



TOWNSHIP OF FERGUSON

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**FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING AGENDA
Monday, August 26, 2019
6:00 PM**

- I. CALL TO ORDER**
- II. CITIZEN INPUT**
- III. INTRODUCTION OF NEW ALTERNATE PLANNING COMMISSION MEMBER**
- IV. ZONING/SALDO UPDATE:**

In preparation of the advertised September 16th public hearing, on Tuesday, August 20, the Board of Supervisors held a special meeting to review and discuss parts of the zoning ordinance and SALDO. The RR, RA and AR zoning districts were not discussed due to time limitations. The Board will reconvene on August 28th, 2019 at 6 pm in another work session to discuss the remaining zoning districts. The discussion on August 20th focused on conditional uses and permitted uses in each zoning district and whether they made sense.

- V. CONSENT AGENDA**
- VI. SUMMARY OF ACTIVE PLANS**
- VII. CENTRE REGIONAL PLANNING COMMISSION REPORT**
- VIII. APPROVAL OF REGULAR MEETING MINUTES JULY 22, 2019**
- IX. ADJOURNMENT**



TOWNSHIP OF FERGUSON

3147 Research Drive, State College, Pennsylvania 16801
Telephone: 814-238-4651 Fax: 814-238-3454

TO: Ferguson Township Board of Supervisors

FROM: Kristina M. Aneckstein, Community Planner

DATE: August 23, 2019

SUBJECT: Active Development Projects Update

In an effort to keep the Planning Commission and Board of Supervisors up-to-date on pending proposals and applications, staff is providing a list of Active Plans and other Projects in the Township.

Currently, the Township has seven (7) Active Plans and two (2) conditionally approved plan.

1. Preliminary/Final Re-Plot of Lands for the State College Borough Water Authority and Gary E. and Carol J. Myers:

Gwin Dobson & Foreman submitted a Preliminary/Final Re-Plot of Lands on behalf of their client, the State College Borough Water Authority. Tax parcel 24-003-007F, owned by the State College Borough Water Authority is currently 15.071 acres and the proposed acreage is 18.047 acres. Mr. and Mrs. Myers own tax parcel 24-003-007K and is currently 45.673 acres, in which 2.974 acres is being transferred to the SCBWA. The land is zoned Rural Agricultural and the current use is a well field property and the proposed use is an addition to well field property. This project was granted seven variances; Variance to encroach upon the fifty foot riparian buffer, Variance to waive requirements of independent hydrologic and hydraulic study, Variance to allow improvements within the flood plain, Variance to allow construction activities and improvements within the flood way, Variance to minimum lot area (50 acres), and Nonconforming use in Rural Agricultural zoning district. ***Plan Expiration is October 10, 2019. Gwin Dobson & Foreman returned their response to the second round of comment made by staff. Staff would like to see this replot on the September 9th Planning Commission agenda asking the Commission for a recommendation for approval.***

2. Preliminary Land Development Plan for Nixon-Kocher Water Treatment Facility:

Gwin Dobson & Foreman submitted a Preliminary Land Development Plan for the Nixon-Kocher Water Treatment Facility on behalf of the State College Borough Water Authority. Tax Parcel 24-003-007F-0000 is 18.047 acres. The existing land use is forested land/agricultural, the proposed land use is a water treatment facility. We have received a conditional use application; a water treatment facility is a conditional use in the rural agriculture zoning district. ***Plan Expiration is October 10, 2019. Gwin Dobson & Foreman returned their response***

to the second round of comment made by staff. Staff would like to see this Land Development Plan on the September 9th Planning Commission agenda asking the Commission for a recommendation for approval.

