

ATTENDANCE:

BOARD
Elliot Abrams, Chair
Bryce Boyer, Vice-Chair
George Downsborough, Jr.
Jeff Luck, Supervisor
Walt Wise, Supervisor

STAFF
Doug Erickson, Township Manager
Kim Wyatt, Finance Director
Brent Brubaker, Township Engineer
John Petrick, Chief of Police
Betsy Dupuis, Solicitor

1. **CALL TO ORDER**

The February 12, 2014 Patton Township Board of Supervisors meeting held at the Township Municipal Building was called to order at 7:00 PM by Chair Elliot Abrams.

2. **APPROVAL OF MINUTES**

Mr. Luck moved to approve the January 22, 2014 meeting minutes. Seconded by Mr. Boyer, the motion passed 5-0.

3. **PUBLIC COMMENTS**

There was no public comments.

4. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that the January 2014 Report was included with the agenda materials. He stated that several officers attended training in the month of January and that there were numerous ride-a-longs due to the Leadership Centre County program. He also wanted to inform residents that a snow emergency will be in effect tomorrow morning at 8:00 AM and that the Junior Police Academy starts tomorrow evening.

5. **PUBLIC WORKS**

a. **Waddle Road Interchange Upgrade Project; Agreement for Change in Scope and Additional Services**

Mr. Erickson stated that in December, the Township's project consultant, Erdman Anthony, presented the preferred alternative interchange design concept, a conventional diamond with additional through lanes and turning lanes, to the Board of Supervisors. As a result of the traffic analysis the scope of the project was expanded to include widening on Waddle Road between Colonnade Boulevard and Strouse Avenue.

To address the additional services, including traffic engineering and geometric design, required by this extension of the project, Erdman Anthony has prepared the enclosed "Supplement B Technical and Price Proposal."

The estimated cost of the Supplement B is \$67,488.32. Approval of Supplement B would bring the total not-to-exceed cost for Part 2 of the project to \$583,2178.55, of which \$161,413.93 has been expended as of mid-January 2014.

5. **PUBLIC WORKS (Continued)**

a. **Waddle Road Interchange Upgrade Project; Agreement for Change in Scope and Additional Services (Continued)**

The pre-construction activities are being funded 100% by Patton Township. The Township intends to recoup half of these funds through per-unit contributions from new development in Toftrees Planned Community and other areas near the interchange. At this time, the Township is still seeking state and federal funding for construction.

The proposal has been reviewed by the PennDOT District 2-0 Project Manager and is under review by PennDOT's Central Office.

The Board should consider action to approve Supplement B of the Waddle Road Interchange Project Agreement contingent upon PennDOT approval.

Mr. Wise moved to approve Supplement B of the Waddle Road Interchange Project Agreement contingent upon PennDOT approval. Seconded by Mr. Boyer, the motion passed 5-0.

6. **PLANNING & ZONING**

a. **Planning Commission Report**

Mr. Silvis stated that at the last Planning Commission meeting the rezoning of part of the NR-2 tract, fire hydrant spacing and the proposed changes to Permitted Conditional Uses for the A-1 (Rural) Zoning District were discussed.

Mr. Boyer stated that he received a call from the State College Water Authority in regards to concerns with sizing of pipes on cul-de-sacs and water pressure. He stated that those are things that should be considered with the hydrant locations.

b. **Schedule Public Hearing for Proposed Rezoning to I-1 (Industrial) for a Portion of the NR-2 (Natural Resource And Recycling) Zone**

The NR-2 District is a single 73.5 acre parcel also known as the Old Borough Dump and owned by State College Borough. The parcel is bounded by I-99, the Colonnade, the Otto's/Fairfield Inn site and Hawbaker Industrial Park. For many years the Borough has operated a leaf composting operation on the parcel where we take the leaves collected in Patton Township for processing. Under the parcel's former designation as NR-1 (Natural Resources District.) the composting operation was a legal but non-conforming use.

In 2006 the Township developed a new zoning district, NR-2, and rezoned this parcel. The proposal was made to address the following issues (from the July 2006 meeting minutes):

- To align our zoning regulations with the present and continuing use of a portion of the property for composting municipally collected leaves.
- To provide an opportunity for using a portion of the property for an additional recycling activity, namely converting waste concrete and asphalt into a usable gravel or aggregate product.

In 2008 the Borough of State College entered into an agreement with Glenn O. Hawbaker, Inc. (GOH), to operate a construction debris (e.g. waste concrete, asphalt and masonry) recycling center and in 2009 the Township amended the NR-2 regulations to accommodate such a use by reducing the open space requirement from 70% to 60%. The land development plan for the Hawbaker Recycling Center was also approved by the Township in 2009.

