

ATTENDANCE:

BOARD	Elliot Abrams, Chair Jeff Luck, Vice-Chair George Downsborough, Jr., Supervisor Daniel Treviño, Supervisor Walt Wise, Supervisor
STAFF	Doug Erickson, Township Manager Lawrence Pegher, Finance Director Betsy Dupuis, Solicitor Stephen Casson, Township Engineer Greg Garthe, Planner John Petrick, Chief of Police Susan Wheeler, Public Works Project Manager
AUDIENCE	C-NET (2) Chuck Strodoski, YSM Ryan Meyers, Resident Nancy Swartzell, Benner Township Jim Swartzell, Benner Township Ed Olsen, Bellefonte Kathy Stephens, UPPC/Fox Hill Commons George Lower, ELA Group Sharon Kalajainen, Residents Jim Crust, Resident Greg Turner, RAC Mark Torretti, Penn Terra Engineering Ann Taylor, RAC Juli Bogdash, Resident Brad Chovit, Reisident Ted Brown, Resident Kyle Losch, Resident Brad Shearer Chris Hurley, CRPRA Evan Gross, RMBA Ellis Punglebarger, RMBA Jim Carpenter, CRPR Courtney Dickman Dorey Dickman Pam Salokangas, CRPR

1. **CALL TO ORDER**

The January 25, 2017 Board of Supervisors meeting was called to order at 7:00PM by Elliot Abrams, Chair.

2. **APPROVAL OF MEETING MINUTES**

Mr. Luck moved to approve the January 3, 2017 meeting minutes. Seconded by Mr. Downsborough, the motion passed 4-0-1 with Mr. Treviño abstaining.

3. PUBLIC COMMENTS

Mr. Brown asked for an update for the intersection of Fox Hill Road and Bernel Road and asked if there is going to be a traffic study done this year. Mr. Erickson stated that the developers of the former Second Mile site will be in charge of this study and that the Township put aside money to assist.

4. PUBLIC HEARING: PERMITTED USES IN THE PLANNED AIRPORT DISTRICT

Mr. Garthe stated that the following is from the November 7, 2016 Planning Commission agenda:

The owners of tax parcel 18-2-29C, a 13.6 acre parcel located along Bernel Road in the Planned Airport District (PAD) have requested that the Township revise the PAD zoning regulations to permit a business that would construct and lease self-storage units to the general public. The use, or anything similar, is not currently permitted in the district. The property lies within the Mixed Use and Nonresidential areas of the PAD. The PAD prohibits certain uses as a protection of the State College Borough Water Authority well field that lies east of Fillmore Road. The request letter addresses steps the property owners are prepared to take to provide protection from groundwater contamination.

Additionally, the owners of parcel 18-2-29B, a 10 acre parcel at the intersection of Bernel Road and Fox Hill Road in the Nonresidential area of the PAD, have also requested that the Township revise the PAD zoning regulations to permit self-storage units and to permit churches in the Nonresidential area of the district. Churches are currently allowed only in the Residential and Mixed-Use areas of the PAD.

At their October 3, 2016 meeting, a draft ordinance to allow both uses was presented to the Planning Commission. After discussion, the members recommended allowing churches in the Nonresidential area in addition to the other areas where they are currently permitted in the PAD. However, they requested several revisions to the ordinance allowing self-storage facilities in the district.

A request was (also) submitted to add nursing homes as a permitted use in the Planned Airport District (PAD). At their November 2, 2016 meeting, the Board of Supervisors received the request and forwarded it to the Planning Commission for study and a recommendation.

Recall that unlike most zoning districts, the PAD tightly details specific types of allowed uses, and if a use is not listed in the table of Permitted Uses it is deemed to be prohibited. Furthermore, the permitted uses are subcategorized as residential uses, commercial uses, and general airport area uses. Staff has started reviewing the PAD regulations to address these issues along with several other aspects of the current regulations, which will be discussed at a future work session.

