



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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BOARD OF SUPERVISORS

BOARD MEETING ROOM
PATTON TOWNSHIP MUNICIPAL BUILDING

**January 27, 2010
7:00 PM**

AGENDA

1. CALL TO ORDER

2. APPROVAL OF MINUTES

A copy of the minutes of the January 4, 2010 meeting is enclosed.

3. PUBLIC COMMENTS

Residents may address the Board on issues of interest to the Township. Comments related to specific agenda items should be deferred until that point in the meeting.

4. PUBLIC SAFETY

a. Police Update

A copy of the December 2009 Public Safety Report is enclosed. The Police Chief will review the reports and respond to questions.

5. PLANNING & ZONING

a. Planning Commission Report

The Board will receive a report from Commission member Sharon Bressler on the activities of the Planning Commission.

b. Riparian Buffer Regulations: Proposed Amendments to Chapter 153

The ordinance adopting the Riparian Buffer regulations has been advertised for a February 10, 2010 Public Hearing. The information below was provided with the January 4, 2010 Board agenda.

The Planning Commission has recommended adopting Riparian Buffer regulations under the Township's Subdivision and Land Development regulations which are found at Chapter 153 of the Patton Township Code. These proposed regulations are an outgrowth of a model ordinance developed by the Centre Region Council of Governments. Background information is included in the agenda materials in the form of an excerpt from the December 7, 2009 Planning Commission agenda.

It should be noted that the Township has previously adopted stream buffer requirements for the large majority of streams in the Township. The Planner has compiled the following evaluation of our current regulations:

- **78% (27.01 mi)** of streams fall under existing ordinance standards – SALDO or Zoning – with a buffer width of 100 or 65 ft. The extent of the buffer width is largely related to the Regional Growth Boundary, i.e. rural vs. urban character of the land.
- **2% (.72 mi)** of streams do not require buffers per township ordinances, but do have a FEMA (Federal Emergency Management Agency) identified Floodplain; therefore, the floodplain can be viewed as a quasi buffer.
- **20% (7.08 mi)** of streams are not regulated by existing buffers, nor do they have a FEMA identified floodplain. For streams in this category, there is the possibility that a “default” 50 foot floodplain could be applied pending the results of an in-field floodplain analysis (non FEMA). But, per the literal interpretation of existing regulations, a buffer requirement does not currently exist.

In general, the proposed regulations would require that stream buffers be established as part of any new subdivision or land development or as a part of any re-development process across all zoning districts in the Township. The proposed regulations would also require that vegetation be preserved or established in the stream buffer area.

5. PLANNING & ZONING (CONT'D)

b. Riparian Buffer Regulations: Proposed Amendments to Chapter 153 (Cont'd)

Please note that the Planning Commission is recommending that the regulations be adopted under the Township's Subdivision and Land Development regulations and not under the Township's Zoning regulations. As such, the stream buffer regulations would only be applied to new subdivisions and land development activity, or re-development, and would not apply to existing developed properties. A property owner desiring to make an addition to a home or to construct an accessory building or barn, activities that require a zoning permit, are exempt from the stream buffer regulations.

Because most of the streams are in the A-1 (Rural) Zoning District, the planting requirements are very similar to those of an existing federal Department of Agriculture incentive program, the Conservation Reserve Enhancement Program (CREP), which provides payments to land owners to establish stream buffers.

A brief overview of the proposed regulations will be provided by the Township's Planner. Township and CRPA staff are available to address questions from the Board. If the Board concurs with the Planning Commission recommendation, it is recommended that the Board direct staff to prepare and advertise an ordinance for a Public Hearing and possible adoption on February 10, 2010.

(Board members are asked to please bring the related materials that were distributed with the January 4, 2010 Board of Supervisors agenda.)

c. Preliminary/Final Land Development Plan: Chick-Fil-A

Chick-Fil-A is proposing to construct a new 4,317 square foot facility at 1938 North Atherton Street on the site of the former Lemoyne Sleeper, situated between the existing Kentucky Fried Chicken and the former A & P store. The parcel is approximately 66,900 square feet (1.54 acres) in size and is zoned C-1, General Commercial. The building coverage of 6.9% percent and the impervious coverage of 54.61% are within the maximum limits of 30% building coverage and 75% impervious coverage. The developer has exercised the option to reduce the front setback requirement in exchange for providing a greater rear setback so that the total of the two setbacks is equal to 100 feet.

Access to the site will be reduced from the two existing drives to one access drive providing lanes for both ingress and egress along North Atherton Street. The proposed parking and lighting conforms to Township requirements. Upon completion, the restaurant will provide indoor seating for up to 138 patrons as well as limited outdoor seating.

5. **PLANNING & ZONING (CONT'D)**

c. **Preliminary/Final Land Development Plan: Chick-Fil-A (Cont'd)**

Enclosed are copies of an 11x17 version of the land development plan, the staff comment letter, the ALPHA Fire Company comment letter, and the CATA comment letter form.

The Planning Commission has recommended approval with completion of remaining items as noted on staff's marked up comment letters.

d. **Preliminary/Final Lot Addition Plan: Lands of Kevin & Karen Wagner**

Mr. and Mrs. Wagner own a 19,783 square feet parcel of land identified as Tax Parcel ID 18-315-237 (Lot 29 of the Price's Saw Mill subdivision) in the A-1, Rural district. The purpose of this plan is to add additional lands to abutting Lots 28 and 30 by subdividing Lot 29. Lot 28 will increase in size from 17,053 square feet to 26,437 square feet, Lot 30 will increase in size from 16,271 square feet to 26,670 square feet, and Lot 29 will be eliminated by way of the subdivision.

The agenda packet includes copies of reduced-size drawings and the marked up staff comment letter.

The Planning Commission has recommended approval with completion of remaining items as noted on staff's marked up comment letters.

e. **Sketch Plan: Gray's Woods**

The Gray's Woods Partnership will present a sketch plan for the next phase of development in Gray's Woods. The sketch plan represents the proposed construction of townhomes within Phase 6 of the approved Master Plan and within close proximity to the planned town center.

Per the Pennsylvania Municipalities Planning Code, Section 707-A, a "*landowner may present a sketch plan to the municipality for discussion purposes only, and during the discussion the municipality may make suggestions and recommendations on the design of the developmental plan which shall not be binding on the municipality*". Thus, the opportunity to present sketch plans provides developers the means to introduce projects, receive initial feedback from the Township on plan features, and explore alternatives. Note that no official action may be taken on a sketch plan.

The Planning Commission had no substantive comments. Enclosed are copies of an 11x17 version of the sketch plan from Keller Engineers, Inc.

5. PLANNING & ZONING (CONT'D)

f. Proposed Amendments: Rural Preservation Design Standards of Chapter 153 and the Rural Zoning District of Chapter 175

In November 2009, the Planning Commission and Board of Supervisors reviewed a sketch plan for "Greenmoore Village" as presented by Mr. Mark Maloney, the developer. The project proposes to incorporate the concepts of "Community Supported Agriculture" (CSA) and "Development Supported Agriculture" (DSA) to support and enhance an organic community farm that can be joined through a subscription plan. Additional information on the proposal was provided written in the January 11, 2010 Planning Commission agenda and is included with the agenda materials.

With the sketch plan presentation the developer requested that the Township provide some measure of relief for residential lots so the CSA can occupy the portion of the site better suited for agriculture. Noting that the CSA concept provides benefits to the community beyond the proposed development, staff proposed working with the developer to find a means to amend the regulations to provide an incentive to include a CSA and provide some of the relief requested.

Included in the agenda packet is a memo dated January 22 from the CRPA Planner to the Manager detailing the Planning Commission's recommendation, background information, and alternative design standards that include:

- Reduced stream buffer width in exchange for the installation of a vegetated riparian buffer
- Reduced wetland buffer width when Best Management Practices (BMPs) are utilized for stormwater management
- Exemptions from the buffer requirements for man-made stormwater management facilities
- Conditional Use regulations to allow a CSA type development in the Rural District, permitting some residential development on steep slopes and expanded retail opportunities for the farm market in exchange for a conservation easement on the CSA operation

[Please note that the proposed regulations reviewed by the Planning Commission included a density incentive under the CSA Conditional Use proposal. CRPA reminded us that such a proposal would qualify as a zoning change subject to the "Development of Regional Impact" (DRI) review process through the Council of Governments. With the next scheduled review of DRI proposals scheduled for September, the developer requested that the density incentive, or "bonus dwellings," aspect be dropped.]

The Planner will provide an overview of the proposed regulations. Should the Board decide to continue consideration of this matter, it is recommended that a Public Hearing be advertised for the March 10, 2010 meeting.

6. ADMINISTRATION

a. Home Rule Options

In the Board's continuing review of Home Rule options, representatives from Ferguson Township have been invited to share their views on the experiences, advantages, and disadvantages of Home Rule.

Included with the agenda materials is a copy of the Home Rule Charter of the Township of Ferguson. The agenda materials also include a copy of an excerpt from the DCED manual "Home Rule for Pennsylvania Local Governments" regarding costs of a Government Study Commission.

No action is required from the Board on this item.

b. ABC Appointments

The ABC Committee has conducted interviews and made initial selections to fill vacancies. Appointments are being offered to the selected residents, and a recommendation will be provided in a supplemental distribution.

The Board also asked that the ABC Committee make a recommendation regarding the appropriate number of positions for the Conservation and Efficiency Committee (CEC) and the Open Space Stewardship Committee (OSSC). The CEC currently has 18 positions, seven of which are filled. The OSSC currently has 13 positions, seven of which are filled. The ABC Committee recommends that both committees be contracted to seven members each.

Additionally, the Planning Commission has nominated Chuck Seighman and Rory Stenerson to serve as Patton Township's Centre Regional Planning Commission representative and alternate, respectively, for 2010.

The Board should consider action to make these recommended reappointments and new appointments.

c. Voucher Report

A copy of the December 2009 Voucher Report is enclosed. Board members having questions should contact the Township office prior to the meeting so the necessary information can be obtained.

The Board should consider action to approve the December 2009 Voucher Report.

7. MANAGER'S REPORT

The Manager will report on current matters, including the following:

- a. Development Update (enclosed)
- b. Long Range Transportation Plan Public Meeting – Thursday, January 28, 2010, 5 PM, College Township Municipal Building
- c. ABC Volunteer Appreciation Dinner – Friday, January 29, 2010

8. COMMITTEE REPORTS

Board members should report on the meeting(s) of the COG and other committee(s) on which they serve, including:

- a. Standing and Ad Hoc COG Committees
- b. Spring Creek Watershed Commission
- c. Patton/Halfmoon Area Plan Steering Committee

9. OTHER BUSINESS

10. ADJOURNMENT

11. FOR YOUR INFORMATION

Enclosed are copies of the following:

- An appreciation letter received by the Police Department
- An e-mail exchange regarding UAJA rates
- SCBWA Fourth Quarter 2009 Depth of Water Level Survey Results