6. **PLANNING & ZONING (Continued)**

b. **Schedule Public Hearing for Proposed Rezoning to I-1 (Industrial) for a Portion of the NR-2 (Natural Resource And Recycling) Zone (Continued)**

In November of 2013, Glenn O. Hawbaker, Inc., with the concurrence of State College Borough, requested that the Township consider an amendment to the NR-2 District to allow for exterior storage. Approximately 3.5 acres that had been designated for recycling operations in the NR-2 District would be utilized for an equipment storage area for Best Line Equipment which operates in the Hawbaker Industrial Park immediately adjacent to the area proposed for the new use. After discussion with Patton Township staff, it was determined that a rezoning of the 3.5 acres from NR-2 to I-1 (Industrial) would be more appropriate to accommodate the equipment storage instead of amending the NR-2 District. Currently, the property along Hawbaker Industrial Drive is zoned I-1.

This item was initially presented at the January 6, 2014 Board of Supervisors meeting and was referred to the Planning Commission for review and consideration.

The agenda materials include a letter from Glenn O. Hawbaker, Inc. requesting consideration to amend the NR-2 Zoning District and the Rezoning Analysis prepared by the Centre Regional Planning Agency to consider changing the zoning from NR-2 to I-1.

The Planning Commission reviewed the request at their January 13th and February 3rd meetings. The Planning Commission recommends changing the zoning to I-1 from NR-2 for the 3.5 acres as recommended in the Rezoning Analysis and to include the portion of property between the Best Line property and the 3.5 acre area outlined in black and white in the Analysis.

Should the Board determine to move forward on the matter a draft ordinance will be provided to the Centre Region Planning Commission and the Centre County Office of Planning and Community Development for comments, the property will be posted with a notice, and a Public Hearing must be scheduled.

The Manager recommends that a Public Hearing, and potential action, be advertised for the March 26, 2014 Board meeting.

Mr. Luck moved to approve to schedule the Public Hearing for Proposed Rezoning to I-1 (Industrial) for a Portion of the NR-2 (Natural Resource and Recycling) Zone on March 26, 2014. Seconded by Mr. Wise, the motion passed 5-0.

c. **Schedule Public Hearing for Proposed Regulations Establishing a Mixed Use Overlay Zoning District**

Initially proposed in late 2012, the Planning Commission developed a set of regulations that would allow for a mix of uses in the C1 General Commercial District. The project arose out of a request received from a developer's representative asking that the Township consider additional development alternatives in commercial districts and it was decided that a mixed use overlay zoning district would be an appropriate means by which to encourage additional development and redevelopment of properties situated within the C1 District. Other commercial districts were also initially considered for inclusion in the overlay boundary; however, there was general consensus that development patterns and market conditions were not favorable in those other districts.

6. **PLANNING & ZONING (Continued)**

c. **Schedule Public Hearing for Proposed Regulations Establishing a Mixed Use Overlay Zoning District (Continued)**

In following a charge put forth by the Board of Supervisors, the Planning Commission worked to create a set of standards that would encourage further development, but which also ensure that the character of the C1 District remains primarily commercial.

In an effort to understand the maximum development potential of the parcels located in the district and constraints on that potential, staff reviewed the existing regulations and standards in relation to existing development patterns. Because most of the property in the C1 District already contains at least one structure, with on-site parking, it was determined that perhaps the greatest limiting factor to additional development is the land area available to meet any required additional parking should the mixed use overlay district be employed. At that, staff suggested standards to allow for increased impervious surface and a variety of parking reductions. These and other standards of the overlay district are briefly summarized in the "Highlights of Draft Regulations" document included with the agenda materials.

In return for the benefits derived from developing under the mixed use regulations, the owner must provide architectural treatments on structures as well as community facilities for the common use of patrons and residents.

In July 2013 the Planning Commission recommended that the Board adopt the proposed regulations. At that time the Board determined that it would be prudent to defer any action (and possibly avoid preparing a Development of Regional Impact (DRI) report) on this matter until the Centre Region Council of Governments municipalities had completed revisions to the Regional Growth Boundary/Sewer Service Area Inter-Municipal Agreement. That matter was resolved in December 2013 and zoning changes within the Growth Boundary are no longer subject to that Agreement.

Should the Board determine to move forward on the matter a draft ordinance will be provided to the Centre Region Planning Commission and the Centre County Office of Planning and Community Development for comments and a Public Hearing must be scheduled.

The Manager recommends that a Public Hearing, and potential action, be advertised for the April 9, 2014 Board meeting.

Mr. Luck moved to approve to schedule the Public Hearing for Proposed Regulations Establishing a Mixed Use Overlay Zoning District on April 9, 2014. Seconded by Mr. Downsborough, the motion passed 5-0.

d. **Proposed Changes to Permitted Conditional Uses for the A-1 (Rural) Zoning District**

One of the items identified as a Planning Commission work task for 2013 was a review of the existing conditional uses of the Township. Conditional uses are a class of uses for which additional regulatory controls are in effect beyond those of permitted uses. The Pennsylvania Municipalities Planning Code provides the legal basis for regulating conditional uses as such.

A benefit of the conditional use review and approval process is that it affords the Township the ability to carefully review and consider aspects of a particular use that may not be easily regulated through standard processes and existing regulations. However, the conditional use designation should also be reserved for only those uses that most necessitate the additional review process in order to not overly burden the approval process for uses and development plans that are more suitable to standard review.

6. **PLANNING & ZONING (Continued)**

d. **Proposed Changes to Permitted Conditional Uses for the A-1 (Rural) Zoning District (Continued)**

Although this project is for the purpose of analyzing conditional uses with respect to Patton Township's existing zoning regulations, it is similar to an ongoing regional review of all the zoning districts of all of the municipalities of the Centre Region. Although the regional zoning analysis is restricted to zoning districts with land area outside the Regional Growth Boundary (RGB) and is from the perspective of consistency of zoning regulations to the growth objectives. At the January Planning Commission meeting, staff presented an overview of possible amendments to the conditional uses in the A-1 Zoning District. Included with the agenda is an updated section of the A-1 Rural District regulations that incorporates the changes (see pages 3-5 and 11-12) that were recommended by the Planning Commission at their February meeting.

Prior to scheduling a Public Hearing on the matter, the Manager recommends that property owners in the A-1 District, with properties that are not in existing residential subdivisions, be informed of the proposed changes and invited to an informational session in the near future.

The Board should review the proposed changes and provide input on the proposed regulations or the review process.

Mr. Vorwald stated that this is a project that has been going on for some time now and is an effort to look at all zoning districts in Patton Township starting with the A-1 District. He stated that recommending removal of hospitals and clinics from the district as they are permitted in other districts. He stated that the other main change is the increase in minimum lot size for some of the specific uses.

Mr. Luck asked why public recreational facilities were dropped but nothing on private recreational facility. Mr. Vorwald answered that public recreational facilities would be included under the public recreation use which will include indoor or outdoor facilities.

Mr. Downsborough asked if anyone else besides A-1 district residents should be contacted. Mr. Erickson answered no.

7. **ADMINISTRATION**

a. **ABC Appointments**

The ABC Committee is also reviewing applications for the following vacancies:

- Open Space Stewardship Committee (1)
- Recreation Advisory Committee (2)
- Sign Review Board (1 full term, 1 partial term)
- Zoning Hearing Board Alternate (1 partial term)

The Board should consider action to approve appointments as recommended.

Mr. Downsborough stated that we still have vacancies for the Recreation Advisory Committee, the Sign Review Board and Zoning Hearing Board and we are still looking for volunteers to fill these vacancies..

Mr. Downsborough moved to approve the appointment of Betsy Whitman to the Open Space Stewardship Committee. Seconded by Mr. Luck, the motion passed 5-0.

8. **CONSENT AGENDA**

The items included below are routine in nature and it is not anticipated that any will generate discussion or questions. The actual Consent Agenda with a brief description of each item is included with the agenda packet materials distributed to the Board and will also be available to the public at the sign-in table. At the request of a Board member any single item or all items on the Consent Agenda can be discussed and voted on separately. If no items are "pulled," the Board should consider a motion for "approval of the Consent Agenda items as shown on the agenda."

a. **Public Works**

1) **Salt Contract**

The Township participates in a state-wide contract administered by the Department of General Services for deicing salt. The contract runs for one year and requires annual participation approval from each municipality. The program year for this approval begins in August 2014 and ends July 2015. The deadline for submission of the contract is March 15, 2014. A memo from the Public Works Director with additional background information is included in the agenda materials.

It is recommended that the Board authorize the Manager to complete the participation agreement for the 2014-2015 Sodium Chloride Contract administered by the Commonwealth of Pennsylvania Department of General Services.