A nursing home operator is considering building a facility on Lot 3 of the Nittany Valley Sports Centre (NVSC) property. The only similar use permitted in the PAD are group homes. Definitions for both uses are provided in the Township Code as follows:

4. **PUBLIC HEARING: PERMITTED USES IN THE PLANNED AIRPORT DISTRICT
(CONTINUED)**

GROUP HOME

A detached dwelling unit in which care and residence are provided in accord with regulations of the appropriate state agency(ies) for more than three, but not more than six nonadjudicated clients who are dependent children, elderly, mentally ill, retarded or disabled persons.

From the November 7, 2016 Planning Commission agenda (Continued):

NURSING HOME

An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Group homes are only allowed in the Residential area of the PAD. The NVSC is located in the Mixed-Use and Nonresidential areas. Although the request letter indicates that nursing homes are being proposed as a residential use, they would need to be allowed in the Mixed-Use and Nonresidential areas of the PAD. Accordingly, a draft ordinance allowing nursing homes in the Residential, Nonresidential, and Mixed-Use areas has been prepared for the Planning Commission's review and recommendation.

End of Planning Commission agenda materials

The Planning Commission has recommended approval of adding "Self-Storage Facilities" in the Nonresidential and Mixed-Use areas and adding "Nursing Homes" in the Mixed-Use and Nonresidential areas as permitted uses in the PAD. A draft ordinance to enact the change is included with the agenda materials.

The agenda materials included:

- Location map of tax parcel 18-2-29C and letter requesting the addition of self-storage units to the PAD,
- Location map of tax parcel 18-2-29B and letter from the owners requesting the addition of self-storage units and churches to the Nonresidential rea of the PAD,
- Letter requesting the addition of "nursing homes" to the list of Permitted Uses in the Planned Airport District and an Exhibit showing the location of the proposed nursing home facility at the Nittany Valley Sports Centre site.
- Table of land uses permitted in the Planned Airport District
- List of prohibited uses in the Planned Airport District.
- Comments from the Centre Regional Planning Commission

Comments from the County Office of Planning and Community Development was forwarded to the Board prior to the meeting.

4. **PUBLIC HEARING: PERMITTED USES IN THE PLANNED AIRPORT DISTRICT
(CONTINUED)**

Mr. Wise stated that he believes that a nursing home is a home and should only be in a residential area.

a. **Public Hearing**

The Board should convene the Public Hearing on Permitted Uses in the Planned Airport District at 7:10 PM.

Mr. Brown stated that he is fine with having nursing homes but is concerned about traffic if storage units are allowed.

Mr. Toretti stated that storage units are very low traffic generators.

Mr. Chovit asked what the steps are to protect underground water. Mr. Toretti stated that no hazardous materials are allowed and signs will be placed stating this. He stated that there will be no outdoor storage and there will be extra treatment of the stormwater. Mr. Garthe stated that there is a 150 ft buffer required from any stream or wellhead.

Mr. Brown asked how you can police this building when there are several renters and that it is a lot of risk. Mr. Erickson stated that they will police it like any other building owner would.

Mr. Crust asked about all the swamp holes and sink holes in this area.

Ms. Bogdash asked if in the future if someone bought the lot across from her since it is a residential area that a nursing home can be place. Mr. Erickson answered yes. Ms. Bogdash stated that she is opposed to this then.

Mr. Chovit stated that the intersection at Bernel Road and Fox Hill Road is dangerous.

Mr. Treviño asked if the process for specific site developments be more appropriate due to all the residents' comments.

Mr. Downsborough stated that he is not sure if a nursing home is appropriate near the airport.

Mr. Abrams stated that a nursing home may be convenient for family members to visit people at the nursing home.

Mr. Toretti stated that the storage facility will have 24 hour surveillance.

Mr. Turner stated that if water quality is a concern that you should consider the amount of discharge of chemicals and pollutants from hotels and nursing homes.

Mr. Brown offered his services with no charge in regards to risks to the airport.

