

**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, Director of Finance and Administration  
Betsy Dupuis, Solicitor  
Tyler Jolley, Chief of Police  
Stephen Casson, Township Engineer  
Greg Garthe, Planner

**AUDIENCE**

C-NET (3)	Tony Cingle, Resident
Anita Thies, Resident	Marian Veneskey, Resident
Leo Veneskey, Resident	Jessica Buckland, Resident
Dale & Jackie Hershberger, Residents	Ram & Vijaya Narayanan, Residents
Ralph Mumma, Resident	Kirk & Elizabeth Lauver, Residents
Heidi Cornwall, Resident	Sheila Telford, Resident
John Telford, Resident	Mel Mark & Mary Beth Crowe, Residents
Patrick Landy, Resident	Brian Henry, Resident
Kathleen Domenig, Resident	Esther Benity, Resident
Lynn Pipenberg, Resident	Betsy Whitman, Resident
Harriet Swanson, Resident	Michael Marx, Resident
Steve Randall, Resident	Lynn Yost, Resident
Lance Shaner, Resident	Sophia & Plato Ghinos, Residents
Jack Langelann, Ferguson Resident	Jeff Laman, Resident
Kathy Ann Phillips, Resident	Ann Donovan, Resident
Nancy Rahston, Resident	Marcia Mulligan, Resident
Gary Mulligan, Resident	Jennifer Norton, Resident
Brett Green, Resident	Don Cistaro, Resident
Mark Ballora, Resident	Karen Dabney, Resident
Mary Bellman, Resident	Donnattania Langden, Resident
Scott Landon, Resident	Alan Friedlander, Resident
Margaret Friedlander, Resident	James Payne, Resident
Elizabeth Davidson, Resident	Aimee Sloane, Resident
Rick Maher, Resident	Brenda Walsh, Resident
Ken Walsh, Resident	Tom Fonda, Resident
Tony Buda, Resident	Kathy Nelson, Resident
Joe Viglione, CRCOG	Jim Steff, CRCOG
Carol Dwyer, Resident	Jens Damgaard, Rhoads & Sinon

**1. CALL TO ORDER**

The November 1, 2017 Board of Supervisors Meeting was called to order at 7:00PM by Elliot Abrams, Chair.

**2. APPROVAL OF MINUTES**

Mr. Treviño moved to approve the October 19, 2017 Board of Supervisors work session minutes. Seconded by Mr. Downsborough, the motion passed 5-0.

3. **PUBLIC COMMENTS**

Mr. Marx suggested that the overlay zoning proposal be discussed apart from the Patton Crossing specific proposal. This needs to be discussed further regarding other parcels that may be affected.

4. **PUBLIC WORKS**

a. **Application for Centre County Liquid Fuels Tax Grant Application for Julian Pike Guide Rail Replacement**

The existing guide rail along Julian Pike does not meet current highway standards and should be replaced and extended. The Public Works Director requests approval to submit a grant application in the amount of/ not to exceed \$27,750 to the Centre County Commissioners to fund half of this project.

Mr. Luck moved to approval to submit a grant application for Centre County Liquid Fuels Tax Grant for Julian Pike Guide Rail Replacement. Seconded by Mr. Downsborough, the motion passed 5-0.

5. **PLANNING AND ZONING**

a. **Patton Crossing**

The Board received a request in March 2017 to consider re-zoning property at 1752 North Atherton Street to permit a development that included a mix of commercial, office, hotel and residential uses. The bulk of the property included in the request is the former Penn State Mobile Home Park located at the intersection of Woodycrest Street and North Atherton Street. The parcels are zoned R-3 (Medium Density Residence) except for the front 200 feet along Atherton Street that is zoned C-1 (General Commercial).

The extensive narrative included in the October 25<sup>th</sup> agenda was included as an attachment to this agenda.

i. **Ordinance to Create Mixed-Use Overlay District 2**

The Planning Commission completed their review of the subject regulations at their October 2<sup>nd</sup> meeting. The Planning Commission recommends that the Board adopt the Mixed-Use Overlay District 2 (MXD2) regulations as presented. A recommendation for re-zoning the subject properties is included in the next agenda item.

The MXD2 proposed regulations are presented in two formats that are included with the agenda materials. The first is the "ordinance style" that contains the language that would be adopted and inserted into the Patton Code to create the new overlay district. The second format is a matrix that follows the development of each section of the proposed regulations from initial proposals through the Planning Commission's recommendation. A column has been added to the matrix to record the Board's decision on each section. The matrix also includes page and section references back to the "ordinance style" format.

