

**ATTENDANCE:**

BOARD	Elliot Abrams, Chair Bryce Boyer, Vice-Chair George Downsborough, Jr., Supervisor Jeff Luck, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Kim Wyatt, Finance Director John Petrick, Chief of Police Betsy Dupuis, Solicitor
ABSENT	Brent Brubaker, Township Engineer
AUDIENCE	C-NET (3) Scott Miller, Resident Tim Gourley, P.E., Dietz-Gourley Consulting Bond Reinhardt, Sweetland Engineering Chad Stafford, PennTerra Engineering Becky Koleno, Buffalo Run Farm Bob Ritter, Crown Castle Rich Foltz, Crown Castle Kevin Abbey, Clearwater Conservancy Karen Infield, Resident Jeremy Hartley, CDT

**1. CALL TO ORDER**

The September 10, 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 August 20, 2014 meeting minutes. Seconded by Mr. Luck, the motion passed 5-0.

**3. PUBLIC COMMENTS**

Mr. Miller stated that after the last Board Meeting on his way home he was almost hit by a car twice and asked why there is no longer signs for no thru traffic at the gate at Trader Joe's. Mr. Erickson stated that he will look at the land development plans. and

Mr. Miller stated he would like to get a no turn on red sign at the traffic light. Mr. Erickson said he would have to review the MUTCD warrants for that.

Mr. Downsborough stated he thought the Township was doing a traffic calming study. Mr. Erickson said the initial information had been sent to Mr. Miller and the next step would be for him to discuss with neighbors. Mr. Erickson said he will have Mr. Brubaker contact Mr. Miller next week.

Mr. Miller asked that something be done during the interim and suggested more lights and cross walks. Mr. Erickson stated that there is a petition process for lighting that needs to be completed first. Mr. Luck stated that the Board is waiting on the traffic calming to decide what to do.

Mr. Wise suggested putting cameras at gate to see who is breaking thru the gate.

Mr. Miller stated that there were signs on the gate that said do not enter and no thru traffic. Mr. Erickson stated again that he will need to look at the land development plans.

Mr. Abrams stated that will discuss this further at the October 8, 2014 Board of Supervisor Meeting.

**4. PUBLIC HEARING: DISTRIBUTED ANTENNAE SYSTEM (DAS) IN OAKWOOD AREA AND ON COLONNADE BOULEVARD**

Mr. Erickson stated that Crown Castle NG East, LLC (Crown Castle), a contractor to Verizon Wireless, proposes to install a system of small cell phone antennas in the right-of-way of Colonnade Boulevard, Waddle Road, Oakwood Avenue, Vairo Boulevard and Marjorie Mae Street. According to Crown Castle, the antennae system will provide enhanced wireless service, including fast data speeds with 4G LTE service.

The proposed antennae locations are shown below.



The antennas would be mounted at a height of 33 feet above the ground and typically attached to existing structures. The proposed locations and installation types are:

<b>Node #</b>	<b>Location</b>	<b>Installation Type</b>
SC 1	Colonnade Blvd/ Colonnade Way	Traffic Signal
SC2	Colonnade Blvd/ Kohl's entrance	Traffic Signal
SC3	Colonnade Blvd/ Waddle Road	Traffic Signal
SC4	Williamsburg Square	Existing light Pole (private)
SC5	Waddle Road/ Strouse Ave	Traffic Signal
SC6	Oakwood Park/ Oakwood Ave	New Flagpole at park entrance
SC7	(dev name)/ Oakwood Ave	New Light pole at bus shelter
SC8	Near Vairo Blvd/ Fernwood Ct int.	New Light pole at bus shelter
SC9	Marjorie Mae Park/ Marjorie Mae Circle	New Flagpole at park entrance

4. **PUBLIC HEARING: DISTRIBUTED ANTENNAE SYSTEM (DAS) IN OAKWOOD AREA AND ON COLONNADE BOULEVARD (CONTINUED)**

An example of a mounting to a traffic signal is shown below:



*STREET VIEW  
EXISTING TRAFFIC LIGHT POLE W/ POLE MOUNTED FURNITURE*

*DISPLAYS ARE NODE/ANTENNA PHOTO SIMULATIONS*

4. **PUBLIC HEARING: DISTRIBUTED ANTENNAE SYSTEM (DAS) IN OAKWOOD AREA AND ON COLONNADE BOULEVARD (CONTINUED)**

In two locations Crown Castle has proposed installing flagpoles at Township park entrances and installing the antennas on them:

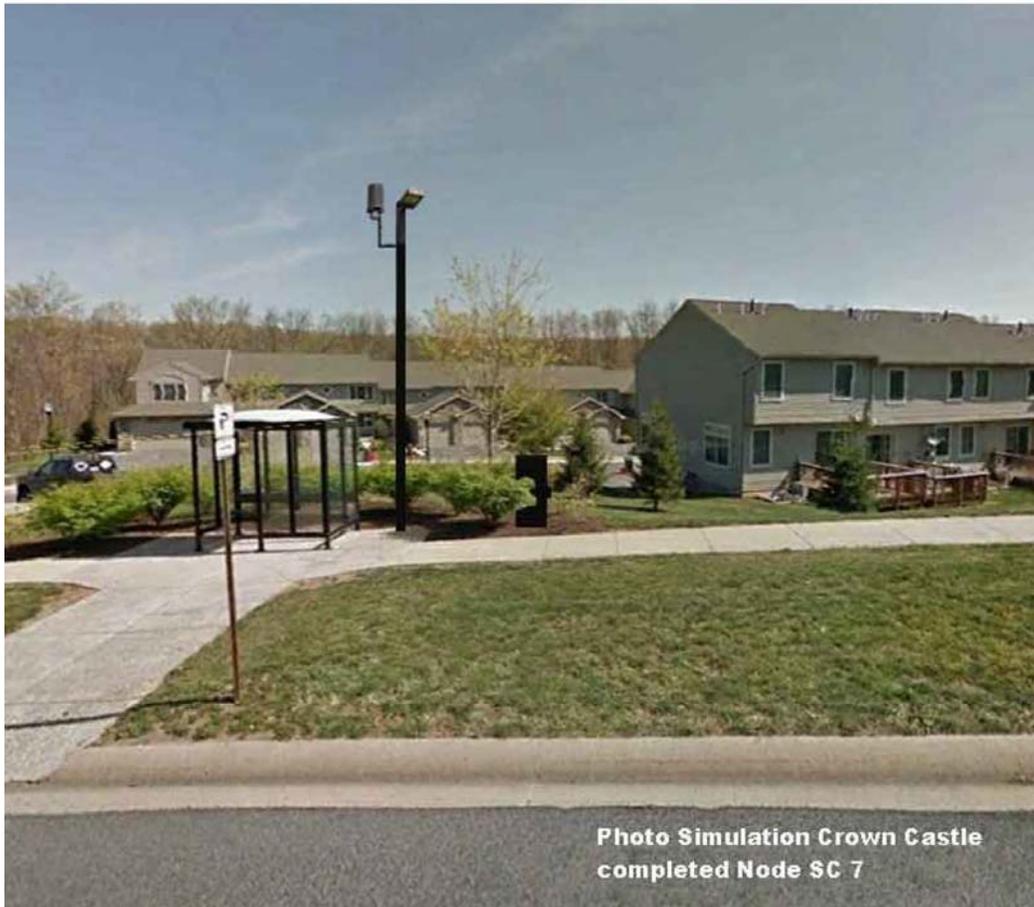


*STREET VIEW  
PROPOSED FLAG POLE W/ GROUND MOUNTED FURNITURE*

*DISPLAYS ARE NODE/ANTENNA PHOTO SIMULATIONS*

4. **PUBLIC HEARING: DISTRIBUTED ANTENNAE SYSTEM (DAS) IN OAKWOOD AREA AND ON COLONNADE BOULEVARD (CONTINUED)**

In two more locations Crown Castle has proposed installing lightpoles near existing bus stop shelters and installing the antennas on them:



*STREET VIEW  
PROPOSED METAL POLE W/ GROUND MOUNTED FURNITURE*

*DISPLAYS ARE NODE/ANTENNA PHOTO SIMULATIONS*

Crown Castle has offered to compensate the Township for the signal mountings and occupancy of the right-of-way. Discussion on the rate of compensation were on-going at the time the agenda was published.

4. **PUBLIC HEARING: DISTRIBUTED ANTENNAE SYSTEM (DAS) IN OAKWOOD AREA AND ON COLONNADE BOULEVARD (CONTINUED)**  
Permitting Process

In addition to installing the antennas, Crown Castle will install fiber optic cable to connect them to the Verizon Wireless system. The permitting for telephone cables, gas lines and electrical utility facilities is normally handled through an administrative process that produces a "Highway Occupancy Permit" or HOP issued by the Township staff and used to track where utilities are located and which provider is responsible for restoration of cuts made to the pavement during installation, repair or replacement. The above noted utilities are regulated by the Pennsylvania Public Utility Commission (PUC). Under PUC regulations, municipalities cannot unreasonably withhold a HOP to a utility provider.

However, in the opinion of the Township Manager, the PUC regulations do not apply to the antennas themselves. Therefore the Township was wider discretion in issuing the HOP for the antennae installations.