Mr. Luck moved to close the Public Hearing on Permitted Uses in the Planned Airport District at 7:41 PM. Seconded by Mr. Downsborough, the motion /passed 5-0.

4. **PUBLIC HEARING: PERMITTED USES IN THE PLANNED AIRPORT DISTRICT
(CONTINUED)**

b. **Action Consideration**

The Board agreed to forward comments to the Planning Commission to discuss at their March meeting.

5. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that the December 2016 Public Safety Report was enclosed with the agenda items and that was a significant increase in parking tickets due to snow parking enforcement. He stated that out of the 11 thefts that 9 of them were retail thefts.

Mr. Downsborough asked about the increase of serious accidents. Chief Petrick stated that the accidents were due to weather.

6. **PUBLIC WORKS**

a. **Gray's Woods Park – Phase 1 Design**

Mr. Erickson stated that in 2016 the Township engaged the landscape architect firm of YSM to prepare construction documents (plans, specifications and cost estimate) for Phase 1 of the new Gray's Woods Park in the Gray's Woods Planned Community. YSM had previously completed a Master Plan for the park in 2014. The Master Plan provided the guidance for what features were desired in the park and what items would be included in Phase 1.

Recently the Township was notified by the Department of Conservation and Natural Resources of a grant award of \$200,000 towards construction.

The agenda materials included the 2014 Master Plan and design drawings from YSM on Phase 1.

Mr. Strodoski provided a brief update on the Gray's Woods Park Phase 1 design including the current cost estimate and the next steps for the project..

b. **Bernel Road Park – Phase 2 Master Plan**

In 2015, the Recreation Advisory Committee (RAC) indicated that they would like to review and update the Master Plan for Bernel Road Park. The Master Plan was completed in 2007 by YSM Landscape Architects and construction of Phase 1 was completed in 2012. Phase II of the Master Plan included additional parking and playfields.

The RAC felt that with the addition of other fields to the regional inventory, they would like to re-visit the need for playing fields at Bernel Road Park and investigate the potential to satisfy other recreational needs of the Township residents at this location.

The Township again engaged YSM to update the Master Plan for Phase 2 of the park.

6. **PUBLIC WORKS**

b. **Bernel Road Park – Phase 2 Master Plan**

The agenda materials included the 2007 Master Plan and the latest draft of the revised Master Plan.

Mr. Strodoski provided a presentation on the process undertaken for the Master Plan update, the elements included in Phase 2, the current cost estimate and the next steps for the project.

c. **Feasibility Study for Waddle Road Widening (Strouse to Clearview) Consultant Selection**

Mr. Casson stated that Waddle Road from Clearview Avenue to Vairo Boulevard was widened to 3 lanes in the 1990's. Various development projects including the Colonnade, Williamsburg Square, and the redevelopment of the Philatelic site lead to more lane additions between Strouse Avenue and I-99. The construction on the Waddle Road Interchange is expected to be completed by October 2017 and includes additional widening between Strouse and Toftrees Avenue.

The Township has long anticipated a project to complete the widening between Strouse Avenue and Clearview Avenue to add a center left turn lane in this very heavily traveled corridor.

The feasibility study will include:

Field surveys and preparation of base mapping

A conceptual design of the widening project including a sidewalk

The concept plan will include horizontal alignment sufficient to define key geometric features including approach center lines, lane widths, auxilliary lane storage lengths,

Identification of additional right-of-way, if necessary.

Identification of utilities requiring relocation, if necessary.

Preliminary construction cost estimates based on the conceptual plan

The Public Works has solicited proposals for the study. Seven proposals were received and reviewed by the Public Works Director and the Manager. A recommendation for award is included with the agenda materials.

The Public Works Director recommends engaging the ELA Group at a not-to-exceed cost of \$32,215. The 2017 budget has allocated \$45,000 for this project.

Mr. Luck moved to approve the Feasibility Study for Waddle Road Widening (Strouse to Clearview) Consultant Selection. Seconded by Mr. Treviño, the motion passed 5-0.