3. Whitehall Road Regional Park Phase 1:

Stahl Schaeffer Engineering submitted the final land development plan for the proposed Whitehall Road Regional Park Phase 1 on behalf of Centre Region Parks and Recreation Authority. This is located off the future Blue Course Drive extension, south of the intersection of Blue Course Drive and Whitehall Road. The proposed Phase 1 development involves the development of approximately 55 acres of the 100 acre park property. The property will include: two lighted grass fields (alternate to synthetic turf), two unlighted grass fields, two grass practice/open space areas, accessible walking trail, All-Ability and Universally-Accessible Playground, All-Season Pavilion with attached concession stand and restrooms, and a three-bay park operations storage building. The required park infrastructure includes a paved entrance road, paved parking lots (just under 500 spaces), accessible connector sidewalks and trails, public water and sanitary sewer service, and natural gas service. There will be green stormwater management facilities such as bioswales, stormwater infiltration basins, and rain gardens, all of which connect to the storm water system. A solar installation on the All-Season Pavilion will support the building's energy needs, and there is a proposed landscaping buffer system to include trees, shrubs, and native grasses. **Plan Expiration is November 12, 2019. Comments were sent to Stahl Schaeffer.**

4. Harner Farm Subdivision Plan – Subdivision of Tax Parcel 24-4-67 and Replot of Tax Parcel 24-4-67C:

Penn Terra Engineering, Inc. on behalf of the applicant, Aspen Whitehall Partners LLC submitted a Plan for the subdivision of tax parcel 24-4-67 and replot of tax parcel 24-4-67C. The purpose of this plan is to subdivide Tax Parcel 24-4-67 into four (4) lots, replot Tax Parcel 24-4-67C and dedicate land from Tax Parcel 24-4-67 to Ferguson Township Right of Way. In conjunction with this Subdivision/Replot Plan is a Land Development Plan for the State College, PA Whitehall Road Sheetz. **Plan Expiration is October 1, 2019. Plan is currently with PennTerra Engineering addressing comments from staff and other required agencies.**

5. Orchard View Land Development Plan:

This land development plan, submitted by Penn Terra Engineering on behalf of the applicants, Aspen Whitehall Partners, LLC proposes a 36 lot subdivision on tax parcel yet to be determined by the approval of the Subdivision & Replot Plan for the Harner Farm (Tax Parcel 24-4-67/C). The land is located in the single-family residential zoning district with corridor overlay. **Plan Expiration November 5, 2019. Plans have been resubmitted and staff is currently reviewing the Plans.**

6. Preliminary/Final Land Development Plan – State College, PA (Whitehall Road) Sheetz:

Penn Terra Engineering, Inc. on behalf of the applicant, Aspen Whitehall Partners LLC submitted a Preliminary/Final Land Development Plan for the State College, PA (Whitehall Road) Sheetz. Prior to the submission of this land development plan, a pre-application conference was held with the Ferguson Township Planning Commission as per the optional section 22.302 of the Ferguson Township Subdivision and Land Development Ordinance. The overall concept plan for Harner Farm was discussed at the pre-application conference, including the proposed Sheetz Convenience Store and the subdivision of land as part of the project. The proposed Sheetz Convenience store will be developed on 5.7 acres at the southwest corner of Whitehall Road and West College Avenue. The building will be 6,077 square feet, the site will also have a car wash, stormwater management basins and required access points. A Traffic Impact Study, Stormwater Management Plan and Lighting Plan have been submitted for review. A Transportation Improvement Agreement may not be necessary if all improvements are addressed and designs are on the plans and surety posted.

Construction is scheduled to begin in the fall of 2019 and last a year to eighteen months. Prior to the proposed development, the land was actively farmed for the past fifty years. A plan to subdivide tax parcel 24-4-67 and replot of tax parcel 24-4-67C is also being considered concurrently with the review of the land development plan. **Plan Expiration is October 1, 2019. Plans have been resubmitted to Stahl Schaeffer and are addressing the TIS comments from staff and consultant.**

- 7. Pine Hall Traditional Town Development General Master Plan:** The Board of Supervisors unanimously approved the Pine Hall TTD on August 19, 2019, pending signage of the Terms and Conditions. The Terms and Conditions, along with the Transportation Improvement Agreement, was sent to Derek Andersen of residential Housing, LLC on August 22, 2019 for signatures. Will move to the conditionally approved plans list when all signatures are received. **Plan Expiration is August 30, 2019.**

Conditionally Approved Plans:

- 1. Hummel Subdivision: Plan shall be recorded by November 26, 2019 (2nd Time Extension)**
- 2. Ferguson Township Public Works Facility: Plan shall be recorded by October 15, 2019**

FERGUSON TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
Monday, July 22, 2019
6:00 PM

ATTENDANCE

The Planning Commission held its second meeting of the month on Monday, July 22, 2019 at the Ferguson Township Municipal Building. In attendance were:

Commission:

Bill Keough, Chair-person
Ralph Wheland-Absent
Erik Scott
Jeremie Thompson
Jerry Binney
Shannon Holliday
Rob Crassweller, Secretary

Staff:

Lindsay Schoch, Interim Planning & Zoning Director
Jeff Ressler, Zoning Administrator
Kristina Aneckstein, Community Planner
David Pribulka, Township Manager

Others in attendance were: Summer Krape, Recording Secretary; Wes Glebe, Township Resident; Laura Dinnini Board of Supervisors member; G. Randolph Hudson, NVEC Board Member; David Stone, NVEC Board Member; Janet Engleman, NVEC member; Derek Anderson, representative from Residential Housing; Charlie Suhr, Attorney from Stevens and Lee Law Firm for Pine Hall; Michael Bond Intern at Stevens and Lee Law Firm; Peter Crowley, Representative from Land Design; Michael Pratt; Keller Williams Engineering.

I. CALL TO ORDER

Mr. Keough called the second Planning Commission meeting of the month to order on Monday, July 22, 2019 at 6:00 pm.

II. CITIZEN INPUT

None

III. STATE COLLEGE BOROUGH WATER AUTHORITY – CONDITIONAL USE APPLICATION

Mrs. Schoch stated that representatives from State College Borough Water Authority are present for any questions the Commission may have. Mr. Jeff Ressler, Ferguson Township Zoning Administrator, is also present for any questions regarding the variance requests. Mrs. Schoch stated that this is a conditional use application that the Commission is seeing at today's meeting. Mrs. Schoch stated that there has been seven variances granted over the last year and they are the following: variance to encroach upon 50 foot riparian buffer, Waive requirements of dependent hydraulic study, Allow improvements within the floodplain to allow construction and improvements within the flood way, Encroach upon the floodplain buffer, Variance for the minimum lot size of 50 acres and a non-confirming use in the rural agriculture zoning district. Mr. Keough asked Mr. Ressler for an overview of the variances that were granted. Mr. Ressler stated that the variances are for the road crossing through the floodplain. The building is not going to be in the flood zone or the riparian buffer. The road will be crossing the flood plain which is the reason for the variance. The property was subdivided from an already existing farm lot, they received the variance to carve out more acreage to add to the already existing SCBWA property. Mr. Keough made a motion to approve this plan and move it to the Board of Supervisors. Mr. Crassweller moved the motion and Mr. Binney seconded the motion.

IV. PINE HALL TRADITIONAL TOWN DEVELOPMENT GENERAL MASTER PLAN

Mrs. Schoch stated that there are representatives from Residential Housing, their attorney, and representatives from Land Design present tonight to answer any questions the Commission may have. Residential Housing's attorney, Mr. Charlie Suhr took the stand. He stated he is an attorney with Stevens and Lee in Harrisburg, PA and is here on behalf of Residential Housing to present the Pine Hall general master plan. The presentation will be going through some of the history of the Pine Hall development, where they were and where they are now. Mr. Peter Crowley, a representative from Land Design presented a presentation to the Commission on the changes and history of the plan throughout the three years they have been working on it. Mr. Crowley explained after many work sessions with the Township, Board of Supervisors, and Planning Commission, and public they made corrections. As the plan sits today they have added three updates. They reconfigured the entrance onto Blue Course there will only be two now, removed a street to meet block spacing requirements, and changed the dwellings in the eco district so they are appropriately on a north-south axis. Mr. Suhr added that they will have a work force housing component within the development and have nearly finalized a transportation agreement for offsite traffic improvements. Mr. Suhr stated that each phase of the development will have an implementation plan that will deal with the storm water requirements. There will be bonding put in place for each phase as with any other land development plans.

Mr. Keough opened discussion up for any public comment. Mr. Suhr added that there will be a public hearing on August 5, 2019. Ferguson Township resident Mr. Wes Glebe made a statement and handed a handout to the Commission and Pine Hall developers that addressed his concern regarding the tree count the developer provided and the count he obtained himself. Mr. Crassweller asked if Mr. Glebe and the contracted company used the same methodology. Mr. Michael Pratt from Keller Engineers stated that Mr. Steven Chilcote from Land and Timber Consulting who was contracted by the developer to do the tree consultation used the timber cruise methodology which is a common practice. A Timber cruise and uses sample points based on the size of the area you wish to study and an angle gauge is a tool that allows you to access your count certain caliper trees from your sample point. Using statistics to account for varying density throughout the 65 acres to derive a total number. He stated the method Mr. Chilcote used could have something to do with the difference in numbers as it was different than the method Mr. Glebe used. Mr. Chilcote's total number of trees were 9,783. Mr. Pratt stated that there is a better way and that is to go out and count every single tree. Mr. Pratt stated that last month they hired a second consultant to go out and do just that, they spent 4 days in the field and they counted every single tree. They provided them with a confirmation number of 9,516 trees with a caliper of 5 inches or greater basically confirming Mr. Chilcote's count. Mr. Pratt also wanted to note that the current approved master plan done in 2009 shows preservation of about 8.12 acres of existing trees. The plan we are showing you tonight is 9.22 acres which is significantly more.

Mr. David Stone, Executive member of Nittany Valley Environmental Coalition also made a public comment regarding the tree count. He passed the members and developers a letter from Mr. G. Randolph Hudson that also addressed the tree count concern. Mr. Stone asked that the Planning Commission make a condition for the plan to have these numbers verified. Mr. Sir addressed Mr. Stone's letter by saying that the ordinance allows either maintaining or replacing trees.

Mrs. Schoch stated that staff put together a presentation to go over the general site plan. Phase one will be the overall infrastructure of the site. Phase two is a continuation of what exists and apartment buildings. Mrs. Schoch asked for any thoughts the Commission may have on the first phase. Mr. Keough stated that he noticed between the terms and conditions agreement and exhibit A, it is inconsistent one says three months after recording and the other states six months, he would like to see this be consistent. Mr. Sir stated that they will make everything more consistent. Mr. Keough also stated that the phase one is rather ambitious. Mr. Derek Anderson from Residential Housing Development agreed with Mr. Keough that it is ambitious but they want to show the community and Township they are committed. Mrs. Schoch showed the Commission the conceptual design layout. Mr. Crassweller asked the representatives who will be maintaining the open space areas. Mr. Pratt stated that the stormwater basin areas will be maintained by the developer but they are open to any ideas the Township or Commission may have for the open space areas. Mr. Anderson followed up that the idea is that the developer will take care of it but would love to discuss any ideas to turn the area in a community space.

Mr. Scott stated to the Commission that he is having some trouble with the tree count issue. He has known Mr. Glebe for a long time and he also has spoken/worked with Mr. Anderson. He just is having a hard time that Mr. Glebe came up with a different number. Mr. Anderson stated that he also wanted to clear this up and he feels he has done that by hiring a second consultant to count every single tree. Mr. Pribulka followed up that the Township's Tree Commission has been tasked with writing a tree preservation ordinance that will help with a certain methodology and other protection for trees. Ms. Holliday asked if there has been a decision on the location of bus stops and how the route will regulate. Mrs. Schoch showed the Commission the circulation planned and pointed out all proposed bus stops and the existing bus stops. Mrs. Schoch also noted that staff has met with CATA regarding the need to be more bus stops in and around the retail area. Mrs. Schoch also noted to the Commission that everything they are seeing tonight is conceptual and that all students living in the student housing will have bus passes.

Mrs. Schoch will explained that Ms. Kristina Aneckstein will go over and explain the off-site transportation improvements to be made by the Township. Ms. Aneckstein stated that the first improvement will be adding a right turn lane overlap phase for the eastbound lane of Blue Course Drive it's a right turn movement onto North Atherton Street, Mr. Pribulka stated that this is to add a phase to the traffic light. Mr. Pribulka stated that improvements one and two are incorporated from the Northland Mobility study. Improvements three and four are already planned Township projects. Ms. Aneckstein stated that the next off-site improvements will be developer funded and Township completed are Blue Course Drive and Old Gatesburg Road extend the north bound left turn lane and modify the southbound turn lane. The second is a Blue Course Drive and College Ave will construct an eastbound right turn lane on College Ave and extend the south bound left turn lane onto Blue Course Drive. Finally at Blue Course Drive and Westerly Parkway there will be north bound right turn lane onto Westerly Parkway. Mr. Pribulka stated that all streets are to be dedicated to the Township. Mr. Pribulka stated that this is a large development which is why you see the impact of places like Blue Course Drive.

Mr. Binney asked a few traffic related questions. The traffic improvement contract and staged implementation plans will the Commission see them again, Mr. Pribulka stated that the developer will be providing a traffic study with every phase Submitted to the Township

and reviewed by township engineer. The Commission will view all traffic studies for each implementation plan. Scope of traffic study could you go through what intersections were studied. Mr. Anderson stated that the Traffic engineer is not here, but he believes twenty offsite intersections studied in that neighborhood.

Mr. Binney asked if there were any drop offs during am/pm peak hours at Old Gatesburg, W. College Ave, and North Atherton. Mr. Pribulka stated that some areas are lower than our standards but to help we will be holding surety and will be held until those impacts are felt and they will be built by the developer or we will build them using the surety. Mr. Binney would like to see the trip generations. Mr. Keough questions on terms and conditions agreement that is being refined. Mr. Binney asked if Commission members will get copies of the final copy. Mr. Keough stated that he has some issues with some wording in the terms and conditions, the Commission discussed options to fix these concerns.

Mr. Keough entertained a motion to refer the Pine Hall Traditional Town Development general master plan to the Board of Supervisors for approval pending final agreement of terms and conditions that will include the final off-site transportation agreement. Mr. Crassweller moved the motion and Ms. Holliday seconded the motion.

V. CONSENT AGENDA

Mr. Keough stated that earlier today the development group and their consultants asked to have this Sheetz rendering removed from tonight's agenda.

VI. ACTIVE PLANS REPORT – COMMUNITY PLANNER

Ms. Kristina Aneckstein went over all active plans and gave the Commission updates.

X. CENTRE REGIONAL PLANNING COMMISSION REPORT

Mr. Thompson stated that UAJA submitted a task activity report to DEP to expand the capacity of Scott Road pump station. The capacity closes up quickly during heavy rains. SCBWA gave an update on their projects. Saw a presentation and had some discussion on transportation. The next meeting is Thursday, August 1, 2019 in the forum room at the COG offices.

XI. PINE GROVE MILLS – SMALL AREA PLAN

Mrs. Schoch stated that they spoke about options they have for the mountain properties and continued the drafts everyone has been putting together. They will be starting to peer review each other's work.

XII. APPROVAL OF REGULAR MEETING MINUTES JULY 8, 2019

Mr. Keough made a motion to approve the regular meeting minutes for July 8, 2019 with the correction that Ms. Holliday is no longer an alternate and Mr. Scott was absent. Mr. Binney moved to approve and Mr. Crassweller seconded the motion.

XIII. ADJOURNMENT

The Planning Commission meeting for Monday July 22, 2019 was adjourned at 9:01 pm.

Respectfully Submitted,

Rob Crassweller, Secretary
For the Planning Commission