

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

AUDIENCE
C-NET (3)
Katherine Smith, Toftrees Apartments
Anita Thies, Resident
George Wolfe, Toftrees Resort
Terry Bossert, Toftrees Resort
Stefan Cherinka, Toftrees Resort
Charles Sheppard, Toftrees Golf Club
Michael Hughes, Resident
Elizabeth Hughes, Resident
Marcia Newton, Resident
William Newton, Resident
Chris Greene, Resident
Phil Park, Resident
Betsy Whitman, Resident
Brenda Romanini, Wynwood House
Vincent Romanini, Wynwood House
Tony Fruchtl, Penn Terra Engineering
Heidi Nicholas, Resident
A. Cornali, Resident
Dan Marple, Resident
Anthony Grillo, Resident
James Voigt, Resident
Jen Roth, Resident
Martin Turecky, Resident
Leslee Asbury, Resident
Melinda Hanes, Resident
John Sepp, Penn Terra Engineering
Duke Gastiger, SC Boro
Derek Hutchinson, Athens, GA
Jim Bob McElroy, Athens GA
Bob Poole, Pinnacle Development
Mark Torretti, Penn Terra
Gregg Tyson, Resident
Doug Hill, Wooster
David Mikoff, Resident
Jessica Buckland, Resident
Andrea Pandolfi, Resident

1. **CALL TO ORDER**

The March 22, 2017 Board of Supervisors meeting was called to order at 7:00 PM by Elliot Abrams, Chair.

2. **APPROVAL OF MEETING MINUTES**

Mr. Treviño moved to approve the February 22, 2017 meeting minutes. Seconded by Mr. Luck, the motion passed 5-0.

3. **PUBLIC COMMENTS**

a. **General Comments**

Ms. Hanes asked the Board to expand Resolution 2017-006 to specifically address inclusion of illegal immigrants.

Ms. Thies asked the Supervisors to have an informal meeting to discuss Resolution 2017-006 before the COG Meeting.

The Board agreed to have an Executive Session after the next meeting to seek legal advice.

4. PUBLIC HEARINGS

a. Request to Consider Change to Occupancy Regulations for Proposed Development in Toftrees

Mr. Erickson stated that a request was submitted to the Township in December 2016 to consider amending occupancy regulations to permit the development of a proposed multi-family development. As stated in the letter, "The request is to add language to the ordinance to allow up to five unrelated persons to occupy a single residential unit." The request noted that College Township had adopted similar regulations to apply to a limited class of developments. In College Township the occupancy limit applies only to The Retreat community on Waupelani Drive.

The Planning Commission received the request in January 2017 and directed staff to draft an ordinance that would amend the Township's Planned Community zoning regulations to permit the increased occupancy for a limited class of developments in the Toftrees Planned Community.

As drafted, the ordinance limits the applicability of increasing the permitted occupancy of a single unit to five persons to only those properties that meet all the following criteria:

- Must be located in the Toftrees Planned Community zoning district
- Occupancy is limited to one person per bedroom, and each occupant shall have a separate lease (lease-by-bedroom model)
- All units must have automatic fire sprinklers systems
- Must be a single development with a single owner and on a lot between 10 and 35 acres.
- Must be located in a "residential use" area within Toftrees
- If the permitted density is less than 9.00 units per acre, no more than 35% of the total units can be 5-bedroom units.
- If the permitted density is between 9.00 units per acre and 15 units per acre, no more than 25% of the total units can be 5-bedroom units.

Additionally, the proposed revised Master Plan for Toftrees (next item) includes two additional criteria:

- The development must include at least 0.9 parking spaces per bedroom
- A requirement that "Buildings shall be constructed with a consistent architectural theme that defines the overall character of the development and considers its visual effect on adjacent uses as well as the tenants of the development. Renderings shall be submitted to the Township illustrating the view of the buildings from any adjacent streetscapes."

The following items were included with the agenda:

- Request letter asking the Township to consider amending the zoning regulations to allow up to five unrelated persons to occupy a single residential unit
- CRPC comment letter (Staff believes the CRPC has misconstrued the intent of the subject of their first comment. The ordinance would only require "rental by the bedroom" when the developer wishes to increase the occupancy above 3 unrelated individuals. If the developer does not 'opt-in' to the ordinance, they do not fall under the "rental by bedroom" condition. The second CRPC comments is a policy matter for the Board.)
- Comments from the Centre County Office of Planning and Community Development
- Draft ordinance amending the Planned Community zoning district regulations to allow up to 5 unrelated persons for a limited class of developments within the Toftrees Planned Community

4. **PUBLIC HEARINGS (Continued)**

a. **Request to Consider Change to Occupancy Regulations for Proposed Development in Toftrees (Continued)**

- Written comments provided by Toftrees residents objecting to the change in occupancy

The Planning Commission recommends approval.