7. **PLANNING & ZONING**

a. **Planning Commission Report**

Mr. Garthe stated that the January meeting was mostly an organizational meeting and discussed the Ameriserv Bank plan and Toftrees Master Plan.

b. **Appointments to the Centre Regional Planning Commission**

The Planning Commission recommends the appointment of Bill Steudler as the Township's representative for the Centre Regional Planning Commission and Brian Rater as the alternate representative.

Mr. Downsborough moved to appoint Mr. Steudler as the Township's representative for the Centre Regional Planning Commission and Mr. Rater as the Alternate Representative. Seconded by Mr. Luck, the motion passed 5-0.

c. **Preliminary/Final Land Development Plan – Ameriserv Bank at Trader Joe's Plaza**

Mr. Garth stated that the following is from the January 9, 2017 Planning Commission agenda

The Township received this land development plan on December 6, 2016. The site is located on a 0.779 acre General Commercial (C1) parcel located at 1857 North Atherton Street. The site is part of the Trader Joe's Plaza (formerly Woodycrest Center). The plan proposes to demolish 5 existing asphalt parking spaces and the adjacent concrete sidewalks and curbs. Construction activities will include a 965 ft² building addition, 4 angled parking spaces on the western side of the existing building, and 1 new parking space on the south side of the building. Total onsite parking will remain at 17 spaces (2 ADA). The Township provided a comment letter to the project engineer on December 21, 2016.

End of Planning Commission agenda materials

The agenda materials included a location map of the property, a 11"x17" copy of the subdivision plan, and a marked up copy of staff's comment letter.

The Planning Commission recommends conditional approval with completion of all items noted on staff's marked up comment letter and the addition of a walkway from the angled parking places connecting to the bank's walkway.

At the Planning Commission meeting the applicant's engineer described the addition of the walkway noted above. A supplemental drawing, included with the agenda materials, has been provided showing the proposed walkway. Staff has reviewed the walkway and is satisfied that Comment 14 has been addressed.

Mr. Treviño moved to conditionally approve the Preliminary/Final Land Development Plan for Ameriserv Bank at Trader Joe's Plaza. Seconded by Mr. Luck, the motion passed 5-0.

8. **ADMINISTRATION**

a. **County Request for Feedback on Act 89 \$5 Vehicle Registration Fee**

Mr. Erickson stated that the following is from the enclosed letter:

The Centre County Board of Commissioners is looking for feedback from municipalities regarding the optional \$5 fee for local transportation projects. Act 89 of 2013 provides counties the option to generate transportation funding by assessing a \$5 fee on vehicles registered in the county.

The Commissioners have worked with local municipalities for many years on local transportation projects. Because of the partnership the County has with Patton Township through the liquid fuels program, the Commissioners would like to receive your input, feedback, and perspective as we consider the adoption of an ordinance to levy the \$5 fee for local transportation projects.

End of material from the enclosed letter

Patton Township has several projects that could benefit from the proposed additional funding. The Township Manager provided a letter, included with the agenda materials, to the Commissioners in September 2016 urging them to consider utilizing Act 89.

The agenda materials also included an email and letter from the Commissioners, a FAQ sheet on Act 89, a listing of awards and requests that Patton Township has received/made to the County LFT program, and a survey to be completed and returned by March 1st. The Manager has begun responding to the survey. A draft response is included with the agenda materials.

The Township Manager has received one phone call in opposition to the proposal.

This item can be reviewed again at either the February 8th or February 22nd Board meetings.

Mr. Luck stated that he supports this.

Mr. Erickson stated he will draft a letter to go with the survey response.

b. **General Forum Request for Comments on Regional Park Plan**

Mr. Erickson stated that since the General Forum was postponed this item can be pushed back to the February 8, 2017 meeting.

