

REGULAR MEETING / WORK SESSION

1. **CALL TO ORDER – REGULAR MEETING**

The March 10, 2014 Regular meeting was called to order at 7:30 PM by Mr. Jeff Kokoskie. Members Sharon Bressler, Paul Silvis, and Bill Steudler also attended. Staff members present were Doug Erickson, Township Manager; Brent Brubaker, Township Engineer; Ken Soder, Zoning Officer; Eric Vorwald, CRPA Planner; and Nicole Harter, Public Works Secretary. The audience included, Dave Palmer, S & A Homes; Tom Songer, Toron Group; John Sepp, Penn Terra Engineering; Steve Bair, CRCOG Fire Director; Galen Dreibelbis; Brad Chovit; and Derek Canove, Centre County Association of Realtors.

2. **ITEMS OF CORRECTION**

There were no additions or deletions to the agenda.

3. **APPROVAL OF MINUTES**

Meeting minutes from the February 3, 2014 combined Regular Meeting and Work Session Meeting were brought before the Planning Commission for approval.

Mr. Paul Silvis made a motion to approve the meeting minutes as submitted. The motion was seconded by Ms. Sharon Bressler. The motion passed with a vote of 4-0.

4. **PUBLIC COMMENTS**

There were no public comments at this point in the meeting.

5. **TEMPORARY USE PERMIT: NORTH ATHERTON FARMER'S MARKET**

Mr. Brent Brubaker noted that the Township has received a request from the North Atherton Farmer's Market to operate a farmer's market on the premises of the Home Depot located in Patton Township. The event is the same as has been conducted each of the past three years in the same location. It is proposed that the market will be open every Saturday from May 10, 2014 through November 8, 2014, between the hours of 10:00 AM and 2:00 PM.

The market will be situated in the southeast corner of the Home Depot parking lot. Tents ranging in size from 10' x 10' to approximately 10' x 20' will be arranged so as to not allow vehicles to circulate in the tent area, but the tents will not block any fire lane. There is no additional parking proposed for the market and the location of the site will not impede access patterns. Lighting is not proposed.

Permits for similar sales have been provided by Patton Township in past years without any problems, thus Township Staff recommends approval with the condition that the letters from Home Depot and the Property Owner must be received prior to the start-up of the Farmer's Market.

Mr. Bill Steudler made a motion to recommend approval of the Temporary Use Permit with the condition that the letters from Home Depot and the Property Owner are received prior to the start-up of the Farmer's Market. The motion was seconded by Ms. Sharon Bressler. The motion passed with a vote of 4-0.

6. **TIMBERTON ESTATES SKETCH PLAN – WALKING TRAIL MODIFICATION**

Mr. Tom Songer, Toron Group presented the sketch plan for the Timberton Estates Homeowner Association, Inc., (HOA) that proposes modifications to the previously approved Timberton Estates Final Subdivision Plan. The modification proposes to eliminate the walking trail from the approved plan and to revise Plan Note 2d. Plan Note 2d stipulates that: *“Parkland Requirement: 1 acre. The Developer will open the walking trail network for public access to meet the parkland requirement.”* The HOA’s proposal would modify Note 2d to read as follows: *“The Open Space (herein defined as 18.804 acres) may be used by the lot owners of Timberton Estates for their enjoyment as long as the use is allowed by Township Ordinances and is also in conformance with the By Laws of the Timberton Estates Homeowners Association, Inc. and the Declaration of Restrictions, Covenants, Reservations, and Easements for Timberton Estates.”*

In consideration of the above described modifications, the Timberton Estates HOA proposes to pay a fee-in-lieu of parkland in the amount of \$10,000 to Patton Township over a period of three (3) years.

Chapter 153-34.1.N of the Subdivision and Land Development Regulations for Rural Preservation states: “Pedestrian circulation in the form of developed trails or informal paths shall be provided throughout the tract. These trails shall have the ability to establish a system so that the future linkages can be made. If the trails are designated for public use, they may be applied toward the parkland requirement and must be noted on the record plan accordingly.”

The Timberton Estates HOA will be requesting a waiver from the walking trail requirement and to provide a fee-in-lieu of parkland to account for their 1-acre parkland requirement.

The Planning Commission may not take official action on a Sketch Plan. The opportunity to present sketch plans is provided to permit developers to introduce projects, receive initial feedback from the Township on plan features and explore alternatives. The Developer is asked to consider the comments provided and incorporate them, as appropriate, into a final submission. Comments provided by the Planning Commission will be forwarded to the Board of Supervisors.

Mr. Songer noted that during a meeting with the HOA, the wish is to not have the public in the back yards of the residents. Mr. Brad Chovit said the residents are currently utilizing the facilities at Bernel Road Park.

Ms. Sharon Bressler asked if the walking trail is complete. Mr. Songer noted that it is complete. It is a soft-based trail, approximately four to five foot wide, and at one time did have parkland mulch on it.

Ms. Bressler asked if there was another area where they could provide an acre for parkland. Mr. Doug Erickson noted that the Township does not wish to have an acre park, as the cost is high to maintain smaller parks.