Mr. Fruchtl gave a brief presentation of the requested changes to Occupancy Regulations for Proposed Development in Toftrees.

1) **Public Hearing**

The Board convened the Public Hearing for the proposed ordinance to increase permitted occupancy for a limited class of developments in the Toftrees Planned Community at 7:35 PM.

Mr. Bossert stated that he is representing Shaner Hotel Group and wanted to show his client's concern about people entering the golf course. He stated that Shaner Hotel has had issues of flooding due to storm water facility and is concerned that with no buffer there is a significant risk to the golf course.

Mr. Poole stated that the storm water issues will be discussed when working on the Land Development Plan.

Mr. Downsborough asked Mr. Erickson to discuss the process of the Land Development Plan. Mr. Erickson gave a brief overview of the Master Plan and Land Development process.

Ms. Smith stated she is the Regional Manager for Toftrees Apartments – Squirrel Run Apartments and her main concern is the proximity of the parking lot to their building and the increase of traffic.

Ms. Roth stated that she just purchased a property on December 6, 2016 and was not made aware of this rezoning. She stated that she is concerned about the traffic and the safety of her children.

Ms. Buckland asked if the occupancy is increased if it benefits Patton Township. Mr. Erickson stated that a modest amount of growth is good for real estate tax base which is the Township's highest source of revenue.

Mr. Treviño asked if the assessment of the building will be higher if the occupancy is changed. Mr. Poole answered yes.

Mr. Luck stated that this was always a part of the planned community was for it to continue to develop.

Mr. Poole stated that not trying to increase the number of occupancy but try to make a better project.

Ms. Asbury stated that she is here to represent the Toftrees Home Owner's Association Board. She stated that there are a lot of Toftrees home owners who are concerned about the noise, traffic and the impact of the wooded areas. She stated that she feels that it is all about the money and where will this be in 10 years and what will we be left with.

4. **PUBLIC HEARINGS (Continued)**

a. **Request to Consider Change to Occupancy Regulations for Proposed Development in Toftrees (Continued)**

1) **Public Hearing**

Mr. Golofski asked the Board not to approve the change. He stated that he does not think it is enough time to do the proper studies. He stated that he is concerned about parking and traffic.

Mr. Downsborough stated that there is a misconception that this property was zoned as residential. He stated that the Master Plan from 2014 shows 51 single family homes, 37 town house units and 40 apartment units. He stated that there is no occupancy limit for the apartment units as of now.

Ms. Pandolphi stated that she thinks the issues is not the number of units but the use of the units. She is concerned of the safety, traffic and feeling in the neighborhood. She asked the Board for their consideration of making the lot size a minimum of 15 acres in order to box in her neighborhood.

Mr. Hughes stated that he does not like the blocking off the single family homes and adding more student housing.

Mr. Grillo stated that he is concerned about the environment and the nature of the neighborhood.

Mr. Newton stated with the 5 occupancy limit will never happen with student housing. He stated that he feels like there is not going to be enough parking causing more people to park along Toftrees Avenue. He asked the Board to consider street lights. Mr. Erickson asked Mr. Newton to come into the office and staff can start the process of looking into it.

Mr. Tyson asked if raising the minimum to 15 acres will reduce the student housing. He asked the Board to consider putting street lines.

Mr. Hill stated that he helped do the traffic impact study in the area. He stated that the level of service in all the intersections in the area is A and B which is good.

Ms. Smith asked if the Police are capable of handling the criminal activity that comes with student housing and the extra traffic. Chief Petrick answered yes.

Mr. Luck moved to close the Public Hearing for the proposed ordinance to increase permitted occupancy for a limited class of developments in the Toftrees Planned Community at 8:44 PM. Seconded by Mr. Downsborough, the motion passed 5-0.

2) **Action Consideration**

Mr. Luck asked if this occupancy change is approved is the Township obligated to approve the development. Ms. Dupuis answered no.

Mr. Treviño moved to deny the Request to Change Occupancy Regulations for Toftrees. The motion failed with no second.