The agenda materials included:

- A one-page Project Narrative provided by Crown Castle
- A map showing the nine proposed locations
- A five page packet for each location including a photo-simulation and construction details
- Draft Right-of-Way Use Agreement

Following a presentation from Crown Castle on their proposal, the Board should take comments from the audience.

Following comments and discussion, the Board may consider action on the Right-of-Way Use Agreement and to direct staff on the issuance of Highway Occupancy Permits. The Board may direct staff to issue permits for some, but not all, the locations proposed.

Mr. Downsborough asked where the central connection point for Verizon is. Mr. Erickson answered near North West Savings Bank.

Mr. Ritter stated that Crown Castle has the ability to share the antennae with other carriers.

Mr. Luck stated that the Township should use this opportunity to get conduit or fiber since the bridge is going to be replaced.

Mr. Miller asked what happens if something happens with Crown Castle who will be in charge of the Crown Castle equipment. Mr. Ritter answered he would need to look at the contract but believes it would go to the Township.

Mr. Miller asked what the turn-around time would be for this project. Mr. Ritter answered some time in 2015.

Mr. Erickson stated that Crown Castle is offering the Township a first payment of \$15,000 and a \$750 per year per node.

Mr. Downsborough stated that he would like Ms. Dupuis to look over the Right-Of-Way Agreement.

Mr. Luck moved to conditionally approve Distributed Antennae System (DAS) in Oakwood Area and on Colonnade Boulevard contingent on Ms. Dupuis's review coming to an agreement about Crown Castle installing a second conduit or cable for the township. Seconded by Mr. Boyer, the motion passed 5-0.

5. **PUBLIC WORKS**

a. **Project Updates**

Mr. Erickson stated that final inspection for the CNG Fueling Station is scheduled for tomorrow and should be able to fill vehicles.

Mr. Luck asked if this is something residents could use. Mr. Erickson answered no.

Mr. Erickson stated that the overlay paving is to be complete by the end of September.

6. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Steudler stated that the Buffalo Run Farm and Best Line Equipment Land Development Plans were reviewed and are on the agenda for the Board's approval.

b. **Planning Commission Recommendations**

The Planning Commission (PC) held their September meeting on Monday, September 8, 2014. The following items were forwarded to the Board:

1. Village at Penn State Phase 12 Preliminary/Final Subdivision Plan – Revised  
PC Recommends Conditional Approval with completion of items noted on staff's mark-up of comment letter and withdrawal of previously approved plan.

Mr. Luck moved to conditionally approve the Village at Penn State Phase 12 Preliminary/Final Subdivision Plan as recommended by the PC. Seconded by Mr. Boyer, the motion passed 5-0.

2. Resubdivision of Skytop Vista  
PC Recommends Conditional Approval with:
  - completion of items noted on staff's mark-up of comment letter,
  - delineation of buildable envelope on each lot,
  - waiver for off-lot absorption areas for lot -001C,
  - easements to be provided for off-lot absorption areas for lot -001C

Mr. Luck moved to conditionally approve the Resubdivision of Skytop Visita as recommended by the PC and with the condition that more legible drawings be provided. Seconded by Mr. Downsborough, the motion passed 5-0.

c. **Buffalo Run Farm - Land Development Plan**

Mr. Erickson stated that on April 29, 2014 Patton Township received a land development plan for Buffalo Run Farms which is located at 2929 Buffalo Run Road (S.R. 550). The property consists of approximately 197 acres and is zoned A-1 (Rural District). The property includes an existing dwelling, existing barn, and a newly constructed indoor riding arena. There is also a newly established outdoor riding arena that has lighting for nighttime use. The purpose of the land development plan is for the establishment of an equestrian facility with indoor riding arena, outdoor riding arena, and associated facilities for the boarding and riding of horses.

The applicant and their representatives met with staff on several occasions to discuss specific issues prior to the submission of a land development plan. Staff reviewed the land development plan that was subsequently submitted and provided comments to the applicant. The comment letter with staff's mark-ups is included with the agenda packet.

6. **PLANNING AND ZONING (CONTINUED)**

c. **Buffalo Run Farm - Land Development Plan (CONTINUED)**

The agenda materials included a location map, an 11" x 17" land development plan for the Buffalo Run Farm Plan, a marked up copy of staff's comment letter, and a comment letter from the Centre Region Fire Protection Program.

The Planning Commission recommends conditional approval of the plan with completion of the minor/technical and To Be Done items noted on the staff review letter and that the applicant secure required commercial occupancy permits for the buildings/structures that will be used by the facility's customers. (The applicant is currently working with Centre Region Codes on the building permitting process.)

Mr. Downsborough stated that the lighting problem is more a Township issue and not a Code's issue and asked where they stand with resolving this. Mr. Gourley stated that they are in a "no use" mode until the lighting is in compliance.

