

ATTENDANCE:

BOARD	Elliot Abrams, Chair Bryce Boyer, Vice-Chair Jeff Luck, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Brent Brubaker, Township Engineer John Petrick, Chief of Police Betsy Dupuis, Solicitor Eric Vorwald, CRPA Susan Wheeler, CRPR
ABSENT	George Downsborough, Jr., Supervisor Kim Wyatt, Finance Director
AUDIENCE	C-NET (2) Scott B. Miller, Resident Ann Yost, YSM Joe Wilson, Wilson Ecological Consulting John Koptchak Cindy Solic, RAC Vern Squier, CBICC Chris Hurley, RAC – CRPR Lee Myers, CBICC Ann Taylor, RAC Katie Ombalski, Clearwater Conservancy

1. CALL TO ORDER

The April 9, 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. Boyer moved to approve the March 26, 2014 meeting minutes. Seconded by Mr. Wise, the motion passed 4-0.

3. PUBLIC COMMENTS

There were no public comments.

4. PUBLIC HEARING: Proposed Regulations Establishing a Mixed Use Overlay Zoning District

Mr. Erickson stated that 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.

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.

4. **PUBLIC HEARING: Proposed Regulations Establishing a Mixed Use Overlay Zoning District (Continued)**

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.

The agenda materials contained a response letter from the Centre Regional Planning Agency noting consistency with the Comprehensive Plan and offering no other specific comments. The agenda materials also contained a response letter from the Centre County Office of Planning and Community Development.

a. **Public Hearing**

The Board of Supervisors convened the Proposed Regulations Establishing a Mixed Use Overlay Zoning District Public Hearing at 7:03 PM.

On a motion from Mr. Luck and seconded by Mr. Boyer, the Board of Supervisors closed the Public Hearing at 7:04 PM with a vote of 4-0.

b. **Action Consideration**

After the Public Hearing is closed, the Board should consider action on the proposed Regulations Establishing a Mixed Use Overlay Zoning District or identify revisions or further information needed before further consideration. Substantive revisions will require readvertisement and a new Public Hearing.

Mr. Luck moved to approve the proposed Regulations Establishing a Mixed Use Overlay Zoning District. Seconded by Mr. Boyer, the motion passed 4-0.

5. **PUBLIC WORKS**

a. **Gray's Woods Park Draft Master Plan Presentation**

Ms. Yost, the Township's Park Master Planning Consultant, YSM, made a presentation on the process and results of the master planning process for the Township's newest park, Grays Woods Park. This park is located along Gray's Woods Boulevard near the Brynwood neighborhood in the Gray's Woods Planned Community.

5. **PUBLIC WORKS (Continued)**

a. **Gray's Woods Park Draft Master Plan Presentation (Continued)**

The agenda material included a narrative Summary of the master planning process and the findings of the public participation, a phasing plan, and a cost estimate. The Planning Commission received the presentation at their April 7th meeting; comments were provided prior to the Board meeting.

Mr. Erickson noted that following the presentation and discussion, the Board should consider action to adopt the Master Plan for Gray's Woods Park or provide direction for refining/modifying the Master Plan.

Mr. Erickson reported that the Planning Commission recommends accepting the Draft Master Plan on a 6-1 vote. Dissenting member, Paul Silvis, has provided his views (attached) on the Park Planning process and why he voted thusly.

Ms. Yost stated that this plan was started last year and that the 43 acres is very unique and the home to significant species both plant and animal.

Mr. Abrams stated that one of the Planning Commission members was concerned about the costs. Ms. Yost stated that this process will give a conservative estimate and different strategies to move forward with this park.

Mr. Erickson stated there is \$250,000 budgeted for phase 1 for next year and that there will be funding available in the future.

Mr. Luck stated that this is a unique park that he feels will be popular and that there are potential funding opportunities that the Township can look into.

Mr. Wise stated he would like to have a map with all the surroundings of that block. Mr. Erickson stated he can send him a copy electronically.

Mr. Wise asked if this could be put on the April 23, 2014 agenda so that he can look into this further.

The Board agreed to place the Gray's Wood Park Master Plan on the April 23, 2014 agenda.

b. **Valley Vista Drive Intersection Improvements Presentation**

Mr. Erickson stated that the Township's traffic engineering consultant, Trans Associates, will provide a presentation on the methodology and results of the review of traffic conditions at the four un-signalized intersections on Valley Vista Drive. A copy of the consultant's report was included with the agenda materials.