4. **PUBLIC HEARINGS (Continued)**

a. **Request to Consider Change to Occupancy Regulations for Proposed Development in Toftrees (Continued)**

2) **Action Consideration**

Mr. Downs brough moved to approve the Request to Change Occupancy Regulations for Toftrees with the restriction of the development to cottage style units and changing the minimum lot size to 15 acres. Seconded by Mr. Luck, the motion passed 4-1 with Mr. Treviño voting no.

b. **Revised Master Plan – Toftrees Planned Community**

The proposed revisions involve approximately 22 acres of Toftrees East currently referred to as Pinnacle Development Sections 11, 13, 16, 17, 19, and 25. These areas are located on the north side of Toftrees Avenue, and are bordered by the Woodledge Drive Development, Squirrel Run Apartments, and the Toftrees golf course. On the currently approved master plan (2014), the area is planned for a mix of single family homes and multi-family apartments. The revised master plan proposes the construction of a multi-family development known as *The Station*, which would feature a variety of housing unit types including detached residential cottages and duplex cottages, and attached multi-unit cottages and stacked townhomes; along with onsite amenities including an outdoor recreation area with a pool and clubhouse.

A Traffic Impact Study (TIS) for the proposed *The Station* project was submitted along with the master plan revisions. Based on the anticipated dwelling unit occupancy of *The Station*, the study provided the following conclusions:

- Traffic in the area is projected to maintain at Level-of-Service “B” or better.
- An eastbound left turn lane is warranted at the Toftrees Avenue/Cricklewood Drive intersection under existing traffic conditions. The developer proposes to install the turn lane within the limits of the existing paving by removing parking in the intersection area.
- A number of trees, vegetation, and an embankment along the north side of Toftrees Avenue will need to be removed to improve sight distance for motorists utilizing the proposed site driveway.

The Master Plan revision also includes some new requirements for multi-family developments intended to better manage large gatherings or parties, including:

- No single room or gathering area (i.e. pool enclosure) shall be permitted for more than 250 occupants.
- Occupancy limits must be enforced by the property owner or management.
- The property management shall require registration for parties that will include more than 50 guests. For parties anticipated to have more than 100 guests, management will require that the hosts provide security services to verify and enforce occupancy of the facilities.
- Any swimming pool area must have an 8 foot tall non-climbable fence completely surrounding it and be designed such that occupancy rules may be enforced. Fencing shall be picket-style such that activity within the pool area can be observed from outside the fence.
- Occupancy areas of the clubhouse and pool must be separate and distinct areas as determined by the Centre Region Code Agency and must be separated by the pool fence.

The Master Plan revision also requires that outdoor amenity areas either be located centrally to the development or buffered by a combination of distance, sound attenuating fencing and/or forested buffer areas.

4. **PUBLIC HEARINGS (Continued)**

b. **Revised Master Plan – Toftrees Planned Community (Continued)**

The following items were included with the agenda:

- A location map of the property
- An 11"x17" copy of the resubmitted master plan
- A marked up copy of staff's comment letter
- A marked up copy of a letter from the project engineer discussing the additional items addressed with the resubmission
- Information on sound attenuation fencing proposed for *The Station* development
- Additional master plan notes requested by the Township
- CRPC comment letter and responses from Staff
- Comments from the Centre County Office of Planning and Community Development
- Comments/email exchange from Toftrees resident with questions on buffering against new development – NEW ATTACHMENT
- Comments from College Township resident regarding the Retreat development on Waupelani Drive – NEW ATTACHMENT

The Commission recommends approval of the plan with the following conditions:

1. Completion of all items noted on staff's marked up comment letter and additional items noted on marked up letter provided by the project engineer
2. Inclusion of additional plan notes proposing conditions for developments in the Toftrees Planned Community for: (a) gathering areas for large crowds at multi-family developments, and (b) those subject to increased occupancy limits (see previous agenda item)
3. Consideration of comments provided by the CRPC (see staff responses in agenda materials)
4. Approval of change in occupancy regulations by the Board of Supervisors (see previous agenda item)

1) **Public Hearing**

The Board convened the Public Hearing for the Revised Master Plan for the Toftrees Planned Community at 9:11 PM.

Mr. Luck moved to close the Public Hearing for the Revised Master Plan for the Toftrees Planned Community at 9:12 PM. Seconded by Mr. Downsborough, the motion passed 5-0.

2) **Action Consideration**

Mr. Downsborough asked if the master plan is not approved if Mr. Poole can make it work with 128 units. Mr. Poole stated that he cannot answer that.

Mr. Wise moved to approve the Revised Master Plan for the Toftrees Planned Community with all conditions met. Seconded by Mr. Downsborough, the motion passed 5-0.