Mr. Luck moved to conditionally approve the Buffalo Run Farm Land Development Plan as recommended by the PC, and with the condition that the non-compliant lighting be removed or the electrical circuit to the lighting be physically disconnected or locked-out. Seconded by Mr. Downsborough, the motion passed 5-0.

d. **Best Line Equipment – Land Development Plan – Phase 2 Building & Storage Yard Expansion**

Mr. Gourley stated that on July 1, 2014, Patton Township received a preliminary/final land development plan for Phase 2 of the Best Line Equipment building and storage yard expansion. Phase 2 includes the addition of a second building to be used for storage and additional office space. The Phase 2 building was originally identified on the phase 1 plan that was approved in 2000.

Phase 2 includes the addition of a 10,500 square foot storage building to be located on the existing Best Line Equipment site [zoned to I-1 (Industrial)] along Hawbaker Industrial Drive. The plan also includes the establishment of a storage area on property that is currently leased from the Borough of State College by Glenn O. Hawbaker, Inc. This property was recently rezoned by Patton Township from NR-2 (Natural Resources & Recycling) to I-1 (Industrial) to establish the identified use.

Along with the new building, Best Line Equipment, Inc. plans to install a wash bay to clean equipment that is returned. Water from this wash bay will be captured and diverted to the sanitary sewer system instead of being collected in the stormwater facility. Due to its location, the new building is also subject to the requirements of the I-99 overlay district.

The agenda packet for this evening included a location map, a 11" x 17" land development plan for the Best Line Equipment Preliminary/Final Land Development Plan for Phase 2 Building & Storage Yard Expansion, a marked up copy of staff's comment letter, and renderings for the new building to comply with the I-99 Overlay District requirements.

The Planning Commission recommends conditional approval of the plan with completion of the minor/technical and To Be Done items noted on the staff review letter.

Mr. Luck moved to approve the Best Line Equipment Land Development Plan Phase 2 Building & Storage Yard Expansion as recommended by the PC. Seconded by Mr. Boyer, the motion passed 5-0.

7. **ADMINISTRATION**

a. **Resolution for Open Space Funding Referendum Question**

Mr. Erickson stated that the Unit Debt Act, authorizing electoral debt, requires that the Board adopt a Resolution of intent or desire, including the determination of the amount of the debt and the form of the question.

From the survey conducted last spring, it was found that 67% of respondents indicated support for an increase in the real estate of 0.6 mils or more. The revenue generated, approximately \$260,000 per year, from such an increase would support the debt service on a borrowing of \$3,500,000 at 4% for 20 years.

The form of the question is set by the Act as such:

“Shall debt in the sum of (insert amount) dollars for the purpose of financing (insert brief description of project) be (authorized to be incurred as) (transferred from nonelectoral debt to) debt approved by the electors?”

The Act also requires advertising some legal notices prior to the election.

The agenda materials included a copy of the proposed Resolution 2014-011 and a short summary of the survey results.

The Board should consider action to approve Resolution 2014-011.

Mr. Downsborough moved to approve Resolution 2014-011 for Open Space Funding Referendum Question. Seconded by Mr. Luck, the motion passed 5-0.

b. **Voucher Report**

Mr. Erickson stated that a copy of the August 2014 Voucher Report was enclosed with the agenda materials.

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

Mr. Luck moved to approve the August 2014 Voucher Report. Seconded by Mr. Downsborough, the motion passed 5-0.

8. **MANAGER'S REPORT**

a. **Development Update**

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

b. **International City/County Managers Association Conference**

He stated that he will be at an International City/County Managers Association Conference next week from Sunday thru Wednesday in which Mr. Brubaker will be acting manager during this time.

c. **Patton Township SEO**

Mr. Erickson stated that Mr. Houck has notified him that he will no longer be our primary SEO starting in January. He stated that Mr. Houck gave him information for a replacement and that he has made contact.

9. **COMMITTEE REPORTS**

Mr. Luck stated that Transportation Committee met last week and discussed the CBICC and COG's relationship.

Mr. Boyer stated that Public Safety met and reviewed the budget coming up next year.

Mr. Downsborough stated at the Human Resource Committee a new job description for the Human Resource Officer was approved.

10. **OTHER BUSINESS**

Chief Petrick wanted to inform residents that this Saturday is the Annual Safety Fair and that the newest officer was sworn in yesterday.

Mr. Abrams stated that he will not be able to attend the first meeting in October.

11. **ADJOURNMENT**

There being no further business, by Mr. Luck's motion and Mr. Boyer's second, the meeting was adjourned at 8:26 PM.

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Douglas J. Erickson, Township Secretary