The consensus of the Planning Commission was to move the plan forward to the Board of Supervisors for their review and comment.

**7. PROPOSED CUL-DE-SAC REGULATIONS**

Mr. Brent Brubaker noted that at the February 3, 2014 Work Session, the Planning Commission considered reducing the maximum spacing between fire hydrants on cul-de-sacs from 500 feet to 400 feet as requested by the Board of Supervisors. The request was made after reviewing Footnote a. of Table C105.1 of the 2009 IFC which reduces the maximum spacing between fire hydrants for dead end streets by 100 feet.

Mr. Steve Bair, CRCOG Fire Director was present and spoke to the procedure he uses to calculate fire flow requirements for developments. He also provided insight into the challenges of rural fire fighting and to the problems of fighting fires along cul-de-sac streets.

Mr. Steve Bair, CRCOG Fire Director, briefly addressed the Planning Commission that he was present for the Work Session meeting.

Mr. Jeff Kokoskie noted that this item will be tabled and will be further discussed during the Work Session following the adjournment of the Regular meeting.

**8. UPDATE ON PENDING WORK TASKS**

Mr. Brent Brubaker noted that some of the work completed by Staff and the Planning Commission in 2013 included: mixed use zoning in commercial districts, reorganization of the Subdivision and Land Development (Chapter 153) and Zoning (Chapter 175) ordinances to better consolidate and present information, cul-de-sac road standards review, comprehensive plan implementation priorities, temporary use regulations, and conditional use review of the A-1 zoning district.

The following is a list of potential work task items for 2014 for review and consideration. The items on the list, compiled by Staff, are presented in general order of priority from a Staff perspective.

1. Review of Existing Conditional Uses

The purpose of this project would be to review the existing conditional uses of each of the zoning districts in an effort to determine their consistency with the stated intent for development in that district. The uses should also be reviewed in relation to the updated Comprehensive Plan.

2. Interpretation Guidance Manual

Staff has discussed a means by which to address portions of the existing regulations that can be difficult to understand. Often times there is some degree of staff interpretation of those regulations in the process of enforcement and development plan review. A guidance manual would consist of explanations of the various topics addressed by the aforementioned regulations of how Staff applies the requirements in daily activities.

8. UPDATE ON PENDING WORK TASKS (cont.)

3. Family Burial Plots: Ordinance

The Township previously received an inquiry as to the legal status of entombing the remains of deceased family members on an individual's property. This ordinance would include any necessary recommended standards that would pertain, for instance, to setbacks from adjoining properties and nearby streams or drinking water sources as well as any other requirements necessary to ensure the general health, safety, and welfare of the citizens.

4. Reorganize/Reformat Telecommunications Regulations

The regulations governing telecommunications facilities are currently located in the Supplemental Regulations of Chapter 175, Zoning. Because there are multiple pages containing the pertinent standards, a separate section could be created to contain the telecommunication regulations rather than including them in the Supplemental Regulations where a variety of topics are addressed.

5. Large Scale Solar: Ordinance

Alternative energy is an increasingly popular means of producing energy, both on an individual and commercial level. Solar energy facilities are becoming more common. Although small solar panels and roof-top systems can be regulated in a land-use ordinance; large scale, commercial solar energy production contains attributes that perhaps require more attention as it relates to siting, scale, and other land use matters. There are model ordinances that provide a good basis for drafting an ordinance for the Township.

6. Outdoor Furnaces: Ordinance

In recent years, DEP published new regulations pertaining to the operation of outdoor furnaces. The regulations restrict the type, location, and acceptable fuel for such devices. Township Staff is not aware of any current problems relating to the use of these furnaces.

7. Homeowner's Associations\*

In the past, there arose an occasion where it was discovered that there was a piece of land that was to be owned and maintained by an HOA which, as it turned out, had never been created. The land was to be dedicated to open space usage. The property was later listed as a sheriff's sale property and, subsequently, removed from the list and donated to the Township which now maintains the property. It was decided that, in order to prevent a similar situation from occurring again, the Township may wish to enact regulations that would assure that an HOA will in fact be created with it is proposed as part of a development plan.

8. **UPDATE ON PENDING WORK TASKS (cont.)**

8. **Fee-In-Lieu (Parkland): Ordinance\***

This item is intended to assess the past outcomes of incidents where the Township has accepted cash payment as an alternative to setting aside land on-site to be used as parkland when new residential developments are approved. Issues to be covered would include the appropriateness of the amount of cash received in relation to the amount of land in the waived parkland requirement, the specific use of the funds received, the amount of parkland created by fees in relation to the waived requirement and the broader outcome of multiple policy decisions in terms of the Township's total acreage in parkland in relation to similar communities. Depending on the outcome of the study, a specific policy related to fee acceptance and amount may be formulated.

\*Item previously included on work task lists but is considered low priority and/or requires further research prior to implementing.

Mr. Erickson gave a brief background of the topics on the list. Mr. Erickson noted that it is possible to remove the Homeowners Association and Fee-In-Lieu (Parkland) Ordinance from the list.

