

**FERGUSON TOWNSHIP ZONING HEARING BOARD
REGULAR MEETINGS
TUESDAY, FEBRUARY 23, 2021
7:00 p.m.**

I. ATTENDANCE

The Zoning Hearing Board held a hearing on Tuesday, February 23, 2021, via ZOOM. In attendance were:

Board:

Michael Twomley- Chair
Susan Buda – Vice Chair
Swamy Anantheswaran- Secretary
Mike MacNeeley
Irene Wetzel
Stefanie Rocco, Alternate
Jeff Stover, ZHB Solicitor

Staff

Jeff Ressler, Zoning Administrator
Summer Brown, Recording Secretary

Others in attendance were: Heather Boring, Court Reporter; Ken Beldin, Gwin Dobson & Foreman; Brian Heiser, SCBWA; Robert Nix, representing SCBWA.

II. CALL TO ORDER

The Ferguson Township Zoning Hearing Board meeting was called to order on Tuesday, February 23, 2021 at 7:00 pm.

III. CHAIRPERSON OF THE ZONING HEARING BOARD EXPLAINS PROCEDURE FOR VIRTUAL MEETING

IV. PLEDGE OF ALLEGIANCE

V. CITIZENS INPUT

VI. INTRODUCTION OF BOARD MEMBERS

VII. SWEARING IN OF THOSE THAT WISH TO TESTIFY

Mr. Jeffrey Ressler, Brian Heiser and Mr. Ken Beldin were sworn in to testify.

VIII. THE ZONING HEARING BOARD SOLICITOR EXPLAINS THE BASIS FOR GRANTING A VARIANCE/APPEAL

Mr. Jeff Stover, Zoning Hearing Board solicitor went over the criteria for a variance.

IX. ZONING OFFICER EXPLAINS THE BASIS OF VARIANCE/APPEAL REQUEST

X. STATE COLLEGE BOROUGH WATER AUTHORITY – VARIANCE REQUEST

Mr. Ressler stated that State College Borough Water Authority variance request located at 3795 W College Ave, State College, PA. Zoned RA, tax parcel 24-004-096-0000 owned by Jennifer C. McCauley. The applicants are proposing to relocate a water main as part of the Pennsylvania Department of Transportation bridge replacement on SR 0026 (W College Ave) near the

intersection of SR 0026 and SR 0045 (Shingletown Rd) The water main will be a 12ft main. The area of the water main replacement is a zoned AE mapped FEMA floodplain and is regulated by the Townships flood plain conservation regulations of Chapter 27-701. Mr. Ressler stated that the applicants are requesting a variance to chapter 27-701.3C, Chapter 27-701.3H, and Chapter 27-701.3.1.

Mr. Robert Nix representing SCBWA asked Mr. Ken Beldin to introduce himself to the Board and asked Mr. Beldin to provide the Board with background on the project. Mr. Beldin explained that this water main is the sole source that supplies 591 customers water for fire use and potable water for the Pine Grove Mills area. Mr. Beldin explained why SCBWA is doing at the request of PennDot. PennDot will be increasing the grading and replacing the bridge which is why the water main needs to be relocated. Mr. Beldin displayed a map to the Board and described where the main is now located and where they are proposing it to be moved, he also explained PennDot's project and where the new bridge will be located. Mr. Beldin stated that the hardship is SCBWA will be able to repair any issues with their crews and equipment with minimal downtime, and the relocation has been done as best possible to minimize any disruptions to the flood plain. Mr. Beldin explained that other routes were considered but the depth of the water main in these routes would make it dangerous for SCBWA crew to work.

Mrs. Wetzel stated the plan looks good but asked for an explanation on the other routes that were considered. Mr. Brian Heiser stated that the project was evaluated and this is the only route that is financially feasible for the water authority and the Pine Grove Mills citizens. Ms. Buda asked if the Township will inspect this after the project is finished, Mr. Ressler stated that yes he will do an inspection once the project is finished to make sure it was returned to predevelopment conditions.

Mr. Twomley entertained a motion to approve the variance request. Ms. Buda moved that State College Borough Water Authority be granted 3 variances regarding the property at 3795 W College Ave, tax parcel 24-004-096-0000. The variance is to chapter 27-701.3C for construction encroachment upon flood plain, Chapter 27-701.H to encroach upon a flood way, Chapter 27-701.3.I for encroachment upon the use buffer, this variance be granted under the condition that the disturbed areas be returned to predevelopment condition contingent upon a Township inspection and attached the four conditions that get attached to a flood plain variance. Mrs. Wetzel seconded the motion and the motion passed unanimously.

XI. APPROVAL OF MEETING MINUTES FROM NOVEMBER 17, 2020 MEETING

Mr. Twomley entertained a motion to approve the meeting minutes for November 17, 2020. Mrs. Wetzel made a motion to approve, Ms. Buda seconded the motion, and the motion passed unanimously.

XII. ADJOURNMENT

The Zoning Hearing Board meeting was adjourned at 8:05 pm.

A handwritten signature in black ink, appearing to read 'Swamy Anantheswaren', is written over a horizontal line.

Swamy Anantheswaren, Secretary
For the Zoning Hearing Board