4. **PUBLIC HEARINGS (Continued)**

c. **Nittany Valley Sports Centre - Revised Master Plan #2**

Mr. Garthe stated that the site is a 60.68 acre tract located northwest of the Fox Hill Road/Bernel Road intersection in the Planned Airport District (PAD). The revised master plan proposes the following amendments:

Revised Phase 1 development area (area north of Champion Drive)

Revised Phase 1a scope:

- Development of a 68,473 ft² indoor sports facility (decrease of 16,093 ft²)
- Decreased the number of parking spaces in the phase to 231 (moved the remaining 99 spaces to Phase 1b)
- Shifted the outdoor multi-purpose turf field with lights to Phase 1c and the additional outdoor multi-purpose turf field to Phase 1d
- Revised Phase 1b: 64,625 ft² indoor sports center expansion (increase of 27,965 ft²)
- Revised the development on Lot 3: 20,400 ft², community center as Phase 1f of development (formerly proposed as office/retail trade facility) and adjusted the location of the shared driveway access at Bernel Road (driveway now entirely on Lot 3)

Revised Phase 2 development area (area south of Champion Drive)

- Shows individual lots for the Phase 2 developments
- Relocation of the access driveway to the duplex development to connect directly to Champion Drive. The road between the duplex development and the adjacent Phase 2 lots has been eliminated and replaced with a pedestrian walkway/emergency access path between the duplex site and the adjacent future development areas.

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- Shifted the outdoor multi-purpose turf field with lights to Phase 1c and the additional outdoor multi-purpose turf field to Phase 1d

Revised Phase 1b: 64,625 ft² indoor sports center expansion (increase of 27,965 ft²)

Revised the development on Lot 3: 20,400 ft², community center as Phase 1f of development (formerly proposed as office/retail trade facility) and adjusted the location of the shared driveway access at Bernel Road (driveway now entirely on Lot 3)

Revised Phase 2 development area (area south of Champion Drive)

- Shows individual lots for the Phase 2 developments
- Relocation of the access driveway to the duplex development to connect directly to Champion Drive. The road between the duplex development and the adjacent Phase 2 lots has been eliminated and replaced with a pedestrian walkway/emergency access path between the duplex site and the adjacent future development areas.

A Traffic Impact Study was submitted with the Revised Master Plan. The study concludes that no substantial roadway improvements are required through the construction of the Sports Centre, the duplexes and development of Lot 3 as a nursing home. Further development, projected as 20,000 square feet of office space on Lot 4, would trigger the realignment of the Bernel Road/Fox Hill Road intersection, to include a left turn lane for eastbound Fox Hill Road. These improvements would need to be completed prior to permitting occupancy of the office building.

4. **PUBLIC HEARINGS (Continued)**

c. **Nittany Valley Sports Centre - Revised Master Plan #2 (Continued)**

The following items were included with the agenda:

- A location map of the property
- An 11"x17" copy of the resubmitted master plan
- A marked up copy of staff's comment letter
- CRPC comment letter
- Comments from the Centre County Office of Planning and Community Development

The Commission recommends approval of the plan with the following conditions:

1. Completion of all items noted on staff's marked up comment letter
2. Consideration of comments provided by the CRPC

1) **Public Hearing**

The Board convened the Public Hearing for the Revised Master Plan #2 for the Nittany Valley Sports Centre at 9:34 PM.

Mr. Toretti gave a brief overview of the Nittany Valley Sports Centre – Revised Master Plan #2.

Mr. Marple stated that a couple of months ago construction was started early in the morning and was concerned because he was not notified. He stated that the entrance to Champion Drive is the worst spot on Bernel Road to have an entrance. He asked when the traffic study was completed. Mr. Erickson answered it would have been completed within the last 6 months.

Mr. Luck moved to close the Public Hearing for the Revised Master Plan #2 for the Nittany Valley Sports Centre at 9:46 PM. Seconded by Mr. Downsborough, the motion passed 5-0.

2) **Action Consideration**

Mr. Luck moved to approve the Revised Master Plan #2 for the Nittany Valley Sports Centre with conditions being met. Seconded by Mr. Downsborough, the motion passed 5-0.

5. **PUBLIC SAFETY**

a. **Police Update**

Chief Petrick stated that the February Public Safety Report was included with the agenda. He informed the Board that the Junior Police Academy commenced in February in which Officer Snyder was the program coordinator. He stated that there was a slight increase in less serious crimes due to an increase of DUIs. He stated that the department is in the process of participating in an aggressive driving enforcement campaign.

6. **PUBLIC WORKS**

a. **Valley Vista Drive Intersection Improvements; Public Meeting Summary**

Mr. Casson stated that the Township hosted an open house on the subject project on March 2nd at the Faith Baptist Church. In addition to providing information on the proposed project to add left turn lanes to four intersections, they also presented information on the upcoming Valley Vista Shared Use Path (i.e. Bikeway) and had representatives from Ferguson Township to provide information on upcoming improvements at Bachman Lane and the Circleville/Science Park intersection.

Mr. Casson stated that over half the people gave positive feedback and that he had two requests to do a post traffic study. He stated the majority of people who commented were interested in the safety of the children going to and from Homestead Farms over to Park Forest and suggested some sort of crosswalk at Sandy Ridge.

