

**ATTENDANCE**

Planning Commission

Kate Domico, Chairman  
Brian Rater, Secretary  
Richard Schmidt, Alt. Secretary  
Robert Prosek  
Harry McAllister

Township Staff

Doug Erickson, Township Manager  
Stephen Casson, Township Engineer/Dir. Public Works  
Paul Christner, Asst. Twp. Eng./Asst. Dir. Public Works  
Ken Soder, Zoning Officer  
Greg Garthe, CRPA  
Nicole Harter, Public Works Secretary

Audience

Mark Torretti, Penn Terra Engineering  
John Haschak, Leventry, Haschak & Rodkey, LLC  
Daniel Hawbaker, Glenn O. Hawbaker, Inc.  
Don Kiel, Resident  
Scot Chambers, Sign Review Board  
Jeff Warner, Resident  
Sean Howard, Sign Review Board  
Jim Payne, Resident  
Nicole Siekman, Resident  
Chris Summers, Resident

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

The August 6, 2018 regular meeting was called to order at 7:01 PM by Chairman, Ms. Kate Domico.

**2. ITEMS OF CORRECTION**

There were no additions or deletions to the agenda.

**3. APPROVAL OF MINUTES**

Meeting minutes from the July 17, 2018 Regular Meeting were brought before the Planning Commission for approval.

Mr. Harry McAllister made a motion to approve the meeting minutes as submitted. The motion was seconded by Mr. Brian Rater. The motion passed with a vote of 5-0.

**4. PUBLIC COMMENTS**

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

**5. AEROPOINTE – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PHASE 2A**

Mr. Greg Garthe noted that the Aeropointe Preliminary/Final Land Development Plan for Phase 2A proposes to eliminate a 1,250 square foot clubhouse and seven parking spaces included in the currently approved and recorded land development plan for Aeropointe Place (dated January 2017), now referred to as Aeropointe. The plan is intended to supersede the previously approved land development plan. The site is located on Lot 6 of the Nittany Valley Sports Centre site in the Mixed Use Area of the Planned Airport District. The plan proposes development of 12 duplex units, which is unchanged from the previous plan submission. The proposed clubhouse was to be utilized to satisfy part of

5. **AEROPOINTE – PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR PHASE 2A (cont.)**

the Township's public use and service areas (i.e. parkland) requirements, but now that it has been removed from the plan, the requirement must be met with one acre of land dedicated to public use, or a fee-in-lieu of land. Any fee collected will be utilized at an existing Township park, or to enhance connectivity to Bernel Road Park. A total of 56 onsite parking spaces (48 resident, 8 guest) will be provided. A 10' wide asphalt walkway/emergency access path will be built to provide connectivity to neighboring lots where future development is proposed, and a 5' concrete sidewalk will be constructed along Bernel Road.

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter and dedication of one acre of land for public use or provision of a fee-in-lieu acceptable to Patton Township within 10 business days of recording the plan and prior to issuance of any zoning permit for the project.

Mr. Mark Torretti, Penn Terra Engineering, provided a brief overview of the proposed land development plan.

Mr. Brian Rater was concerned with parking for the development, since the duplexes will not have basements, which could lead to storage within the garages. Mr. John Haschak, Leventry, Haschak & Rodkey, LLC, noted that the duplexes now have basements. Resident, Mr. Jim Payne asked for clarification if the two car garages were per unit or per duplex. Mr. Haschak noted that they would be per unit.

Mr. Brian Rater would like to see something for recreation on the property for the residents to use, rather than receiving a fee-in-lieu of that would be used somewhere else. Mr. Rater also asked how the fee was calculated to determine that it would be acceptable. Mr. Doug Erickson noted that the fee is determined by the sale of the property, which is not known at this time.

Resident, Ms. Nicole Siekman, asked what the square footage of the duplexes would be and the number of bedrooms. Mr. Torretti did not have that information available at the time of the meeting.

The Planning Commission members were not comfortable with asking for fee-in-lieu with not knowing what fee is being proposed.

Mr. Brian Rater made a motion to recommend approval of the Aeropointe Preliminary/Final Land Development Plan upon completion of the minor/technical items as noted on Staff's comment letter and provide a recreation facility on the site and not a fee-in-lieu of. The motion was seconded by Mr. Richard Schmidt. The motion passed with a vote of 5-0.

6. **THE RESEVE – PRELIMINARY SUBDIVISION PLAN FOR TAX PARCEL 18-315-068**

Mr. Greg Garthe noted that The Reserve Preliminary Subdivision Plan proposes a subdivision of 38 residential lots. The site is located to the north of Gray's Woods Boulevard, between the Marywood and Graysdale communities in the Rural A1 District.

