

FERGUSON TOWNSHIP ZONING HEARING BOARD
Regular Meeting
Tuesday, February 28, 2017
7:00 pm

I. ATTENDENCE

The Zoning Hearing Board held its regular meeting on Tuesday, February 28, 2017 at the Ferguson Township Municipal Building. In attendance were:

Board:

Michael Twomley—Chairman
Karen English—Vice-Chairman
Swamy Ananheswaran—Secretary
Peggy Van Meter—absent
Charles Farrell - Alternate
Michael MacNeely - Alternate
Susan Buda-Alternate

Staff:

Jeffery Ressler, Zoning Administrator
Jeffery Stover, ZHB Solicitor

Other in attendance included: Marcella Bell, Recording Secretary; Ray Stolinas, Planning & Zoning Director; Tony Fruchtl, PennTerra Engineering; Joseph Bowman, Bowman Variance request

II. SWEARING IN OF THOSE THAT WISH TO TESTIFY

Three individuals stood to be sworn in.

III. REQUEST FOR A VARIANCE – JOSEPH BOWMAN

Mr. Ressler stated that the property that is the subject of the hearing is located on the proposed lots 124, 134, and 140 on Cardinal Lane. The property is owned by Joseph Bowman of 737 West Beaver Avenue in State College. The property in question is zoned R-1 and Cardinal Lane is a private lane. There are no existing sidewalks along Cardinal Lane and Mr. Bowman is in the process of subdividing a lot into three building lots. The Zoning Ordinance requires sidewalks be constructed along the new lots in accordance with Chapter 27-810. Mr. Bowman is requesting a variance to not require sidewalks to be installed along the new lots at this time. Mr. Ressler turned the floor over to Mr. Fruchtl.

Mr. Fruchtl provided pictures of Cardinal Lane where the lot is being subdivided. Mr. Fruchtl explained that installing sidewalks is a physical problem because there are mature, insured trees on one side of the street and the land is graded on the other side. The neighbors on the street would have to create an agreement for the maintenance of the sidewalk, and it would be "klunky" to tie driveways into the sidewalk. There are no other sidewalks in the development, and Cardinal Lane doesn't connect to a street with a sidewalk as it is a dead end. Mr. Fruchtl stated that installing sidewalks would actually change the way the neighborhood looks.

Ms. English stated that if the Board grants the variance, a condition should be put in place that the Board of Supervisors could require the property owners along Cardinal Lane to construct sidewalks in the future.

Mr. Bowman stated that he did not have any concerns with the condition.

A motion was made by Mr. Anatheswaran and seconded by Ms. English to GRANT the variance with proposed lots 124, 134, and 140 on Cardinal Lane owned by Joseph Bowman not to have sidewalks for the time being with a condition that any time the Ferguson Township Board of Supervisors should require the property owners along Cardinal Lane to construct sidewalks, the variance should be null and void. The motion carried unanimously.

IV. APPROVAL OF MEETING MINUTES FROM THE AUGUST 18, 2016 REGULAR MEETING

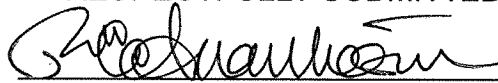
Mr. Anatheswaran stated that "to deny the variance" should be added to the end of the first motion on page four.

A motion was made by Mr. Anatheswaran and seconded by Ms. English to approve the corrected August 18, 2016 meeting minutes. The motion carried unanimously.

V. ADJOURNMENT

With no further business to come before the Ferguson Township Zoning Hearing Board, Mr. Twomley adjourned the regular meeting at 7:31 p.m.

RESPECTFULLY SUBMITTED,

 6/27/17
Swamy Anatheswaran, Secretary
For the Zoning Hearing Board

Date approved by the Board: _____