



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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**PLANNING COMMISSION
COMBINED REGULAR MEETING AND
WORK SESSION AGENDA**

**April 4, 2011
Board Meeting Room
Municipal Building
7:30 PM**

1. CALL TO ORDER

Commission members should consider the addition or deletion of agenda items at this time.

2. APPROVAL OF MINUTES

Minutes from the Patton Township Planning Commission's March 14, 2011 combined regular meeting and work session are included with this evening's agenda for review, potential edits, and approval.

3. PUBLIC COMMENTS

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

4. TEMPORARY USE PERMIT: TNT FIREWORKS

American Promotional Events, Inc., doing business as TNT Fireworks, requests a Temporary Use Permit to conduct fireworks sales. TNT wishes to sell legal fireworks from a temporary 30'x60' tent set up in the parking lot in front of Wal-Mart store #1640 at 1665 North Atherton Place (C-2 District). If approved, the Centre Pointe Apostolic Church of Julian will sell the fireworks on behalf of TNT from June 22nd to July 7, 2011. The fireworks will be only Pennsylvania legal hand held sparklers and sparking devices.

The agenda packet for this evening includes a location map, a letter from TNT Fireworks requesting a temporary use permit, a site plan for the temporary tent, a flame resistance certificate for the tent, and a letter from Wal-Mart's Corporate Office authorizing TNT's fireworks sales on its premises.

Permits for similar sales with the same parties have been provided by Patton Township in past years without any problems, thus, staff recommends approval.

5. TEMPORARY USE PERMIT: FLOWER TENT

Mr. and Mrs. William Lehmen operate nine retail flower sales sites in central Pennsylvania. Their business is known as "Flower Tent". The Lehmens are proposing to erect a 30' x 50' tent in the parking lot area in front of Penn State Mobile Homes, located at 1766 N. Atherton Street for the purpose of selling flowers from April 15 until June 30, 2011. The sale of flowers is the only activity that will be conducted.

The agenda packet for this evening includes a location map, a letter from Flower Tent requesting a temporary use permit, a site plan for the temporary tent, several photographs of other Flower Tent sites, and confirmation of an agreement between Flower Tent and Penn State Mobile Homes.

Staff recommends approval of this temporary use permit.

6. TEMPORARY USE PERMIT: NORTH ATHERTON FARMER'S MARKET

The applicant is proposing to operate the "North Atherton Farmers' Market" every Saturday beginning June and running through November from 10 a.m. - 2 p.m. in the Home Depot parking lot. This a "producers only" farmers' market, meaning that all products sold at the farmers' market are locally grown or produced by the vendors that sell them, not by third parties. This same market operated in the same location in 2010.

The vendors will offer a wide variety of locally raised and produced items including fresh fruits and vegetables, baked goods, breads, hot and cold entrees, cut flowers, various meats (beef, pork, lamb, goat, chicken, poultry), jams, handmade soaps, cheeses, locally raised trout and line caught salmon, honey and honey products, eggs, artisan pasta, goat milk products and more. The following is a list of vendors that will begin market in June: Anna's Kitchen (Amish), ATK&R Farm, Clan Stewart Farm, Dawg Gone Bees Honey and Gifts, Demeter's Garden, Fasta and Ravioli, Co., Gaffron's Sunrise Bakery, Gemelli Bakers, Hidden Hollow Farm (Amish), Howards End Farm (CSA), Jade Family Farm, Moser's Garden Produce, Sunflower Farm, Village Acres Farm, Woodside Acres (Amish), Young American Growers. A few other vendors will join the market mid-summer as their schedules free up.

The market will be situated in the southeasterly corner of the Home Depot parking lot and there will be no disruption in the normal traffic flow patterns of the site. The market and

vendors will be required to comply with Chapter 83, Food Handling, which is administered by State College Borough.

Included with this evening's agenda materials is an 8.5 x 11 size map showing the site and proposed location of the farmer's market, a Temporary Use Permit Application, contact information, and a copy of an unsigned agreement between the Farmer's Market and Home Depot.

There were no known adverse impacts from last year's market; therefore, having reviewed the materials provided by the applicant, staff recommends approval with the following condition/s:

1. Submission of a completed and signed temporary license agreement between the Farmer's Market and Home Depot.

7. PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: FAITH BAPTIST CHURCH

The Faith Baptist Church, located at 647 Valley Vista Drive and situated on Parcel #18-16-152, has submitted a plan for a proposed expansion of its existing facility. The site is approximately 3.96 acres in size and is located in the R-2 residential district.

The proposal includes the addition of 4,600 sq. ft. in building space and approximately 16,600 sq. ft. in new parking and sidewalk areas. As a result of the building expansion, an additional 20 parking spaces will be constructed, bringing the total parking count to 77 spaces, which is two more than is required. The total impervious coverage (existing and proposed), of slightly more than 34%, is in compliance with the Township Code.