The 2014 Budget provides \$250,000 to possibly start making improvements to one intersection in 2014.

Following the presentation and discussion, the Board should consider action to accept the report and move forward with soliciting engineering proposals for design of a southbound left turn lane at Amblerwood Way.

5. **PUBLIC WORKS (Continued)**

b. **Valley Vista Drive Intersection Improvements Presentation (Continued)**

Mr. Shaffer stated that manual traffic counts was done at Amblerwood Way and Devonshire Drive and that there was a queue of in excess of 5 cars. He stated a speed study was done and the highest speed was 46mph at Oakley Drive and Devonshire Drive. He stated that there were only 4 reportable crashes at the intersection. He stated that Trans Associates feels that the highest priority for installing a new left turn lane is at Amblerwood Way.

Mr. Erickson stated that all the construction will be on one side of the road and would try to complete during the summer months when school is not in session.

Mr. Miller stated he thought this was something the Township discussed over 30 years ago and that he is concerned about pedestrian crossing at the park entrance. Mr. Erickson stated that the turning lanes would not affect the designated crossing area for the students.

Mr. Miller stated he is also concerned about the CATA buses turning into the street. Mr. Abrams suggested looking into bus turn offs if CATA runs service along Valley Vista Drive.

Mr. Shaffer stated that the next step would be soliciting engineering proposals for design of a southbound left turn lane at Amblerwood Way.

Mr. Brubaker stated that this was included as a Capital Budget project. Mr. Erickson stated that the project would maybe start fall of 2014 or June of 2015.

Mr. Erickson suggested double checking the queuing length at Amblerwood Way for the buses.

Mr. Luck stated that in future he would like to look further into CATA turn offs.

The Board agreed to move forward with soliciting engineering proposals for design of a southbound left turn lane at Amblerwood Way with the possibility of extending the scope to include additional intersections.

6. **PLANNING & ZONING**

a. **Planning Commission Report**

Mr. Hermann stated that at the Planning Commission discussed the Toftrees Master Plan which was well received by everyone, the Airport Zoning Amendment, Cul-de-sac Regulations and Fire Hydrant Regulations at the last meeting.

b. **Planning Commission Recommendations**

Mr. Erickson reported that the Planning Commission (PC) met on Monday, April 7, 2014 and forward recommendations on several items:
Items anticipated for Board consideration include:

PC Items 4 & 5 – Temporary Use Permits; Walmart Sales Tent and Temporary Storage Containers (on Consent Agenda); **PC Recommends Approval**

PC Item 7 – Toftrees Master Plan; **PC Recommends Approval**, the Manager recommends holding an initial review and discussion at the April 23 meeting, a Public Hearing must be advertised and held prior to final action.

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

b. **Planning Commission Recommendations (Continued)**

PC Item 8 – Permitted Uses in the Planned Airport District; **PC Recommends Approval, the Manager recommends scheduling a Public Hearing for May 14, 2014.**

PC Item 9 -- Cul-de-sac regulations **PC recommends reducing hydrant spacing from 500 feet to 400 feet, the COG Fire Director will attend the April 23 meeting to provide his recommendations to the Board.**

PC Item 10 -- Fire Hydrant Spacing; **PC recommends maintaining current spacing requirements except as noted for cul-de-sacs, the COG Fire Director will attend the April 23 meeting to provide his recommendations to the Board.**

Mr. Luck moved to approve scheduling a Public Hearing for the Permitted Uses in the Planned Airport District for May 14, 2014. Seconded by Mr. Wise, the motion passed 4-0.

7. **ADMINISTRATION**

a. **Designation of Official Township Amphibian**

The Eastern Spadefoot Toad (*Scaphiopus holbrookii*) has been verified in Patton Township by the Fish and Boat Commission. This endangered species is a small toad further described by the website PAHerps as:

The background color varies from dark brown or grey to blackish grey with two irregular, light dorsal stripes that extend from the eyes to the sacrum. The sides of the body, sides of the head and legs are mottled with light spots. The underside is grey or white. The iris of the eyes is greenish yellow. The eyes are large, protuberant and set high on the sides of the head. The hind feet are webbed. The inner metatarsal tubercle on the rear legs is wide, sharp and heavily cornified black "spade".