Mr. Luck stated he watched someone try to turn onto Valley Vista Drive from Little Lion Drive and we might need to keep an eye on that.

7. **PLANNING AND ZONING**

a. **Planning Commission Report**

Mr. Rater stated that the Planning Commission discussed the next few agenda items and their comments were included with the agenda materials.

b. **Nittany Valley Sports Centre – Revised Phase 1A Final Land Development Plan**

From the February 6 Planning Commission Agenda

This land development plan proposes construction of a 68,473 ft² indoor sports facility and an outdoor multi-purpose field on Lot 1R of the Nittany Valley Sports Centre site, which is located in the Planned Airport District. The shared access road, Champion Drive, will also be constructed and offered for dedication to the Township. The plan proposes to provide 231 onsite parking spaces (8 ADA) for guests and employees of the facility. Development of this lot was included in Phase 1 of the master plan. The Township provided a comment letter to the project engineer on January 20, 2017.

The following items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the plan
3. A marked up copy of staff's comment letter

End of the Planning Commission Agenda materials

A Traffic Impact Study was submitted with the Revised Master Plan. The study concludes that no substantial roadway improvements are required through the construction of the Sports Centre, the duplexes and development of Lot 3 as a nursing home. Further development, projected as 20,000 square feet of office space on Lot 4, would trigger the realignment of the Bernel Road/Fox Hill Road intersection, to include a left turn lane for eastbound Fox Hill Road. These improvements would need to be completed prior to permitting occupancy of the office building.

7. **PLANNING AND ZONING (Continued)**

b. **Nittany Valley Sports Centre – Revised Phase 1A Final Land Development Plan (Continued)**

Recommendation

The Planning Commission recommends approval with the following conditions:

1. Completion of all items noted on staff's marked up comment letter

Mr. Torretti gave a brief overview of the changes to the Nittany Valley Sports Centre Phase 1A Development Plan.

Mr. Luck moved to conditionally approve the Nittany Valley Sports Centre- Revised Phase 1A Final Land Development Plan as recommended by the PC. Seconded by Mr. Treviño, the motion passed 5-0.

c. **Decibel Duplexes – Subdivision Plan for Tax Parcel 18-2-29E**

From the February 6 Planning Commission Agenda

This plan proposes to subdivide off a portion of the existing Lot 5 of the NVSC site to create a new lot. The new lot, Lot 6, would be 9.64 acres and would prepare the site for the proposed Decibel Duplexes development. Development of this lot was included in Phase 2 of the master plan. The Township provided a comment letter to the project engineer on January 20, 2017.

The following items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the plan
3. A marked up copy of staff's comment letter

End of the Planning Commission Agenda materials

A Traffic Impact Study was submitted with the Revised Master Plan. The study concludes that no substantial roadway improvements are required through the construction of the Sports Centre, the duplexes and development of Lot 3 as a nursing home. Further development, projected as 20,000 square feet of office space on Lot 4, would trigger the realignment of the Bernel Road/Fox Hill Road intersection, to include a left turn lane for eastbound Fox Hill Road. These improvements would need to be completed prior to permitting occupancy of the office building.

Recommendation

The Planning Commission recommends approval with the following conditions:

1. Completion of all items noted on staff's marked up comment letter

Mr. Torretti gave a brief overview of the Decibel Duplexes Subdivision Plan.

Mr. Downsborough moved to conditionally approve Decibel Duplexes – Subdivision Plan for Tax Parcel 18-2-29E as recommended by the PC. Seconded by Mr. Luck, the motion passed 5-0.

d. **Aeropointe Place (formerly Decibel Duplexes) Preliminary/Final Land Development Plan – Nittany Valley Sports Centre Phase 2A – ADDITIONAL INFORMATION INCLUDED**

From the February 6 Planning Commission Agenda

This land development plan proposes the Decibel Duplexes development on Lot 6 of the Nittany Valley Sports Centre site. Development of this lot was included in Phase 2 of the master plan. Construction activities will involve 12 duplex units and a related clubhouse. A total of 63 onsite parking spaces (2 ADA) will be provided for residents and guests. In addition, a 10' wide asphalt walkway/ emergency access path will be built to

7. **PLANNING AND ZONING (Continued)**

d. **Aeropointe Place (formerly Decibel Duplexes) Preliminary/Final Land Development Plan – Nittany Valley Sports Centre Phase 2A (Continued)**

provide connectivity to neighboring lots where future development is proposed. The Township provided a comment letter to the project engineer on January 20, 2017.

The following items were included with the agenda:

1. A location map of the property
2. An 11"x17" copy of the plan
3. A marked up copy of staff's comment letter

End of the Planning Commission Agenda materials

A Traffic Impact Study was submitted with the Revised Master Plan. The study concludes that no substantial roadway improvements are required through the construction of the Sports Centre, the duplexes and development of Lot 3 as a nursing home. Further development, projected as 20,000 square feet of office space on Lot 4, would trigger the realignment of the Bernel Road/Fox Hill Road intersection, to include a left turn lane for eastbound Fox Hill Road. These improvements would need to be completed prior to permitting occupancy of the office building.

ADDITIONAL INFORMATION

Additional staff comments, dated March 15th and included with the agenda materials (NEW ATTACHMENT), were provided noting changes that were still needed to the plan. The letter also noted that the Commission recommended that a sidewalk be installed along Bernel Road rather than in the easement area shown on the plan between Champions Drive and Lot 5R, and the sidewalk would be installed by the duplex developer. The last item noted the Commission's recommendation to extend the concrete sidewalk within the development through the asphalt driveway aprons.

Recommendation

The Planning Commission recommends approval with the following conditions:

1. Completion of all items noted on staff's marked up comment letter and March 15 letter
2. Installation of sidewalk along Bernel Road and removal of other sidewalk easement to Lot 5R.
3. Extension of the concrete sidewalk within the development through the asphalt driveway aprons.

Mr. Luck moved to conditionally approve the Aeropointe Place (Decibel Duplexes) Preliminary/Final Land Development Plan – Nittany Valley Sports Centre Phase 2A with conditions being met as recommended by the PC. Seconded by Mr. Treviño, the motion passed 5-0.

7. **PLANNING AND ZONING (Continued)**

e. **Request to Consider Re-zoning for former Penn State Mobile Home Park and Adjacent Parcels**

The developers of the subject parcels have submitted a request to have the Township consider their request to re-zone the properties for a mix of commercial and residential development.

The agenda materials included a request letter and conceptual graphics showing a potential layout for the property.

The Manager recommends referring the request to the Planning Commission for review and recommendation.

Mr. Luck moved to refer the request to consider Re-zoning for former Penn State Mobile Home Park and Adjacent Parcels to the Planning Commission for review and recommendation. Seconded by Mr. Downsborough, the motion passed 5-0.

Mr. Downsborough stated that he hopes that Park Forest Avenue can be realigned to come out at the red light at Woody Crest sometime in the near future.

f. **Re-Farm Café**

1) **Windswept Farms Subdivision Replot of Lots 1, 2, & 8**

From the March 13 Planning Commission Agenda

Patton Township received a subdivision plan that proposes to reconfigure Lots 1, 2, and 8 of the Windswept Farms subdivision to prepare the site for the proposed Re-Farm Café. The site is located in the A-1 (Rural) zoning district near the intersection of Route 550 and Fillmore Road near the Patton Township/Benner Township line. The existing lot lines between Lots 1, 2, and 8 will be removed and two new lots will be created; 1R (16.66 acres) and 8R (10.03 acres).

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter.

End of the Planning Commission Agenda materials

The Planning Commission recommends conditional approval of the Windswept Farms Subdivision – Replot of Lots 1, 2, & 8 upon completion of minor/technical items as noted on the staff comment letter.

Mr. Sepp gave a brief overview of the Windswept Farms Subdivision

Mr. Downsborough moved to conditional approve the Windswept Farms Subdivision – Replot of Lots 1, 2, & 8 upon completion of minor/technical items as noted on the staff comment letter. Seconded by Mr. Luck, the motion passed 5-0.

2) **Land Development Plan Re-Farm Cafe**

From the March 13 Planning Commission Agenda

Patton Township received a land development plan that proposes the construction of a "farm café," which is a new Conditional Use approved for the A-1 (Rural) zoning district by the Patton Township Board of Supervisors in November 2016. Farm cafés are intended to augment, support, and highlight local agriculture and all foods prepared and served must be grown, raised, or produced onsite, locally, or within Pennsylvania to the greatest extent possible. The site of the proposed

7. **PLANNING AND ZONING (Continued)**

f. **Re-Farm Café (Continued)**

2) **Land Development Plan Re-Farm Cafe (Continued)**

From the March 13 Planning Commission Agenda

farm café is the Windswept Farms property, which is located near the intersection of Route 550 and Fillmore Road near the Patton Township/Benner Township line.

The project will involve renovations and a 2,193 square foot addition to an existing house on the property to create the farm café, which will include seating for 50 patrons. In addition, construction activities will include parking areas and walkways for patrons and employees of the café, a 196 square foot outdoor deck, and a pond. In addition, a 6,400 square foot greenhouse is being constructed on the property. A total of 27 parking spaces will be provided (25 gravel and 2 concrete ADA). Proposed impervious cover on the property will be 33,543 square feet (4.62%). The property is located outside the Regional Growth Boundary/Sewer Service Area, so public water and sewer service are not available and will be provided through private onsite systems.