The Manager recommends that the Board continue its review of the proposed regulations as presented on the matrix. At the October 19<sup>th</sup> Work Session, the Board tentatively found consensus on many of the sections in the matrix. The following items remain for continued discussion:

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

b. **Patton Crossing (Continued)**

i. **Ordinance to Create Mixed-Use Overlay District 2 (Continued)**

<u>Section</u>	<u>Item</u>	<u>Notes</u>
D.(2)	Drive-through lanes	hours of operations
E.(2)	Maximum Building Height	also setbacks for taller buildings
E(7)(a)	Setbacks to Res. Zones	different setback for res. & non-res
E(7)(a)	Buffering in Res. Setback	enough evergreen material?
E(7)(a)	Parking in Res. Setback & enough evergreen material?	different setback for res. and non-res
E(8)	Maximum Impervious Cover	presently at 80% plus 5% pervious paving or green roofs
H(2)	Loading/ Unloading hours	hours permitted / may be different based on location
I	Bike/Ped Facilities	req. dedicated bike facility across site?
K	Public Gathering area	add'l parking required? Delete parkland references
L(1)	Streetscapes	req. bus pull-offs along primary streets?

Ultimately the Board is asked to provide a decision on each section by accepting the recommendation from the Planning Commission (PC), adopting a different standard than the PC recommendation, or requesting additional information and deferring a decision to a future meeting. Once the Board has concluded discussion on the MXD2 proposed regulations, setting a date for a Public Hearing should be considered.

Mr. Poole gave a brief presentation of the Patton Crossing.

Mr. Narayanan asked the Board to listen to the voice of the residents.

Ms. Thies stated that 247 residents has signed a petition against this project. A handout was provided to the Board members, staff and the audience. (The handout is attached to the end of these minutes.)

Ms. Dabney suggested looking into affordable housing.

Ms. Yost asked that the Board looks into something that everyone would want.

Mr. Luck stated that forestry activities is a use by right.

Mr. Marx asked why there is no sign posted at the property letting residents know of this plan. Mr. Erickson stated that all the information the Board has was on the agenda.

Mr. Marx asked the Board if they had any discussion with Ferguson Township about the traffic. Mr. Abrams stated that he is unaware of what Ferguson is doing.

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

b. **Patton Crossing (Continued)**

i. **Ordinance to Create Mixed-Use Overlay District 2 (Continued)**

Mr. Shaner stated that 12 years ago he built Williamsburg Square in which Patton Township stated he could not cut the trees and opposed anymore cutting of trees in Patton Township and rezoning of land.

Mr. Marr suggested a poll from all residents in the Township about this manner.

Ms. Bellman stated that her primary concern is the impact of traffic and change the character of the neighborhood.

Mr. Walsh stated that he is opposed to the current plan for the whole Patton Township. Mr. Erickson stated that it can be put on parcels that are zoned C-2 where the property owner has submitted a request.

Mr. Cistaro stated he is concerned about R-3 zoning for many years and asked if the Board can say submit plan for R-3 before consider rezoning. Mr. Abrams stated that the Board can deny the rezoning.

Mr. Payne stated that traffic did increase when Northbrook Green was established and is hoping the Board consider the residents before the developer.

Mr. Treviño stated that with the huge number of objections he believes it is an inappropriate location and would not like to rush this.

Mr. Abrams stated that he is interested in a committee being created to look over this.

Mr. Treviño moved to form a citizens committee to talk about the rezoning of this property. Seconded by Mr. Abrams, the motion passed 3-2 with Mr. Luck and Mr. Downsborough voting no.

ii. **Rezoning Request for Patton Crossing**

The Planning Commission has recommended that the Board approve the rezoning of the following parcels to C-2 (Planned Commercial) along with the MXD2 (Mixed-Use Overlay District 2) overlay zoning (see prior item):

<u>Parcel ID</u>	<u>Area</u>	<u>Address/Location</u>	<u>Current Zoning</u>
18-12-21	27.47 ac	1752 N. Atherton St	C-1 & R-3
18-12-20	0.92 ac	1798 N. Atherton St	C-1
<del>18-12-177</del>	<del>2.10 ac</del>	<del>Park Forest Avenue</del>	<del>R-2</del>

At the October 25<sup>th</sup> meeting the Board announced it would not consider rezoning parcel 18-12-177 and it would remain as an undeveloped parkland parcel.