“That the General Forum, as recommended by the Executive Committee, ask the Centre Region municipalities for their suggestion regarding the group within the COG that should propose the membership of an Ad Hoc Regional Comprehensive Parks and Recreation Planning Committee, and further, that municipal comments be referred to the COG Executive Director by 9:00 AM on

8. **ADMINISTRATION (CONTINUED)**

b. **General Forum Request for Comments on Regional Park Plan (CONTINUED)**

Thursday, February 16, 2017 to be distributed to the Executive Committee.”

The relevant portion of the [General Forum agenda](#) is included with the agenda materials to provide additional background information. Discussion on this item can be continued to the February 8th meeting.

Ms. Salokongas stated that the Ad Hoc Committee as shown is separate from the Whitehall Park.

This item will be continued at the February 8, 2017 meeting.

c. **Appointments to Authorities, Boards and Commissions (ABCs)**

The Board must appoint Township residents to serve on Authorities, Boards and Commissions where terms of incumbents have expired or a member has resigned. There are also vacancies on ABC's to be filled with new appointments because the incumbent has completed the maximum number of terms or is otherwise ineligible or unable to continue serving. These vacancies include the following:

- Planning Commission
- Schlow Regional Library Board of Trustees
- UAJA Board of Directors
- Township Industrial/Commercial Development/ Water Authorities (2)
- Spring Creek Watershed Commission – Alternate
- Open Space Stewardship Committee

The ABC Committee makes the following recommendations:

Planning Commission	Richard Schmidt
Library Board of Trustees	Casey McClain
UAJA Board of Directors	David Derr
Open Space Stewardship	Frank Gallagher

Mr. Luck moved to appoint the above appointees to the ABC Committees as listed. Seconded by Mr. Treviño, the motion passed 5-0.

d. **Appointments to the Code Board of Appeals**

The Centre Region Council of Governments General Forum has forwarded the following recommendations for the Code Board of Appeals:

Property Maintenance Board is: Ryan Solnosky (new appointment)

Plumbing Board: Moses D. F. Ling, P.E., R.A. (re-appointment)

Mechanical Board: Moses D. F. Ling, P.E., R.A. (Alternate) (re-appointment)

Property Maintenance Board: Lisanne Semion (Alternate) (re-appointment)

8. **ADMINISTRATION (CONTINUED)**

d. **Appointments to the Code Board of Appeals (CONTINUED)**

Electrical Board: Richard Harris, P.E. and Kirk Lauer, P.E. (Alternate) (re-appointment)

This item will be discussed at the February 8, 2017 meeting.

e. **Voucher Report**

A copy of the December 2016 Voucher Report was enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

Mr. Treviño moved to approve the December 2016 Voucher Report. Seconded by Mr. Luck, the motion passed 5-0.

9. **MANAGER'S REPORT**

a. **Development Update**

Mr. Erickson stated that the Development Update was enclosed with the agenda items.

b. **PSU Extension seminar for running for local office**

Mr. Erickson stated that Penn State Extension is holding a webinar for anyone thinking of running for local government.

c. **FEMA Update**

Mr. Erickson stated that Mr. Pegher and Mr. Casson have been working with FEMA in regards to the flood damage from October 2016.

d. **PLCB/Sheetz**

Mr. Erickson stated that he received noticed that Sheetz did file for one of the liquor licenses.

10. **COMMITTEE REPORTS**

a. **Public Safety**

Mr. Wise stated that Public Safety discussed on how to keep getting volunteers.

b. **Human Resources**

Mr. Treviño stated that Human Resources approved a Parks and Recreation Job Description.

c. **Parks Capital**

Mr. Erickson stated that the committee wanted feedback on "what constitutes a regional park."

10. **COMMITTEE REPORTS (CONTINUED)**

d. **Finance**

Mr. Downsborough stated that Finance discussed a change in the CATA Funding Formula

11. **OTHER BUSINESS**

There was no other business.

12. **ADJOURNMENT**

Mr. Luck moved to adjourn the January 25, 2017 Board of Supervisors meeting at 8:59PM. Seconded by Mr. Wise, the Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary