

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, October 7, 2019

7:00 PM

I. CALL TO ORDER

II. CITIZENS INPUT

III. SPECIAL REPORTS

1. Center Area Transportation Authority
2. Centre County Economic Development Partnership

III. APPROVAL OF MINUTES

1. September 16, 2019, Board of Supervisors Regular Meeting

IV. UNFINISHED BUSINESS

1. Review Draft Zoning and Subdivision & Land Development Ordinance Amendments

V. NEW BUSINESS

1. Consent Agenda
2. Subdivision & Replot Tax Parcels 24-4-67 and 24-4-67C – Request for Waiver
3. Final Planned Residential Development Plan Amendment – The Yards at Old State
4. Authorization to Submit PennDOT MTF Grant for Streetscape Improvement in Pine Grove Mills
5. Draft Personnel Policy Amendment – Drug Free Workplace Policy
6. Board Member Request - Letter of Inquiry to DCNR
7. Authorization of Public Response on Pine Hall TTD General Master Plan Approval

VI. REPORTS

1. COG Committee Reports
2. Other Regional Reports
3. Staff Reports

VII. COMMUNICATIONS TO THE BOARD

VIII. CALENDAR ITEMS – OCTOBER

1. Coffee and Conversation, Saturday, October 12th, hosted by Ferguson Township at Tom Tudek Memorial Park, 8:00 a.m. – 9:30 a.m.
2. Open House for the Bicycle Implementation Plan, Wednesday, October 30, 5:30 p.m. – 7:30 p.m.
3. Trick or Treat Night in Ferguson Township, Thursday, October 31st, 6:00 p.m. – 8:00 p.m.

IX. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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**Board of Supervisors
Regular Meeting Agenda
Monday, October 7, 2019
7:00 p.m.**

I. CALL TO ORDER

II. CITIZEN'S INPUT

III. SPECIAL REPORTS

20 minutes

1. Center Area Transportation Authority – John Spychalski
2. Centre County Economic Development Partnership – Vern Squier, CBICC

Narrative

Vern Squier, CEO of the Chamber of Business and Industry of Centre County will present an update on the Centre County Economic Development Partnership (CCEDP) and its initiatives. The Board may recall that it budgeted a \$25,000 allocation to the CCEDP in 2019, but directed the Manager to not transfer the funds without authorization. After the presentation concludes, the Board is asked to authorize the Manager to convey the \$25,000 commitment to the CCEDP.

Recommended motion: That the Board of Supervisors authorize the appropriation of \$25,000 of the Chamber of Business and Industry of Centre County for the Centre County Economic Development Partnership.

Staff Recommendation

That the Board of Supervisors **authorize** the \$25,000 appropriation.

IV. APPROVAL OF MINUTES

1. September 16, 2019, Board of Supervisors Regular Meeting

V. UNFINISHED BUSINESS

1. **REVIEW OF DRAFT ZONING AND SUBDIVISION AND LAND DEVELOPMENT ORDINANCE AMENDMENTS** 20 minutes

Narrative

The Ferguson Township Planning and Zoning Department along with Environmental Planning and Design have been working over the past two years to update the Township's Zoning Ordinance and Subdivision and Land Development Ordinance.

Throughout the process, staff has worked with a Zoning and SALDO Steering Committee made up of residents, local realtors, business owners, farmers, planning commission members, professional planners, arborist, attorney, builders association, and the chamber of business and industry. An Agricultural Ad Hoc Committee was formed to review the Agricultural Zoning Districts in the Township, which have gone without updates for over twenty years. The Planning Commission has reviewed this

document as well as the Centre Region Planning Commission. Several special meetings of The Board of Supervisors, Staff and EPD were held to review recommendations by the various groups and agencies. A public hearing is scheduled on October 21, 2019, at the regular Board of Supervisors meeting.

The changes to the Subdivision and Land Development Ordinance and Zoning Ordinance are outlined in the document provided by Environmental Planning and Design, LLC. Currently, we are requesting the Board of Supervisors review the outlined changes to the proposed draft of the Zoning Ordinance and the Subdivision and Land Development Ordinance in preparation of the public hearing on October 21, 2019.

[Zoning Ordinance Amendments – July 19, 2019](#)

[Subdivision and Land Development Ordinance Amendments – July 19, 2019](#)

Staff Recommendation

That the Board of Supervisors *review and comment* on the draft ordinances.

VI. NEW BUSINESS

1. CONSENT AGENDA

5 minutes

- a. Acceptance of Treasure's Report for July
- b. Voucher Report for August
- c. 2019-C10 Pay Application - Microsurfacing: \$20,674.00
- d. Sponsorship Request – Purple Lizard Scotia Map, Clearwater Conservancy

2. SUBDIVISION AND RELOT OF TAX PARCELS 24-4-67 AND 24-4-67C – REQUEST FOR WAIVER

10 minutes

Narrative

Aspen Whitehall Partners, LLC has submitted an application for approval of a modification/waiver for the Subdivision of Tax Parcel 24-4-67 & Replot of Tax Parcel 24-4-67C under Chapter 22-303, Review of the Preliminary Plan. The request is to permit the subdivision plan to be processed as a Preliminary/Final Plan although water and sewer mains to the four (4) lots are proposed. Since this subdivision will not be phased, the preliminary plan would be the same exact plan as the final plan. The preliminary/final plan would allow for a single submission process.

The request is to eliminate a repetition of the approval process. In this circumstance for an extra submittal of the same plan as both a preliminary subdivision and a final subdivision which would result in additional review, public meeting and processing time for both staff, Board members and the developer.

Recommended motion: That the Board of Supervisors grant the waiver of Chapter 22, Subdivision and Land Development, Section 303, Review of the Preliminary Plan for the subdivision and replot plan for tax parcels 24-4-67 and 24-4-67C.

Staff Recommendation

That the Board of Supervisors *grant* the waiver request.

3. FINAL PLANNED RESIDENTIAL DEVELOPMENT PLAN AMENDMENT – THE YARDS AT OLD STATE (THE COTTAGES AT STATE COLLEGE)

10 minutes

Narrative

State College Apartments, LLC (Toll Brothers) has submitted a request for amendment of their approved Final PRD Plan to include modifications to their open space (clubhouse) layout and minor corrections to building dimensions. The changes requested do not include any changes in the number of dwelling units; density; uses; impervious area; or other major components of the plan. Therefore, the changes requested have been determined by staff to be generally minor in nature. A small lighting change internal to the development has also been requested and has been reviewed by the Township Engineer.

Per Chapter 27, Zoning, Section 407, Planned Residential Development, 8. Post Final, the procedure to amend a Final PRD Plan after it has been finally approved is to request approval from the Board of Supervisors. It has been determined by the Zoning Administrator that this is the proper procedure per the amendments requested. Provided with the agenda are renderings of the currently-approved and requested revisions to the clubhouse area. Other requested revisions can be found at the link below, and a representative from Penn Terra Engineering will be present to review the revised plan.

As noted earlier, staff has determined that the requested amendment revisions are generally minor in nature and is recommending approval of the amended Final PRD Plan. Provided with the agenda is a memorandum from Kristina Aneckstein, Community Planner summarizing the comments of the Township's Stormwater and Lighting Engineer.

[The Yards at Old State \(The Cottages\) Final PRD Plan](#)

Recommended motion: That the Board of Supervisors approve the amendment to The Cottages at State College Planned Residential Development Final Plan.

Staff Recommendation

That the Board of Supervisors **approve** the Final PRD Amendment.

4. AUTHORIZATION TO SUBMIT A PENNDOT MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION FOR STREETScape IMPROVEMENT IN PINE GROVE MILLS 10 minutes

Narrative

PennDOT is accepting applications for grant funding from the FY2020-2021 Multimodal Transportation Fund until November 8, 2019. The fund was established to improve transportation assets that enhance communities, pedestrian safety, and for transit revitalization. Examples of eligible projects include bus stops, sidewalk/crosswalk improvements, bicycle lanes/route designations, bridge development, streetscaping, lighting, pedestrian and traffic signals, signage, and transit oriented development. Funding is available for projects with an estimated cost between \$100,000 and \$3,000,000. A 30% local fund match is required.