A previous version of the preliminary plan received conditional approval on July 17, 2013. Section 508(4)(ii) of the PA Municipalities Planning code (MPC) specifies that once a plan has been approved, no subsequent change to the zoning, subdivision, or other governing ordinance within five years of the approval shall be applied to affect adversely the right of the applicants to commence and complete any aspect of the development. However, the Planner discussed the matter with the Township Solicitor, who suggested that it would be prudent for the applicants to consider resubmitting the plan for approval because of factors not specifically related to Township zoning or subdivision and land development regulations. Such factors might include recent changes to environmental regulations or permitting requirements, or changes to traffic conditions resulting from development in the area. Revising the plan at this time provides an opportunity for the applicants to extend their preliminary plan approval for another five years and receive the protections of MPC §508(4)(ii), while also ensuring compliance with current regulations beyond those in the Township Code.

In addition to creating 38 residential lots, the plan also proposes construction of two public streets within the development; Reserve Drive and Forest View Drive. Reserve Drive will be a boulevard-style entrance to the property from Gray's Woods Boulevard, and will serve as the primary access to the site. The updated traffic impact study (TIS) concludes that development of The Reserve is projected to have minimal impact on the study area, and no turning lanes are required at the intersection of Reserve Drive and Gray's Woods Boulevard. Forest View Drive will terminate into a temporary cul-de-sac adjacent to The Reserve (East) property, until a permanent connection to that development is established in the future. The plan also includes construction of a 20' wide temporary emergency access route at the northwest corner of the site, which will connect to Meeks Lane via Echo Hollow Lane. Additionally, a 50' right-of-way (ROW) will be offered for dedication to Patton Township for a possible future extension of Reserve Drive to connect to the adjoining Piper tract, which lies to the northwest of The Reserve site. The plan includes concrete sidewalks along both sides of all internal streets, and a 10' wide asphalt shared use path along Gray's Woods Boulevard. The shared use path will be used to satisfy part of the Township's public use and service areas (i.e. parkland) requirements, with the remainder of the requirement fulfilled with a fee-in-lieu contribution.

The site is within the Regional Growth Boundary and Sewer Service Area, and will be served by the University Area Joint Authority (UAJA) and the State College Borough Water Authority. Sewage will be conveyed via gravity from The Reserve to a new pump station that would be constructed in The Reserve (East), and then via force main to the Marywood pump station. However, the UAJA is planning to build a new pump station along Meeks Lane that would eliminate the need for several of the existing and proposed pump stations in the area, including the station at The Reserve (East). However, that station will remain until planning, design, and permitting for the new Meeks Lane station is completed by the UAJA. The timeframe for development of the new station is uncertain at this time.

6. **THE RESEVE – PRELIMINARY SUBDIVISION PLAN FOR TAX PARCEL 18-315-068**  
**(cont.)**

The applicant has requested the following waivers:

- Reduction of the required minimum horizontal curve radius for local streets from 250' to 175' for the section of Forest View Drive to the west of Reserve Drive.
  - *The applicant anticipates that Forest View Drive will be used in a manner more consistent with a minor street, which requires a 150' minimum horizontal curve radius.*
- Increase of the required minimum spacing for street trees from 30' to 40' on center.
  - *The applicant has proposed placing the balance of the required street trees along the proposed shared use path adjacent to Gray's Woods Boulevard.*

Township Staff finds that the Plan meets all Township regulations upon completion of all items noted on Staff's marked up comment letter, grant of waiver requests for reduced minimum horizontal curve radius on Forest View Drive and increased minimum street tree spacing, provision of surety for the preliminary plan, or construction of the improvements listed in §153-36 Required Improvements. Otherwise a separate final plan may be submitted before improvements are installed, but financial surety must then be submitted prior to final approval, dedication of 1.5 acres of land within The Reserve for public use as required by §153-34A(3) Public Use and Service Areas, or construction of the shared use path along Gray's Woods Boulevard and provisions of a fee-in-lieu acceptable to Patton Township to satisfy the balance of the requirement within 10 business days of recording the plan and prior to issuance of any zoning permit for the project, submission of a copy of the executed ROW agreement for the proposed force main that will connect to the Marywood pump station, provide a copy of the NPDES approval letter.

Mr. Mark Torretti, Penn Terra Engineering, provided a brief overview of the proposed land development plan. Mr. Torretti also noted that construction was slated for spring 2020.

Ms. Nicole Siekman expressed her concern for school children and bussing. Mr. Doug Erickson advised Ms. Siekman to contact the transportation office of the school district.

Ms. Kate Domico and Mr. Brian Rater asked about lighting along Gray's Woods Boulevard. Mr. Erickson noted that at the present time, there was no proposed lighting for Gray's Woods Boulevard.

Mr. Mark Torretti asked Mr. Erickson if lighting the path would count toward the parkland requirement. Mr. Erickson noted that he could provide a proposal to the Township.