After discussions, the Planning Commission chose to rank the work tasks as follows:

1. Review of Existing Conditional Uses
2. Interpretation Guidance Manual
3. Family Burial Plots: Ordinance
4. Reorganize/Reformat Telecommunications Regulations
5. Outdoor Furnaces: Ordinance\*
6. Large Scale Solar: Ordinance\*

\*Considered as a low priority and/or requires further research prior to implementing

9. **STATUS ON PENDING ITEMS**

There were no comments from the Planning Commission on the pending work task items.

10. **REPORTS**

No additional reports were given.

11. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

12. **ADJOURN – REGULAR MEETING**

The meeting was adjourned at 8:18 PM.

13. **CALL TO ORDER – WORK SESSION**

The March 10, 2014 Work Session meeting was called to order at 8:22 PM by Mr. Jeff Kokoskie. Members Sharon Bressler, Paul Silvis, and Bill Steudler also attended. Staff members present were Doug Erickson, Township Manager; Brent Brubaker, Township Engineer; Ken Soder, Zoning Officer; Eric Vorwald, CRPA Planner; and Nicole Harter, Public Works Secretary. The audience included, John Sepp, Penn Terra Engineering; Dave Palmer, S & A Homes; Tom Songer, Toron Group; Galen Dreibelbis; Steve Bair, CRCOG Fire Director.

14. **PUBLIC COMMENTS**

There were no public comments at this point in the meeting.

15. **FIRE HYDRANT SPACING**

Mr. Brent Brubaker noted that at the February 3, 2014 Work Session, the Planning Commission heard discussions from Steve Bair, CRCOG Fire Administrator and several representatives of the land development community concerning the existing fire hydrant spacing requirements within Patton Township.

Patton Township's current fire hydrant spacing regulations (Section 153-36.C(1)(f) of the Patton Code include:

*The spacing between fire hydrants shall not exceed 1,000 feet in developments of one- and two-family dwellings and shall not exceed 600 feet in developments of other development types as measured along the center line of fire apparatus access roads. With the exception of one- and two-family dwellings, the distance to any dwelling or occupied structure shall not exceed 300 feet.*

In discussions with representatives of the State College Borough Water Authority about the origin of the 1,000 foot spacing it was determined that it related to a request (possibly Alpha Fire Company) that an accessible fire hydrant be located no more than 500 foot from any point along a roadway and not necessarily from any specific national publication or National Fire Code.

A copy of Chapter 153-36.C of the Patton Township Code was reviewed by the Planning Commission. This section cites the above referenced requirement as well as the method of calculating fire flow requirements for various development types. Note that some items in this section specifically the reference pertaining to fire hydrant spacing, does not contain a recent amendment date and therefore would have originated during the adoption of Chapter 153 in 1971. Although this does not invalidate our current requirements it does prompt a discussion into whether additional references or requirements in this section should be part of our discussion.

Mr. Steve Bair provided a handout to the Planning Commission and members of the audience for his detailed presentation regarding hydrants, flows, and cul-de-sacs.

After Mr. Bair's presentation, the Planning Commission had a better understanding of the issue at hand.

**15. FIRE HYDRANT SPACING (cont.)**

Mr. Bair offered his recommendation that fire hydrant spacing on cul-de-sacs be set at 400 feet and that we maintain our current fire protection regulations with 1,000 foot spacing of fire hydrants for all other streets.

The Planning Commission requested that both items be placed on the Regular meeting agenda in April for a formal recommendation to the Board of Supervisors.

**16. PLANNING COMMISSION TRAINING OPPORTUNITIES**

Mr. Eric Vorwald noted that the Centre Regional Planning Agency (CRPA) has been discussing potential training for the Centre Regional Planning Commission (CRPC) representatives and other members of municipal planning commissions. At the last CRPC meeting on February 6, 2014, the CRPA provided several options for the CRPC to consider. The options include:

1. Utilize the Pennsylvania Municipal Planning Education Institute (PMPEI) to conduct "The Course in Community Planning". This is a 10-hour introductory course covering the Pennsylvania Municipalities Planning Code. It is conducted over three evenings and costs \$1,600 (for 20 to 30 participants). Several CRPC members thought this may be worthwhile training, but it's a big time and cost commitment. It is anticipated that funding for this would be a joint effort with the CRPA using some of its budget and requesting the municipalities help cover the costs of planning commissioners that want to attend. If the CRPA pays half, the remaining cost per attendee would be between \$20.00 and \$30.00.
2. Invite municipal planning commission members to a "peer to peer", or open house meeting to discuss what type of training they want, if any and to discuss implementation of the Centre Region Comprehensive Plan. This could be conducted over one evening during a regular CRPC meeting.

Mr. Doug Erickson asked Mr. Vorwald to send out an e-mail to Planning Commission members to check availability of schedules during the year.

**17. ADJOURN – WORK SESSION MEETING**

The Work Session Meeting was adjourned at 9:18 PM.