Further information on the toad was included in the agenda materials with a "Species Spotlight" article from March/April 2012 edition of the Pennsylvania Angler and Boater magazine with several photos.

The presence of the toad in Patton Township has been cited twice in the last three years in the environmental permitting process for the proposed Gray's Woods Park and the Circleville Road Bikeway.

To help educate the public about the Eastern Spadefoot Toad, the Board of Supervisors wish to officially designate *Scaphiopus holbrookii* as the official Patton Township Amphibian. A draft Resolution was included with the agenda materials.

Mr. Luck asked Mr. Erickson to contact the local schools to see about adding the Spadefoot Toad to their curriculum.

Mr. Luck moved to adopt Resolution 2014-004 designated the *Scaphiopus holbrookii* as the Official Patton Township Amphibian. Seconded by Mr. Wise, the motion passed 4-0.

7. **ADMINISTRATION (Continued)**

b. **PSATS Proposed Resolutions**

Mr. Erickson stated that a copy of the proposed resolutions up for consideration at the annual conference of the Pennsylvania State Association of Township Supervisors was included with the agenda. The Board should review the resolutions and provide guidance to the voting delegate on any resolutions of particular interest to Patton Township.

c. **PML Voting Delegate Appointment**

Mr. Erickson stated that the Board should appoint two of the members to be the Voting Delegate and Alternate Voting Delegate for the Pennsylvania Municipal League annual convention in June. The Voting Delegate, and Alternate, will also serve on the Resolution Committee. The League requires that the appointments be certified and reported by mid-May. Supervisors Downsborough and Luck are planning to attend.

Mr. Luck moved to appoint Mr. Downsborough as Voting Delegate and Mr. Luck as Alternate Voting Delegate for the Pennsylvania Municipal League annual convention in June. Seconded by Mr. Boyer, the motion passed 4-0.

d. **Chamber of Business and Industry of Centre County (CBICC); Board Involvement in Chamber Activities and Funding for the Economic Development Partnership**

Supervisor Wise raised a question at the last meeting regarding what role the Supervisors should be undertaking with regard to the CBICC.

Mr. Erickson stated that the Township has been a member of the CBICC for two years. The Chamber undertakes a variety of programs, both for members and for the larger community. For members, the Chamber provides opportunities for networking and learning about local businesses at "Business Before/After Hours" events. The Chamber also hosts member luncheons with programs that cover a wide range of topics.

The Chamber also operates business incubator/entrepreneurship programs to assist local companies with start-up. These programs have been operated by the CBICC for many years. More recently, and in conjunction with new leadership, the Chamber is actively promoting a larger range of economic development activities for Centre County.

In September 2013, the CBICC sponsored an Economic Development Summit for Centre County elected officials and proposed the formation of a Partnership to include public bodies, private businesses and local institutions. Members of the Chamber Board of Directors also addressed the Township Board in November 2013 to request financial support for the Partnership.

The Township has designated, but not released, contributions to the Partnership of \$15,000 for 2013 and \$15,000 for 2014. In November the Board developed a set of conditions for making the contributions, included with the agenda materials, and requested that the Chamber provide additional information regarding the budget for the Partnership's activities. A letter and narrative expanding on the budgeted activities proposed by the Partnership was also included with the agenda materials (3B33 is the Chamber's goal to increase the County's total generated revenue from the current \$2 billion to \$3 billion by 2033).

The Board is asked to discuss and provide direction on two Chamber related matters:

1. Board involvement in CBICC membership activities
2. Township participation in the Economic Development Partnership

7. **ADMINISTRATION (Continued)**

d. **Chamber of Business and Industry of Centre County (CBICC); Board Involvement in Chamber Activities and Funding for the Economic Development Partnership (Continued)**

Ms. Dupuis, a member of the Chamber Board of Directors, addressed the Supervisors to tell them that all members are welcome to be involved in CBICC membership activities and that a copy of the budgeted activities was included with the agenda as per the Board's request.

Mr. Luck stated he struggles with the level of participation of the County versus the Centre Region. Ms. Dupuis stated that the County might have not given the CBICC a check but have indirectly made contributions.

Mr. Myer, of Geisinger Medical, stated that he is a new board member of the CBICC and feels that bringing all these entities together to form a partnership concept is actually what is needed for effective economic development for the County and Central Pennsylvania.

Mr. Squier asked the Board not to look at it as an investment but more importantly as having the Township partner with the CBICC.

Mr. Luck moved to release the 2013 funds of \$15,000 to CBICC. Seconded by Mr. Boyer, the motion passed 4-0.

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. **Planning and Zoning**

1) **Temporary Use Permit: Walmart Bulk Merchandise Sales Event**

The Township has received a request for a temporary use permit for the Walmart store located at 1665 N. Atherton St. The permit is for a proposed bulk merchandise sales event to be conducted from July 1, 2014 to September 29, 2014.

Walmart proposes to construct a tent to the left of the general merchandise entrance in a large paved area as shown on the enclosed document. The tent is 30 x 40 ft. in size and will be used to sell bulk merchandise during the back to college season. The area where the tent will be located is 54 x 55 ft. wide. Entrance to and from the tent will be from the front only.

There is no need for additional parking or additional lighting. Normal traffic patterns will not be affected by the location of the tent. The event has been conducted at this same location for the past several years.

Enclosed with this evening's agenda is a request for a temporary use permit, including a photo of the proposed sales event location.

The Planning Commission recommends approval.

8. **CONSENT AGENDA (Continued)**

a. **Planning and Zoning (Continued)**

1) **Temporary Use Permit: Walmart Bulk Merchandise Sales Event (Continued)**

It is recommended that the Board approve a Temporary Use Permit for a Bulk Merchandise Tent at Wal-Mart #1640.

2) **Temporary Use Permit: Walmart Storage Containers**

The Township has received a request for a temporary use permit for the Walmart store located at 1665 N. Atherton St. The permit is for bulk storage containers associated with the above proposed bulk merchandise sales event. The storage containers will be on site from July 1, 2014 to September 29, 2014.

The location of the containers would be to the left of the main building in an area behind the lawn and garden department in the grass and dirt area next to the parking lot. The containers will be enclosed within a mesh fence.

There is no need for additional parking or additional lighting. Normal traffic patterns will not be affected by the location of the containers. The containers have been approved in conjunction with the sales event for the past several years.

Enclosed with this evening's agenda is a request for a temporary use permit, including a photo of the proposed storage container location.

The Planning Commission recommends approval.

It is recommended that the Board approve a Temporary Use Permit for storage containers at Wal-Mart #1640.

b. **Administration**

1) **Voucher Report**

A copy of the March 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 March 2014 Voucher Report.

Mr. Luck moved to approve the Consent Agenda. Seconded by Mr. Wise, the motion passed 4-0.

9. **MANAGER'S REPORT**

a. **Development Update**

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

b. **Open Space Survey**

Mr. Erickson stated that the Open Space survey is ongoing and as of today there were 413 responses so far. He stated that the survey will be open until April 20th and that he will have the results for the April 23rd meeting.

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

c. **Housing Starts Graph**

Mr. Erickson stated that the Housing Starts graph was included in the agenda and that it has been pretty flat for the last year and a half.

d. **Centre County West Nile Virus Surveillance and Control Program**

Mr. Erickson stated that the West Nile Virus season is approaching and that Centre County West Nile Virus Surveillance and Control Program asks residents to eliminate sources of standing water to help eliminate mosquitoes in the area. He stated that if there are enough positive results that there will be spraying done in the areas affected.

e. **Controlled Burns at Scotia**

Mr. Erickson stated that the Game Commission will be starting controlled burns at Scotia and that the Township usually receives a 24 hour notice and once he receives notice he will inform residents.

10. **COMMITTEE REPORT**

Mr. Boyer stated that Public Services met last week and the refuse contract and the Georgetown University Grant were both discussed. He stated that Public Safety met today and the Bellefonte Borough Code proposals and State College Borough's withdrawal from Code was discussed.

Mr. Luck stated that the TLU discussed the Comprehensive Plan implementation.

11. **OTHER BUSINESS**

Chief Patrick stated that on April 26, 2014 there will be a National Prescription Drug Take Back at Walmart on North Atherton Street. He also stated that there was an officer who resigned his position and that starting on Friday there will be a hiring campaign with an exam date of May 17th.

Mr. Erickson stated that in July a special meeting may be need to be scheduled in order to approve the police hiring candidate list in case someone needs academy training at a reserved slot in August.

12. **ADJOURNMENT**

There being no further business, by Mr. Luck motion and Mr. Boyer's second, the meeting was adjourned at 8:53 PM.

Douglas J. Erickson, Township Secretary