Ms. Siekman asked about the frequent visits from University Area Joint Authority to the pump station and was concerned with over capacity issues. Mr. Ken Soder noted that they are performing daily maintenance activities.

6. **THE RESEVE – PRELIMINARY SUBDIVISION PLAN FOR TAX PARCEL 18-315-068**  
**(cont.)**

Mr. Brian Rater made a motion to recommend approval of The Reserve Preliminary Subdivision Plan upon:

1. Completion of the minor/technical items as noted on Staff's comment letter ;
2. Grant of waiver request for reduced minimum horizontal curve radius on Forest View Drive and increased minimum street tree spacing;
3. Provision of surety for the preliminary plan, or construction of the improvements listed in §153-36: Required Improvements. Otherwise a separate final plan may be submitted before improvements are installed, but financial surety must then be submitted prior to final approval;
4. Dedication of 1.5 acres of land within The Reserve for public use as required by §153-34A(3) Public Use and Service Areas, or construction of the shared use path along Gray's Woods Boulevard and provision of a fee-in-lieu acceptable to Patton Township to satisfy the balance of the requirement within 10 business days of recording the plan;
5. Submission of a copy of the executed ROW agreement for the proposed force main that will connect to the Marywood pump station;
6. Provide a copy of the NPDES approval letter;
7. Addition of street lights, at spacing intervals acceptable to Patton Township, along the proposed shared use path adjacent to Gray's Woods Boulevard from Spring Glen Place to the easternmost property line of Tax Parcel 18-315-,068-,0000-. Maintenance shall be the responsibility of the respective homeowners' association.

The motion was seconded by Mr. Harry McAllister. 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 8:25 PM.

1. **CALL TO ORDER – WORK SESSION**

The August 6, 2018 work session meeting was called to order at 8:30 PM by Chairman, Ms. Kate Domico.

2. **SIGNAGE REGULATIONS CHANGE REQUEST – FLAGS AS SIGNS**

*From the June 20, 2018 Board of Supervisors Agenda*

A representative of Glenn O. Hawbaker, Inc. (GOH) has submitted a request (included with the agenda materials) asking the Township to consider a change to the signage regulations to permit a flag.

Chapter 140 (Signs) of the Patton Township Code provides regulations on signage.

Section 140-7J (Signs prohibited in all districts) currently prohibits the following items from being used for commercial advertising:

“Searchlights, pennants, spinners, banners and streamers ....”

Sections 140-8 (Limit on number of signs per premises) and 140-10 (Limit on sign area) constrain the number and total size of signs that can be installed on a site for commercial advertising.

In their request, GOH does not request any increase in the overall signage but suggests that a corporate flag might be counted as part of the permitted signage for the site.

Following a brief presentation from the requestor and comments from the audience, the Board should consider action on the request. The Manager recommends referring the request to the Planning Commission for review and a recommendation.

*End of Agenda Materials*

The Board referred the matter to the Planning Commission for review and a recommendation. Staff notes that the Township’s sign regulations are outside of Chapter 175 (Zoning), but they are referenced a number of times in that chapter. Any amendments to Chapter 140 (Signs) would therefore be adopted into Zoning by reference.

As noted in the Board agenda, the request does not ask for any change to the amount of signage that is permitted, but instead asks that flags are treated in the same manner as any other business sign. Previously, a corporate flag was flown at the Glenn O. Hawbaker corporate headquarters, but Patton Township required the business to remove the flag because it did not meet Township sign regulations. Per **§140-6: Signs permitted in all districts** of the Township Code, the only types of flags allowed are *“the flag, pennant or insignia of any government or of any religious, charitable or fraternal organization.”* In addition, **§140-7: Signs prohibited in all districts** notes that prohibited signage includes any *“signs which have any visible moving part, visible revolving parts, or visible mechanical movement of any description, or other apparent visible movement achieved by electrical pulsations or by actions of normal wind currents, except when not visible from motor vehicles traveling on public roadways.”* Therefore, at the present time, a business can fly a flag such as the American Flag or the Pennsylvania State Flag, but cannot fly a

flag with their company logo if it is visible from motor vehicles traveling on public roadways. Therefore, a flag with the company logo can only be flown if it is obscured from the view of a passing motorist by a building, wall, landscaping, etc.

Mr. Dan Hawbaker and Mr. John Haschak asked the Planning Commission for a prompt option to allow them to have their flag permitted.

The Planning Commission members discussed with staff whether a complete rewrite of the ordinance should be done at this time, or if the specific section pertaining to flags just be addressed at this time. Mr. Erickson noted that a complete rewrite would take longer to get approval.

The Planning Commission asked Mr. Greg Garthe to revise the section of the sign ordinance that pertains to flags and have the ordinance brought back for the regular meeting of the Planning Commission in September for review.

**10. ADJOURN – WORK SESSION MEETING**

The meeting was adjourned at 8:50 PM.