2) **Watershed Cleanup Day – April 26th**

Clearwater Conservancy has requested that Patton Township designate April 26, 2014 as Watershed Cleanup Day. Clearwater Conservancy has organized this community-wide volunteer effort annually since 1997 and has collected and safely disposed more than 2,850 tons of trash from our waterways and country-sides.

Patton Township Public Works will continue to participate by providing trucks and labor to assist the collection efforts. The Public Works Director will coordinate activities between Clearwater Conservancy and the Township.

It is recommended that the Board designate April 26, 2014 as Watershed Cleanup Day.

b. **Administration**

1) **Voucher Report**

A copy of the January 2014 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

It is recommended that the Board approve the January 2014 Voucher Report.

2) **Centre Region Building and Housing Board of Appeals**

The Centre Region Council of Governments (COG) General Forum has referred this item to the participating municipalities for action.

An appointment to the Board of Appeals is made for a three year term. A member of the

8. **CONSENT AGENDA (Continued)**

b. **Administration (Continued)**

2) **Centre Region Building and Housing Board of Appeals (Continued)**

Board of Appeals may serve a maximum of three consecutive terms or a total of nine years prior to coming off the board for a period of time. This year, there are four new appointments and one reappointment being recommended.

The Board should consider action to make the following appointments:

For re-appointment to the Centre Region Building and Housing Code Board of Appeals for a three (3) year term commencing

February 15, 2014:

Plumbing Board:

Moses D. F. Ling, P.E., R.A., Leed AP

Mechanical Board:

(Alternate) Moses D. F. Ling, P.E., R.A., Leed AP

Property Maintenance Board:

Nicole Woodring
(Alternate) Lianne Semion

Electrical Board:

Richard Harris, P.E.
(Alternate) Kirk Lauer, P.E.”

It is recommended that the Board appoint the above slate of nominees to the Centre Region Building and Housing Board of Appeals for three-year terms commencing February 15, 2014.

3) **Records Disposition Resolution**

Various Township departments have identified records for destruction in accordance with Township Resolution 2009-014, our policy for records disposition. Enclosed is a copy of the proposed resolution, including a list of the records identified for destruction.

It is recommended that the Board adopt Resolution 2014- 002 authorizing destruction of these records.

Mr. Luck moved to approve the Consent Agenda. Seconded by Mr. Boyer, the motion passed 5-0.

9. **MANAGER'S REPORT**

a. **Development Update**

Mr. Erickson stated that the development update was included with packet.

b. **Thank You from First Night State College**

Mr. Erickson stated that the Township received a Thank You from First Night State College for the \$550 donation that sponsored two ice sculptures.

9. **MANAGER'S REPORT (Continued)**

c. **Interviewing for CRPA/Township Planner**

Mr. Erickson stated that Mr. Brubaker will be sitting in the interviews for the CRPA/Township Planner part time position next week.

d. **Salt**

Mr. Erickson stated that he spoke with Mr. Brubaker and Mr. Coakley in regards to how much salt we had used and that the Township is doing ok. He also wanted to remind residents that a snow emergency will be in effect as of 8:00 AM tomorrow morning and that sidewalks need to be shoveled 24 hours after the storm or citations will be handed out.

10. **COMMITTEE REPORTS**

Mr. Wise stated that CATA will be at the next Finance Committee meeting tomorrow if the Board has any comments on CATA costs.

Mr. Luck stated that Parks Capital did not meet. He stated that the County stated last year that they were not going to abide by the formula for the Centre County Metropolitan Planning Organization and that Spring Township dropped out as a paying member. He stated that he thought this would be a good time to relook at how the MPO is funded.

Mr. Erickson stated that the MPO gets money from the state to run and operate the MPO, and there is a minimum local match of 10% or 20% match. The local contribution to the CCMPO is much higher than the minimum.

Mr. Luck stated that the MPO has brought in more money with supplemental funding than what has been invested locally.

Mr. Boyer stated that Public Services and Environmental were cancelled due to weather. He stated that there was an initial contact with Keystone COG to look at possibly using mutual aid agreement for code inspection services. Mr. Boyer stated that the Board of Appeals is looking at getting revamped.

Mr. Downsborough stated that he was unable to make the HR meeting but the Finance Officer and Fire Training position was approved.

11. **OTHER BUSINESS**

There was no other business.

12. **ADJOURNMENT**

There being no further business, by Mr. Luck's motion and Mr. Boyer's second, the meeting was adjourned at 8:01 PM.

Douglas J. Erickson, Township Secretary