The Board may discuss the wide range of options available regarding rezoning requests, including:

- Deny the request, either by motion or lack of action,
- Approve the request as recommended by the Planning Commission (PC),
- Approve the request for some, but not all the parcels,
- Approve the request with a modified form of the MXD2, or

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

b. **Patton Crossing (Continued)**

ii. **Rezoning Request for Patton Crossing**

Determine major modifications are needed in the proposed zoning and remand back to the PC.

The Board may not take any action until required notifications have been made and a Public Hearing has been held.

The agenda materials also included resident written comments provided since the last Agenda Update was published.

6. **ADMINISTRATION**

a. **Council of Governments Budget Review**

From the October 23<sup>rd</sup> COG General Forum Follow-up memo:

All municipal managers and elected officials received the 2018 Summary Budget for review. The following motion was approved by the General Forum:

**“That the General Forum, as recommended by the Finance Committee, receive the draft 2018 Summary Budget for the Centre Region Council of Governments and refer it to the municipalities for consideration; and furthermore, that comments be referred to the COG Executive Director by 8:30 AM, on Thursday, November 9 for distribution to the Finance Committee.”**

The Summary Budget incorporates comments provided by the municipalities following their review of the 2018 Program Plan, proposals contained in the 2018 to 2022 COG Capital Improvement Plan and the revisions recommended by the Finance Committee during their review sessions with the COG Agency Directors. The Finance Committee’s budget review sessions were cablecast on C-NET, Channel 7 and are available for web-streaming at <http://cnet1.org/video/ShowByMember/5/>.

Below is a link to the Summary Budget. It can also be accessed at the COG’s website at [www.crcog.net](http://www.crcog.net) under the “News” section.

[2018 COG Summary Budget](#)

End of the General Forum Follow-up memo material

The COG Executive Director and Finance Offices will be available for questions.

Staff has no comments regarding the COG Summary Budget.

Any Board comments will be forwarded to COG.

The Board had no comments.

6. **ADMINISTRATION (Continued)**

b. **Ordinance to Authorize Borrowing from Jersey Shore State Bank**

In 2014 the voters in Patton Township approved a referendum to support the borrowing of \$3,500,000 to fund open space acquisition. A Task Force was formed in 2015 to provide a recommendation to the Board on property to pursue for the benefit of the Township. The Task Force provided a short list of properties to the Board in October of 2016 and the Board directed the Manager to contact the owners and pursue acquisition. Hopefully, an announcement can be made soon regarding agreement of the acquisition.

To prepare for the purchase, the Township engaged Concord Public Financial Advisors, Inc., principally represented by Mr. Christopher Gibbons, to advise and provide recommendations on the borrowing, including the potential for re-financing the Township's current debt to reduce debt service costs.

At the October 11<sup>th</sup> meeting Mr. recommended accepting a variable rate loan proposed by Jersey Shore State Bank for both the new debt and current debt. Re-financing the current debt will lower the interest rate being paid and lower the maximum rate for the 2012 note from 6% to 4.85%. The terms off the loan are found on attachment "Item 6a.1 ...."

The Board agreed by consensus to proceed with the bank loan for \$9,957,000.

Proposed Ordinance 2017 – 587 authorizes the borrowing and is included with the agenda materials. The Township must also receive approval from the state Department of Community and Economic Development prior to finalizing the borrowing. A timeline for concluding the borrowing process is also included in the agenda materials.

Mr. Luck moved to adopt Ordinance 2017 – 587. Seconded by Mr. Downsborough, the motion passed 5-0.

7. **MANAGER'S REPORT**

a. **ABC Dinner – tentative for Friday, January 26<sup>th</sup>**

Mr. Erickson stated that the ABC Dinner is scheduled for Friday, January 26<sup>th</sup>.

8. **COMMITTEE REPORTS**

There was nothing to report.

9. **OTHER BUSINESS**

Mr. Treviño stated that the Pennsylvania State Legislator passed a revenue bill expanding casino gambling and that a municipality can draft a resolution to not allow a mini casino.

10. **ADJOURNMENT**

Mr. Luck moved to adjourn the November 1, 2017 Board of Supervisors Meeting. Seconded by Mr. Trevino, the meeting was adjourned at 9:50PM.