The existing private driveway, Windswept Lane, does not meet the minimum cartway width for a minor street in the A-1 district (18 feet), as specified by §149a Table 1: Street Design Standards. The applicant has requested a waiver to this requirement in order to preserve a row of mature trees along the existing driveway. The plan proposes to construct a two foot wide gravel shoulder on each side of the existing asphalt cartway to increase the total width to 16 feet. The applicant has indicated that the Centre Region Fire Director has reviewed the proposed design of Windswept Lane and is satisfied with it from a safety and emergency services perspective.

The applicant has also requested a waiver to the Township's riparian buffer regulations. The regulations require a 50-foot riparian buffer around ponds of the size being proposed by this plan. However, the pond does not currently exist on the site, so the waiver is being requested.

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter and approval of the waiver requests to

the Township's minimum width requirements for a minor street in the A-1 zoning district and riparian buffer regulations.

End of the Planning Commission Agenda materials

The Planning Commission recommends conditional approval of the Preliminary/Final Land Development Plan for Re-Farm Café upon:

- 1) completion of minor/technical items as noted on the staff comment letter,
- 2) approval of the waiver request to the minimum width requirements for a minor street in the A-1 zoning district,
- 3) approval of the waiver for the riparian buffer around the proposed pond, and
- 4) approval of the DEP Component 2 Sewage Facilities Planning Module (see next item)

Mr. Luck moved to conditionally approve the Preliminary/Final Land Development Plan for Re-Farm Café with all conditions being met as recommended by the PC. Seconded by Mr. Downsborough, the motion passed 5-0.

7. **PLANNING AND ZONING (Continued)**

f. **Re-Farm Café (Continued)**

3) **Sewage Planning Module Resolution**

In conjunction with the land development plan conditionally approved above, the Pennsylvania Department of Environmental Protection (DEP) requires that the Board affirmatively state that the plan approval serves as a revision to the "Official Sewage Facilities Plan." A draft resolution is included with the agenda materials. The resolution will be submitted to DEP along with other required information on the proposed on-lot sewage systems.

It is recommended that the Board approve Resolution 2017-009.

Mr. Luck moved to approve Sewage Planning Module Resolution 2017-009. Seconded by Mr. Downsborough, the motion passed 5-0.

g) **Set Public Hearing Date for Nursing Homes in the Planned Airport District**

From the March 13 Planning Commission Agenda

Patton Township received a request to add nursing homes as a permitted use in the Planned Airport District (PAD). Recall that unlike most zoning districts, the PAD tightly details specific types of allowed uses. If a use is not listed in the table of Permitted Uses, it is deemed to be prohibited. The permitted uses are subcategorized as residential uses, commercial uses, and general airport area uses.

A "nursing home" is defined in the Township Code as follows:

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.

A nursing home operator is considering building a facility on Lot 3 of the Nittany Valley Sports Centre (NVSC) property. A portion of the NVSC property, including Lot 3, is in the Mixed-Use area, while other parts of the property are within the Nonresidential area of the PAD. Currently, the Mixed-Use area allows several residential uses including duplexes, manufactured home parks, multi-family dwellings, and parks. With the exception of manufactured home parks, all of those uses are also permitted in the Residential area of the PAD.

At their November 7, 2016 meeting, the Planning Commission discussed the request and recommended approval of an ordinance that would permit the use in the Residential, Nonresidential, and Mixed-Use areas of the PAD. At their November 16, 2016 meeting, the Board of Supervisors set a January 25, 2017 public hearing for the ordinance. The Centre Regional Planning Commission and the Centre County Planning and Development Office have both supported the use and offered no comments.

However, at the public hearing, a number of attendees and several of the Board members voiced concerns related to the use and where it would be permitted. At the conclusion of the public hearing, the Board elected not to adopt the ordinance, but to instead refer the comments to the Planning Commission for further discussion. Additionally, the Manager received comments via email from a representative of the University Park Airport. The comments were provided with the Planning Commission Agenda, as well as a copy being provided to the applicants to make them aware of the concerns with the proposed use.

End of the Planning Commission Agenda materials

7. **PLANNING AND ZONING (Continued)**

g) **Set Public Hearing Date for Nursing Homes in the Planned Airport District (Continued)**

A Traffic Impact Study was submitted with the Revised NVSC Master Plan. The study concludes that no substantial roadway improvements are required through the construction of the Sports Centre, the duplexes and development of Lot 3 as a nursing home. Further development, projected as 20,000 square feet of office space on Lot 4, would trigger the realignment of the Bernel Road/Fox Hill Road intersection, to include a left turn lane for eastbound Fox Hill Road. These improvements would need to be completed prior to permitting occupancy of the office building.