Representatives of staff, the Board, the community, COG Planning Agency, and County Planning Agency met on September 17, 2019, to discuss the scope of a potential project in Pine Grove Mills. The draft scope of the project includes the following elements:

- 1) Location: A section of SR45 (both sides) approximately 960 feet, from S Water Street (flashing light) to Deepwood Drive:
 - a. Amenities: approximately 12 street lights;
- 2) Location: A section of SR26 (west side only of Water Street going up the mountain) approximately 900 feet from Chestnut Street to Pine Grove Road:
 - a. Amenities: lights and sidewalks;

- 3) Location: A section of SR45 from Ross Street to Deepwood Drive:
 - a. Amenities: a bike lane on both sides of the road and adjacent to the road (assume no right of way needed), OR
 - i. A bike lane on one side of SR45, off lane from Plainfield Drive to the Lutheran Church (assume right of way is needed)
- 4) Location: Nixon Road near the cemetery:
 - a. Amenity: rectangular rapid flashing beacon crosswalk.

Recommended motion: That the Board of Supervisors authorize the submittal of a PennDOT Multimodal Transportation Improvement Fund grant application for streetscape improvement in Pine Grove Mills.

Staff Recommendation

That the Board of Supervisors **authorize** the PennDOT MTF grant application.

5. DRAFT PERSONNEL POLICY AMENDMENT – DRUG FREE WORKPLACE POLICY 10 minutes

Narrative

Provided with the agenda is a draft of an amendment to the Township’s Drug Free Workplace Policy. The policy is included with the Personnel Policy Manual and applies to Non-Uniformed Personnel. The purpose of the amendment is to address permissive use of medical marijuana as provided for in the Pennsylvania Medical Marijuana Act adopted in 2016. Per the statute, Township personnel required to possess Commercial Driver’s Licenses may still be prohibited from using marijuana for medicinal or recreational purposes. Law enforcement officials are prohibited from using medicinal marijuana by the Municipal Police Officers’ Education and Training Commission. The Commission has adopted a guideline establishing that it will not certify law enforcement officers under PA Act 120 who have been prescribed medical marijuana. Under the policy, the only personnel permitted to use the substance would be those non-uniformed, non-CDL employees who have been duly prescribed the medication and who provide proper notification to the Township. The Board is asked to authorize a resolution for public hearing adopting a revised Drug Free Workplace Policy to address the medicinal use of medical marijuana.

Recommended motion: That the Board of Supervisors authorize a resolution for public hearing amending the Personnel Policy Manual amending the Drug Free Workplace Policy.

Staff Recommendation

That the Board of Supervisors **authorize** a public hearing on a resolution amending the Personnel Policy Manual.

6. BOARD MEMBER REQUEST – LETTER OF INQUIRY TO THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES 5 minutes

Provided with the agenda is a copy of a draft letter of inquiry to be sent to the Bureau of Forestry of the Department of Conservation and Natural Resources (DCNR). This item was submitted by Ms. Dininni on the September 16th Consent Agenda in accordance with the Board of Supervisors Procedures Manual. The original request is also provided with the agenda for reference. Ms. Dininni will introduce the item.

Recommended motion: That the Board of Supervisors authorize the Township Manager to submit a letter to the Department of Conservation and Natural Resources inquiring about their plans for a parking area in Pine Grove Mills.

7. AUTHORIZATION OF PUBLIC RESPONSE ON THE PINE HALL TRADITIONAL TOWN DEVELOPMENT GENERAL MASTER PLAN APPROVAL 5 minutes

Board members expressed an interest in drafting a response to the community regarding the Pine Hall Traditional Town Development General Master Plan approval and the Township’s initiatives to promote environmental sustainability. A draft letter has been prepared for review this evening, and the Board is being asked to approve the same. If approved, the letter will be provided as a press release and as an op-ed in the Centre Daily Times.

Recommended motion: That the Board of Supervisors approve the Board of Supervisors’ response to the Pine Hall Traditional Town Development General Master Plan Approval.

Staff Recommendation

That the Board of Supervisors **approve** the Board response to the Pine Hall TTD approval.

VII. STAFF AND COMMITTEE REPORTS

1. COG COMMITTEE REPORTS 10 minutes

- a. Public Services & Environmental Committee
- b. Joint Transportation & Land Use & CRPR Committees

2. OTHER REGIONAL REPORTS 10 minutes

- a. Centre County Metropolitan Planning Organization Coordinating Committee
- b. Steering Committee Parks & Rec Regional Comp Plan
- c. Solar PPA Working Group

3. STAFF REPORTS 15 minutes

- a. Township Manager
- b. Public Works Director
- c. Planning & Zoning Director

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