car Wash. The gasoline dispensing station will consist of 6 fuel pump islands with 12 multiple product dispensers. The total parking spaces required equal 36 and parking spaces provided equals 47, including 3 ADA accessible spaces. Driveway access points will be established on West Whitehall Road and West College Avenue. Proposed stormwater detention and infiltration basins will be proposed southwest of the convenience store. The parcel is situated in the General Commercial (C) zoning district.

Staff Recommendation: That the Planning Commission recommend the Board of Supervisors *approve* the Whitehall Road Sheetz Land Development Plan, contingent upon any outstanding comments.

V. Official Reports and Correspondences

- A. Board of Supervisors
- B. CRPC Report
- C. Land Development Plans
- D. Staff Updates

VI. Adjournment

FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
Monday, MARCH 9, 2020
6:00 PM

ATTENDANCE

The Planning Commission held its Regular meeting of the month on Monday, March 9, 2020 at the Ferguson Township Municipal Building. In attendance were:

Commission:

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

Staff:

Jenna Wargo, Planning & Zoning Director
Jeff Ressler, Zoning Administrator
Kristina Aneckstein, Community Planner

Others in attendance were: Summer Krape, Recording Secretary; Judy Hess, Ferguson Township Resident; Sam Leathers, Ferguson Township, Resident; Shawn Greenland, Ferguson Township Resident; Wes Glebe, Ferguson Township Resident; Christine Bailey, Ferguson Township Resident, and Kathleen Gibboney, Ferguson Township Resident.

I. CALL TO ORDER

II. Mr. Jeremie Thompson called the Ferguson Township Planning Commission's regular meeting to order on Monday, March 9, 2020 at 6:00 pm.

III.

IV. APPROVAL OF REGULAR MEETING MINUTES FROM FEBRUARY 10, 2020

Mr. Jeremie Thompson called for a motion to approve the minutes from February 10, 2020. Ms. Summer Krape noted an error on the date of the minutes that were delivered to the Planning Commission members. She stated that the error was corrected and printed the corrected copy to be reviewed and signed. Mr. Rob Crassweller made a motion to approve the corrected minutes, Mr. Jerry Binney seconded the motion, and the motion passed unanimously.

V. CITIZEN INPUT

VI. LAND DEVELOPMENT PLANS

VII. COMMUNITY PLANNING

a. FERGUSON TOWNSHIP ZONING MAP AMENDMENTS

Ms. Aneckstein presented the Zoning Map Amendments and went through each area that is currently not conforming and would make sense to rezone. The first and simplest is the Harner Farm lots. Currently, there are five lots that are looking to be rezoned, the three lower lots that are currently RA but are proposed to be R1 and the upper two lots which include the farm store and a power distribution station. The upper lots are recommended to be zoned Commercial, this would make them conform to surrounding zoning but also work for the already existing structures. Ms. Aneckstein showed the

Commission what the new lot setbacks would look like and noted that this would make most of them conforming lots. Mr. Dan Harner is present and he stated that he believes that this has been discussed previously and it does align the properties with the surrounding zoning. Ms. Aneckstein stated that she will be going over other areas and once finished staff is looking for any recommendation for the Board of Supervisors. Ms. Aneckstein stated that the Ridge Overlay district is currently zoned RR and is proposed to be changed to Forest and Game Lands. She stated that a lot of these lots have dual zoning districts. Ms. Aneckstein stated that the more Northern area is zoned RA and the rest is zoned RR and is mostly forested area and is not suitable for farming so making it Forested and Game Lands would just be more conforming to the use. Mr. Ralph Wheland asked if any of the properties are privately owned because the Forest and Game Lands is really restrictive. Ms. Aneckstein stated that a majority of it is owned by DCNR, one parcel is owned by Ferguson Township but she did not look at all the properties in that district. The Commission discussed if this would impact the Pine Grove Mills area in anyway, as they are still working on the small area plan.

The next area to be rezoned is the Penn State land near the Ag Progress Lands. The property is currently RA but would like to rezone AR to conform to the other Penn State properties in the area. Ms. Wargo stated that Penn State has asked for this area to be rezoned to conform to the other properties.

Ms. Aneckstein stated that The Meadows rezoning was requested by the residents. The properties south of Whitehall Road are currently zoned R1. The properties on the North side are zoned RA. They are conforming in RA as all the parcels are about an acre but this zoning makes it hard for homeowners to do anything on the lots, due to setback restrictions. Ms. Aneckstein stated that they are proposing these properties be zoned R1. She showed the Commission the R1 setbacks and the RA setbacks. Mr. Sam Leathers, a resident of the Meadows, is present and approached the podium and stated that his property is the furthest west lot. He would like to put a shed on his property and as it is zoned now he is unable to do this.

Ms. Aneckstein stated that Rock Springs is currently zoned RA and all of the lots are nonconforming. Staff is proposing this area to be rezoned as R1 or to Village. Ms. Aneckstein showed the Commission the current setbacks, R1 setbacks, and Village setbacks. If changed to R1, three lots become conforming and the rest remain non-conforming. If changed to Village, sixteen of the eighteen lots would become conforming. Ms. Wargo stated that staff is recommending R1 over Village mostly because of the additional uses that are allowed in the Village may have unattended consequences and could change the character of the area. It is also outside of the growth boundary. The Commission discussed the number of lots that would be made conforming and vice versa and how they would prefer that more lots be conforming.

Ms. Judy Hess, who lives at 2677 W Pine Grove Road, approached the podium and stated that she wanted to put a gazebo in and was not allowed because it would be too close to the property line. Ms. Hess expressed her concerns about the zoning and not being able to do what she would like to do with her property because of this zoning issue.

Ms. Lisa Rittenhouse stated that the way the septic systems are set up today would stop the concerns that Ms. Wargo is talking as they now require two perks and various other requirements. Ms. Wargo stated that she is concerned about the uses allowed in the area such as restaurants and offices. Mr. Wheland stated that for a restaurant they would need a new large septic system. The Commission stated that gaining more conforming lots is better than gaining only three. Ms. Aneckstein stated that the western part of the Township wants to keep it an Ag community. Ms. Judy Hess gave the Commission some background/history of the Rock Springs area and explained that it's old and has a lot of heritage.

Mr. Shawn Greenland, who is also a resident of Rock Springs and business owner, in that area approached the podium. Mr. Greenland acknowledged Ms. Wargo's concern on the commercial aspect because it is a concern of his own, as well as other residents. Mr. Greenland stated that he, like Ms. Hess, tried to get a zoning permit to add a garage onto his house because his family was growing and his house was built in 1934 and is not equipped for a family of five. He stated that he was met with the same dissatisfaction as Ms. Hess. He went through proper channels, permit application, Zoning Hearing Board and was ultimately denied. Mr. Keough asked Ms. Wargo if there is a resolution to this issue that would improve the people that live in Rock Springs happiness. Ms. Wargo stated that she understands that it is aggravating that residents are unable to use their property to do with what they want. Ms. Wargo stated that as long as everyone is aware of what could happen with that type of zoning and uses that are allowed she has done her job. Ms. Wargo stated that once the next Planning Commission meeting is over they will adjourn to a work session to discuss these issues.

Mr. Crassweller made a motion that the following: Ridge Overlay District be changed to Forest and Game lands, Harner Farm properties be changed to R1 and Commercial, Penn State University lands remain Ag Research, the Meadows be changed to R1 and Rock Springs be changed to Village. Mr. Wheland seconded the motion, the motion passed unanimously. Ms. Wargo stated that if residents are not able to attend the work session they can email, call, or write a letter to staff for any questions, concerns or recommendations they may have.

VIII. PLANNING TRENDS

A. Ms. Wargo stated that she spent some time going to conferences, talking to other planning directors, and researching how to keep the Commission from feeling monotonous. She received a lot of recommendation from other planning directors to discuss topics of interest that may or may not related to what's going on. Ms. Wargo stated that staff receive monthly articles from the American Planning Association, the article that she shared is in regard to parking. This is a way to discuss current planning trends and get the Commission thinking. She felt this article applies to the Terraced Streetscape District which is a current topic. Mr. Keough stated that he likes this and hopes it continues.

IX. SPECIAL REPORTS AND CORRESPONDENCE

a. BOARD OF SUPERVISORS

Ms. Wargo stated that, related to Planning, The Board reviewed the Township's work force housing ordinance and considered other elements that are commonly found in these ordinances that are not found in ours. They discussed affordable housing units, fee-in-lieu, and off-site development for developers. The Board has directed staff to draft an amendment to the work force housing ordinance. Ms. Wargo stated that Planning will be talking with Centre County Land Trust and the affordable housing group that manages the money that will be receiving the money from these developments coming in like Pine Hall. Once the draft is completed the Planning Commission will see it and give a recommendation to the Board.

b. CRPC REPORT

Ms. Ellen Taricani stated that there was a lot discussed at this meeting. They discussed the Musser Gap Trail, Ms. Taricani commended PSU/student for how hard they are working to develop it. Climate control issues was a big discussion and what is adding to pollution in our area. Ms. Taricani also touched on some upcoming road construction for the year.

c. LAND DEVELOPMENT PLANS

Ms. Aneckstein stated that hopefully at the next meeting the Commission will see Harner Farm, Orchard View and Sheetz, the engineer is not quite ready as of right now. Ms. Aneckstein stated that the staff have received one new land development plan. The application that was submitted is for Thistlewood lot 19 and is a standard single family home, but requires a Land Development Plan due to the underlying geologic conditions per the Thistlewood Master Plan.

d. STAFF UPDATES

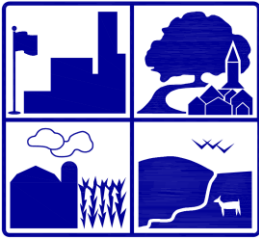
Ms. Wargo stated that CRPA is hosting an Introduction to Planning on Saturday April 25th from 9:00 am to 1:30 pm at Millbrook Marsh. This is designed for new Planning Commission members but already existing members can attend as well. Ms. Wargo stated that on March 16th at 4:00 pm there will be a ground breaking ceremony for the new public works building.

X. ADJOURNMENT

Mr. Thompson made a motion to adjourn the March 9, 2020 Planning Commission meeting at 7:45 pm.

Respectfully Submitted,

Rob Crassweller, Secretary
For the Planning Commission



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TO: Planning Commission

FROM: Kristina Aneckstein, Community Planner

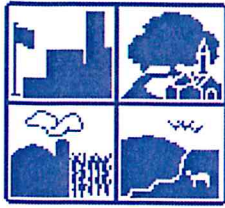
DATE: April 8, 2020

SUBJECT: Modification/Waiver for Harner Farm Replot/Orchard View Subdivision/Sheetz LDP

PennTerra Engineering is seeking a waiver/modification of §22-512 – Sidewalks. The Subdivision of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C (Subdivision Plan”) was submitted concurrently with the State College, PA Whitehall Road Sheetz Land Development Plan on April 19, 2019 and the Orchard View Subdivision submitted on May 14, 2019. The ordinance §22-512 requires sidewalks be shown on both sides of all streets on all new preliminary and final subdivisions, land development plans and surety be posted upon final plan approval. Since the land development proposes sidewalks for the Sheetz development and the Orchard View Subdivision, PennTerra is requesting that no sidewalks be required on the plans as follows:

- a. Lot 1 (Sheetz): No sidewalk be required on the subdivision plan because sidewalks are shown on the land development plan.
- b. Lot 2: No sidewalks be required on the subdivision or land development plan for this lot since no land development is proposed for this lot at this time, with the condition that sidewalks be proposed when land development plans are submitted for this lot.
- c. Lot 3 (Orchard View) and Tax Parcel 24-4-67C: No sidewalks be required on the subdivision or land development plan for this lot since sidewalks are shown along the south side of West Whitehall Road and the west side of West College Avenue as well as both sides of the proposed interior public road and the frontage of the replotted Tax Parcel 24-4-67C.
- d. Revised Tax Parcel 24-4-67: No sidewalks be required on the subdivision or land development plan for this lot since no land development is proposed for this lot at this time, with the condition that sidewalks be proposed when land development plans are submitted for this lot.

Recommendation: The Planning Commission recommend that the Board of Supervisors *approve* The Modification waiver for §22-512 for the Harner Farm Subdivision and Replot of Tax Parcel 24-4-67C.



APPLICATION FOR CONSIDERATION OF A MODIFICATION
Ferguson Township, Centre County

Submittal Date: _____

A fee of \$50.00 is required at the time of submitting this application.

The undersigned hereby applies for approval of a modification/waiver, submitted herewith and described below:

Applicant Information

Aspen Whitehall Partners, LLC

Name

116 Union Avenue

Altoona

16602

Street Address

City

Zip

814-942-3032

Phone Number

Property/Plan Information

State College PA Whitehall Road Sheetz Land Development & Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C

Plan Name

17125

4/19/19

Plan Number

Plan Date

West Whitehall Rd and West College Ave Intersection

24-4-67

Project Location

Parcel Number

same as applicant

Name of Property Owner(s)

Street Address

City

Zip

Application Type:

Subdivision

Terraced Streetscape District (TSD)

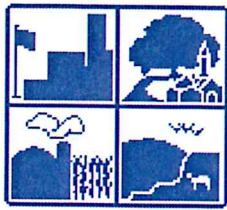
Land Development

Traditional Town Development (TSD) District

Modification/Waiver Request Information

Specific Section(s) of the Subdivision and Land Development Ordinance or Design Standards for which a Modification/Waiver is requested:

Chapter 22, Part 5, Section 22-512 Sidewalks



APPLICATION FOR CONSIDERATION OF A MODIFICATION
Ferguson Township, Centre County

State any proposed alternative(s) to the requirement:

There are no alternatives.

Please state in full, the grounds and facts of the unreasonableness or hardship the Ferguson Township Subdivision and Land Development Ordinance has placed on the property.

See attached.

*If necessary, please continue with your hardship specification on another page.

The undersigned hereby represents that, to the best of their knowledge and belief, all information listed above is true, correct, and complete.

Signature

Date

-For Office Use Only-

Date Received: _____ By: _____

Date Paid: _____ Check No.: _____ Amount: _____

Advertisement Dates: _____ Planning Commission Review Date: _____

Board of Supervisors Meeting Date: _____

ATTACHMENT 1

APPLICATION FOR CONSIDERATION OF A MODIFICATION For State College PA Whitehall Road Sheetz Land Development and Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C

Please state in full, the grounds and facts of the unreasonableness or hardship the Ferguson Township Subdivision and Land Development Ordinance has placed on the property.

The Subdivision of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C ("Subdivision Plan") is being submitted concurrently with the State College PA Whitehall Road Sheetz Land Development Plan ("LDP") which is Lot 1 of the Subdivision Plan. The ordinance requires sidewalks be shown on both sides of all streets on all new preliminary and final subdivisions, land development plans and surety be posted upon final plan approval. Since the land development proposes sidewalks for Lot 1 Sheetz development, we are requesting that no sidewalks be required on the plans as follows:

Lot 1: No sidewalk be required on the subdivision plan because sidewalks are shown on the land development plan.

Lot 2: No sidewalks be required on the subdivision or land development plan for this lot since no land development is proposed for this lot at this time, with the condition that sidewalks be proposed when land development plans are submitted for this lot.

Lot 3 and Tax Parcel 24-4-67C: No sidewalks be required on the subdivision or land development plan for this lot since no land development is proposed for this lot at this time. A subdivision plan for this lot will be submitted by the end of May 2019 proposing single-family home lots and a public road. At the time, sidewalks will be shown along the south side of West Whitehall Road and the west side of West College Avenue as well as both sides of the proposed interior public road and the frontage of the replotted Tax Parcel 24-4-67C.

Revised Tax Parcel 24-4-67: No sidewalks be required on the subdivision or land development plan for this parcel since no land development is proposed for this parcel at this time, with the condition that sidewalks be proposed when a subdivision or land development plan is submitted for this parcel.