The Planning Commission recommends allowing the use of nursing homes within the **Mixed-Use area only** of the Planned Airport District. A draft ordinance is included with the agenda materials, along with:

- Graphic showing Mixed Use, Non-residential and Residential areas in the PAD
- Request letter dated October 25, 2016
- Memo from Planner summarizing discussion at January 25, 2017 Board meeting
- Lists of permitted and prohibited uses in the PAD

Should the Board desire to continue consideration of the request, the next step would be to schedule the Public Hearing that is required prior to taking any action on the proposed ordinance. The next available meeting date, following the 30 day notice period, is April 26, 2017.

Mr. Luck moved to schedule the Public Hearing Date for April 26, 2017 for Nursing Homes in the Planned Airport District. Seconded by Mr. Treviño, the motion passed 5-0.

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. **Public Works**

1) **Line Painting Contract**

Ferguson Township has solicited and received bids for the cooperative line-painting program. The Township Engineer's recommendation and the bid tab for all the participating municipalities is included with the agenda materials.

It is recommended that the Board accept the bid price of \$15,003.91 for the Patton Township share of the project and agree to the joint contract with Alpha Space Control of Chambersburg, PA for line painting through Ferguson Township.

b. **Administration**

1) **February 2017 Voucher Report**

A copy of the February 2017 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 February 2017 Voucher Report.

8. **CONSENT AGENDA (Continued)**

b. **Administration (Continued)**

2) **Designate April 22, 2017 as Watershed Cleanup Day**

Clearwater Conservancy has requested that Patton Township designate April 22, 2017 as Watershed Cleanup Day. Clearwater Conservancy has organized this community-wide volunteer effort annually since 1997 and has collected and safely disposed more than 3,040 tons of trash from our waterways and country-sides.

As in past years, the Patton Township Public Works will continue to participate by providing trucks and labor to assist the collection efforts. The Public Works Director will coordinate activities between Clearwater Conservancy and the Township.

A request letter from Clearwater was included with the agenda materials. The Board should consider action to

It is recommended that the Board designate April 22, 2017 as Watershed Cleanup Day.

3) **Approve Purchase of Police Patrol Utility Vehicle**

The Police Department is replacing the patrol utility vehicle this year. The budget includes \$37,000 for the vehicle and accessory equipment. The Department obtained pricing through the COSTARS cooperative purchasing program.

It is recommended that the Board authorize the Police Department to order and purchase a 2017 Ford Utility Police Interceptor AWD from Tri-Star Ford of Tyrone, Inc. for the price of \$28,217.00.

Mr. Downsborough moved to approve the Consent Agenda. Seconded by Mr. Luck, the motion passed 5-0.

9. **MANAGER'S REPORT**

a) **Development Update**

Mr. Erickson stated that the Development Update was included with the agenda materials.

b) **Spring Newsletter Published**

Mr. Erickson stated the Spring Newsletter was published and a copy was enclosed with the agenda.

c) **PUC Order regarding small cell systems**

Mr. Erickson stated that the PUC order regarding small cell systems were enclosed with the agenda.

d) **PSATS' 2017-2018 Policy Statement**

Mr. Erickson stated that the PSATS' 2017-2018 Policy Statement was enclosed with the agenda.

e) **Request for comments on Ferguson Township Draft Official Map update**

Mr. Erickson stated that the Ferguson Township sent a request for any comments on the Draft Official Map.

Mr. Downsborough stated that College Township is on there twice and Patton Township is missing. Mr. Erickson stated that he will pass that on.

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

f) **Open House for Ferguson Township Martin Street project, April 5th**

Mr. Erickson stated that Ferguson Township will be holding an Open House for the Martin Street Project on April 5th.

10. **COMMITTEE REPORTS**

a. **Public Services**

Mr. Luck stated that Public Water Providers are going to supply comments in regards to concerns about the beneficial reuse water system.

b. **Parks Capital**

Mr. Downsborough stated that there is a request for an escrow account waiver from Ferguson Township who billed for municipal fees in the amount of \$12,000. He stated that the budget for the Millbrook Marsh Nature Center Phase II is around \$1.1-\$1.5 billion and there will be a grant for \$700,000.

11. **OTHER BUSINESS**

There was no other business.

12. **ADJOURNMENT**

Mr. Luck moved to adjourn the March 22, 2017 Board of Supervisors meeting at 10:35PM. Seconded by Mr. Downsborough, the Chair adjourned the meeting.

Douglas J. Erickson, Township Secretary