

REGULAR MEETING / WORK SESSION

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

The September 12, 2016 Regular Meeting was called to order at 7:02 PM by Mr. John O'Neill. Members Brian Rater, Sharon Bressler, Kate Domico, and Robert Prosek also attended. Staff members present were Douglas Erickson, Township Manager; Stephen Casson, Township Engineer; Ken Soder, Zoning Officer; Nicole Harter, Public Works Secretary; and Greg Garthe, Centre Regional Planning Agency. The audience included Duke and Monica Gastiger; Mick Trombley, Trombley Real Estate; Tom Songer, Torron Group; Penn State Students Valerie Kwong, Nick Osikoricz, Brandon Gobeler and Ife A.

2. **ITEMS OF CORRECTION**

There were no additions or deletions to the agenda.

3. **APPROVAL OF MINUTES**

Meeting minutes from the August 1, 2016 combined Regular Meeting and Work Session were brought before the Planning Commission for approval.

Ms. Sharon Bressler made a motion to approve the meeting minutes as submitted. The motion was seconded by Ms. Kate Domico. The motion passed with a vote of 5-0.

4. **PUBLIC COMMENTS**

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

5. **REQUEST TO PERMIT FARM CAFES IN THE A-1 DISTRICT**

Mr. Greg Garthe noted that Duke and Monica Gastiger have requested that the Township consider adding Farm Cafes as a permitted use in the A-1 (Rural) zoning district. The Gastiger's characterized a Farm Café as such:

*A true Farm Café depends on strong relationships with local farmers and ranchers utilizing their offerings almost exclusively to determine the Café's daily menu options. A Farm Café does not tell the farmer/rancher what to grow or raise, but instead builds the menu around what the farmer/rancher has determined is best planted for that farm's soil integrity. The Farm Café foods are fresher, more simply prepared with more emphasis on healthier eating. RE Farm Café will directly connect people to food to culture and to each other...building community.*

*Simply, a Farm Café is an integral part of a healthy and local food system, an agricultural entity, which a typical restaurant is not.*

At their July 20, 2016 meeting, the Board of Supervisors received a presentation by the Gastiger's and referred the request to the Planning Commission for a recommendation on whether to allow farm cafes in the A-1 (Rural) district and how to regulate their use.

The Planning Commission received the Gastiger's presentation at their August 1, 2016 work session. Previously, the Gastiger's had worked with Ferguson Township to develop an ordinance allowing farm cafes in their Rural Agricultural District. However, the plans for the farm café fell through, even though the use was permitted by the township. The Gastiger's are now hoping to work with Patton Township to develop regulations that would permit farm cafes in the A-1 (Rural) district. The Planning Commission discussed the

5. **REQUEST TO PERMIT FARM CAFES IN THE A-1 DISTRICT (cont.)**

proposed use and were generally supportive. In addition to the presentation, the existing Patton Township regulations for Community Support Agriculture operations in the A-1 district were provided for review because there are similarities in the uses. Also, the Ferguson Township farm café ordinance was provided and discussed. The Planning Commission directed staff to begin drafting regulations that incorporated elements of both sets of regulations.

The draft ordinance proposed adding “farm cafes” to the list of Conditional Uses in the A-1 district and includes additional language specifying minimum lot size and hours of operation. The ordinance also contains additional provisions addressing land use and operational requirements, protection of the land through a conservation easement, parking, food sourcing, and retail sales.

Ms. Sharon Bressler would like to revise the condition requiring the developer to demonstrate that the soils are not unsuitable for an agricultural operation to state that “the majority of” the soils are not unsuitable to sustain an agricultural operation (Section 5.(b).[2]).

Mr. Duke Gastiger noted that the intent was to be sure to keep the farm café subordinate with the use of the land.

Planning Commission members were struggling with the owner having “full” ownership of all real property and 50% of the business and requested removal of Section 5.(b).[4].

Ms. Kate Domico asked about the parking lot. Mr. Ken Soder noted that driveways and parking lots need to be mud free, which means that they must be constructed of gravel, pavers, concrete, asphalt, or similar material other than soil or grass. Ms. Monica Gastiger asked if existing driveways were paved if they would need to be removed. Mr. Doug Erickson answered that they wouldn't.

Mr. Brian Rater asked if promotional materials specifically for the farm café could be sold in addition to agricultural produce. Mr. Erickson noted that Section 5.(b).[10] could be reworded.

Mr. Gastiger asked for clarification on the conservation easement. Mr. Erickson noted that it could either be through a conservation organization or with the Township.

Mr. Erickson noted that the Planning Commission should consider limiting the number of seats. Mr. Erickson suggested 150 seats maximum and ~~13,000 square feet~~. The Planning Commission was in agreement.