Stormwater will be managed through the use of on-site detention facilities located on both the eastern and western portions of the tract. A proposed volleyball court situated within the broader, western basin will be available for recreation when conditions are suitable.

Ingress and egress for the site will continue to be provided by way of the access drive intersecting with Valley Vista Road and will not be altered by this proposal. Additional landscaping and lighting will be installed to meet Township requirements.

This evening's agenda packet includes:

- Location Map
- 11" x 17" version of the plan
- Copy of the marked-up staff comment letter

Staff has reviewed this plan and prepared a comment letter. After reviewing the developer's responses to the comments and marking up the original comment letter, staff makes the following recommendation:

Recommendation:

Staff finds that the plan meets all Township regulations with the following conditions:

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

The Planning Commission's comments and recommendation will be forwarded to the Board of Supervisors for their consideration.

8. CURRENT WORK TASKS

If the Commission has questions on any of the following items, the Township and CRPA staff will provide an update on the current planning work tasks:

- Excavations and Pyritic Rock
- Wind Energy Facilities
- Slopes and Natural Features (derived from Ridge Overlay)
- 2010 Census Data Evaluation

9. STATUS REPORT ON PENDING ITEMS

- A) Actions taken by the Patton Township Board of Supervisors at their March 23, 2011 meeting:
1. The Board granted a conditional approval for the Bernel Road Park Master and Preliminary/Final Land Development Plan.
- B) Pending Commission Work Tasks:
- Reorganization of Zoning and Subdivision/ Land Development Regulations
 - Airport Overlay District
 - Homeowner's Association Regulations
 - Fees in lieu of Parkland
- C) The submission deadline for the May 2, 2011 Planning Commission meeting was March 29. No new plans have been received.

10. REPORTS

Mr. Hermann or Mr. Kokoskie will be asked to report on the recent progress of the Halfmoon-Patton Area Plan.

11. OTHER BUSINESS

12. ADJOURN

FOR YOUR INFORMATION

- A. Development Update
- B. BOS Representatives:

<u>BOS MEETING DATE</u>	<u>PLANNING COMMISSION REPRESENTATIVE</u>
April 13	Chuck Seighman
May 11	Jeff Hermann
June 15	Sharon Bressler
July 20	John O’Neill
August 18	Kate Domico
September 8	Paul Silvis
October 12	John O’Neill
November 2	Jeff Kokoskie
December 14	Chuck Seighman

13. CALL TO ORDER – WORK SESSION

Commission members should consider the addition or deletion of agenda items at this time.

14. PUBLIC COMMENTS

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

15. CONSTRUCTION ACTIVITIES AND PYRITIC ROCK

During the work session held following the February 7 regular meeting, the Planning Commission considered draft regulations for governing construction activities that could potentially disturb and expose pyritic rock. The draft and supporting informational materials were provided to the Planning Commission and discussed.

In working with local experts, Dr. David “Duff” Gold and Dr. Arnold Doden, staff initially proposed to regulate pyritic rock on the basis of the depth of excavation for construction activities. However, upon further review and discussion of the draft and edits suggested by Dr. Gold and Dr. Doden, the Planning Commission, staff and Drs. Gold and Doden formed a consensus that it would be better to attempt to regulate construction activities on a basis other than the depth of excavation. The parties agreed that, because of certain variables involved, it was difficult to provide a clear definition – one that could be applied uniformly throughout the Township - as to what would qualify as a “Deep Excavation” in relation to the location of the water table and that the main focus of future edits should be changes to the proposed definitions and establishing a new “trigger” for inspection and testing procedures.

During the March 14 work session, staff provided an overview of recent discussions with Dr. Gold and Dr. Doden regarding a new approach to draft regulations. Staff most recently met again with Drs. Gold and Doden on April 1 and will provide an update on the status of this project.

The following materials are included with this evening's agenda:

- Revised Flow Chart: 3/30/11
- Draft Outline

Upon review and discussion of materials provided, staff will proceed in accordance with guidance received from the Planning Commission.

16. WIND ENERGY FACILITIES

During its January 10 meeting, the Planning Commission reviewed the list of pending work tasks and directed staff to begin preparing regulations pertaining to wind energy facilities. Based on the information provided during that meeting, including a comparison of local ordinances and a Patton Township wind resource map, it was determined that the regulations should not only address residential facilities but also commercial (utility-scale) facilities.

Since that time, staff attended the "Windustry" conference in State College, has continued to collect and prepare additional information, and is in process of finalizing draft regulations. This evening, staff will provide an update on the status of this project.

The following materials are included with this evening's agenda:

- Highlights of Proposed Draft Regulations: Spreadsheet
- Windustry Conference Notes
- PA Model Wind Ordinance- For general reference. (Non-residential.)
- Small Wind Electrical Systems: A Pennsylvania Consumer's Guide
- Federal Incentives/Policies for Renewables & Efficiency
- Pennsylvania Residential Incentives

Upon review and discussion of materials provided, staff will proceed in accordance with guidance received from the Planning Commission.