Ms. Sharon Bressler made a motion to approve the Farm Café Ordinance with the addition of the 150 seat limit, the elimination of the requirement for ownership of all real property and 50% of the business, the addition of “the majority of” to the item related to soils, the addition of a requirement that driveways and parking areas must be mud free, and the adjustment of the retail sales requirement to allow the sale of promotional items for the farm café in addition to agricultural products. The motion was seconded by Ms. Kate Domico. The motion passed with a vote of 5-0.

6. **FAMILY BURIAL PLOTS ORDINANCE**

Mr. Greg Garthe noted that a draft ordinance entitled "Burial of Human Remains" was presented at the June 6, 2016 Planning Commission meeting. The Township previously received an inquiry as to the legal status of entombing the remains of deceased family members on an individual's property. The draft ordinance includes proposed requirements for setbacks from adjoining properties and nearby streams and drinking water sources, as well as other provisions intended to ensure the general health, safety, and welfare of the citizens of the Township.

The Planning Commission discussed the draft ordinance and determined that there were a number of unresolved concerns with the regulations. The Planning Commission was not ready to make a recommendation to the Board of Supervisors, and requested revisions to the ordinance.

Mr. Brian Rater expressed concern for the depth of burial, and suggested increasing the minimum depth requirement to four feet instead of the state minimum two feet. Mr. Rater also suggested that the map and deed needs to be provided within a certain time of burial. Mr. Doug Erickson noted that GPS coordinates can be taken. Also, Mr. Erickson noted that a permit needs to be issued.

The Planning Commission members agreed that the depth of burial requirement should be increased to 36 inches from the top of the outer case containing the casket to the surface of the ground and to 48 inches in situations where the casket is not placed in an outer case or when a body is not placed in a casket.

Ms. Sharon Bressler made a motion to approve the Family Burial Plots Ordinance with the exception of revising the minimum depth of burial to 36 inches from the top of the vault and 48 inches when a vault is not utilized. The motion was seconded by Mr. Brian Rater. The motion passed with a vote of 5-0.

7. **STATUS ON PENDING ITEMS**

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

8. **REPORTS**

No additional reports were given.

9. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

10. **ADJOURN – REGULAR MEETING**

The meeting was adjourned at 8:05 PM.

11. **CALL TO ORDER – WORK SESSION MEETING**

The September 12, 2016 Work Session meeting was called to order at 8:07 PM by Mr. John O'Neill. Members Brian Rater, Sharon Bressler, Kate Domico, and Robert Prosek also attended. Staff members present were Douglas Erickson, Township Manager; Stephen Casson, Township Engineer; Ken Soder, Zoning Officer; Nicole Harter, Public Works Secretary; and Greg Garthe, Centre Regional Planning Agency.

12. **LARGE SCALE SOLAR ORDINANCE**

Mr. Greg Garthe noted that alternative energy is an increasingly popular means of producing energy, both on an individual and commercial level. Although small solar panels and rooftop 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.

At their May 11, 2016 meeting, the Board of Supervisors requested that the Planning Commission elevate this ordinance to a higher priority on their list of pending work tasks because Penn State University is currently conducting a campus-wide solar feasibility study and may consider installing large scale facilities in Patton Township in the future.

At the June 6, 2016 Planning Commission meeting, CRPA Staff presented information related to ordinances for the installation of large scale solar facilities. The information presented was based on a review of model ordinances that provide a good foundation of regulating solar facilities, which may entail amendments to the Township's existing zoning regulations. For regional consistency, an early draft version of College Township's solar energy ordinance was reviewed. Upon discussing the information presented, the Planning Commission directed CRPA Staff to begin drafting an ordinance similar to the College Township approach of regulating solar systems as primary and accessory use.

At their August 4, 2016 meeting, the Centre Regional Planning Commission (CRPC) received a presentation from CRPA Staff on the College Township Solar Energy Systems Ordinance. The CRPC supported the ordinance, but provided several comments to the Township. At their August 18, 2016 meeting, the College Township Council held a public hearing and adopted the ordinance (O-16-04), opting to include several minor additions based on the CRPC comments and input from the public, local solar installers, and the Centre Region Fire Director. The comments from the Centre Region Fire Director and the Centre Regional Planning Commission were provided with the agenda and the draft Solar Energy Systems ordinance was revised accordingly.

The Planning Commission members requested more information pertaining to the glare study requirements.

There was discussion about the applicability of the regulations for primary use solar energy systems. Mr. Garthe noted that an additional definition for "Utility Scale Solar Energy System" had been provided for discussion and may be an alternate way of distinguishing between primary versus accessory use systems.

There were also questions relating to the removal of abandoned systems. Mr. Erickson stated that the main concern for the Township is whether a system poses a threat to public health and safety.

Mr. Greg Garthe will revise the ordinance and it will be revisited at a future meeting.

13. **ADJOURN – WORK SESSION**

The meeting was adjourned at 8:40 PM.