

REGULAR MEETING & WORK SESSION

1. CALL TO ORDER – REGULAR MEETING

The April 4, 2011 Regular Meeting was called to order at 7:30 PM by Chairman Mr. Jeff Hermann. Members Jeff Kokoskie, John O'Neill, and Kate Domico also attended. Staff members present were Doug Erickson, Township Manager; Brent Brubaker, Township Engineer; Pat Hubert, Assistant Township Engineer; Ken Soder, Zoning Officer; Joe Price, CRPA Planner; and Nicole Harter, Public Works Department Secretary. The audience included Tony Fruchtl, Penn Terra Engineering; Jeremy Walter, Faith Baptist Church; Laura Young, North Atherton Farmer's Market; and Brandon Speth, TNT Fireworks.

2. ITEMS OF CORRECTION

There were no additions or deletions to the agenda.

3. APPROVAL OF MINUTES

Meeting minutes from the March 14, 2011 were brought before the Planning Commission for approval.

Mr. Jeff Kokoskie made a motion to approve the meeting minutes as submitted. The motion was seconded by Mr. John O'Neill. The motion passed with a vote of 4-0.

4. PUBLIC COMMENTS

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

5. TEMPORARY USE PERMIT: TNT FIREWORKS

Mr. Joe Price introduced the request from American Promotional Events, Inc. (doing business as TNT Fireworks), to conduct fireworks sales. TNT Fireworks wishes to sell legal fireworks from a temporary 30' x 60' tent in the parking lot in front of Wal-Mart at 1665 North Atherton Street. If approved, the Centre Pointe Apostolic Church of Julian will sell the fireworks on behalf of TNT Fireworks from June 22, 2011 to July 7, 2011. The fireworks will be only Pennsylvania legal hand held sparklers and sparking devices.

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

Mr. Jeff Kokoskie made a motion to recommend approval of the Temporary Use Permit. The motion was seconded by Mr. John O'Neill. The motion passed with a vote of 4-0.

6. TEMPORARY USE PERMIT: FLOWER TENT

Mr. Joe Price introduced the request of Mr. and Mrs. William Lehmen, to conduct flower sales from their business known as "Flower Tent". The Lehmen's are proposing to erect a 30' x 50' tent in the parking lot area in front of Penn State Mobile Homes, located at 1766 North Atherton Street, to sell flowers from April 15, 2011 through June 30, 2011. Flower sales will be the only activity conducted.

Township Staff has reviewed the materials provided and hereby recommends approval.

Mr. Jeff Kokoskie made a motion to recommend approval of the Temporary Use Permit. The motion was seconded by Ms. Kate Domico. The motion passed with a vote of 4-0.

7. **TEMPORARY USE PERMIT: NORTH ATHERTON FARMER'S MARKET**

Mr. Joe Price introduced the request for the North Atherton Farmers' Market, which proposes to operate every Saturday beginning in June and running through November from 10 AM to 2 PM in the Home Depot parking lot.

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.

Permits for a similar sale with the same parties was provided by Patton Township in last year without any problems, thus Township Staff recommends approval upon completion and a signed temporary license agreement between the Farmers' Market and Home Depot.

Ms. Laura Young, President of the North Atherton Farmers' Market was present to answer questions or concerns from the Planning Commission. Ms. Young noted that the start date of the market is possible for May 14, 2011.

Mr. John O'Neill asked about training and precautionary measures for food safety. Ms. Young noted the specifics in great detail about the training required for the vendors. Ms. Young also noted that there were some changes made by the State to the requirements for food safety. Mr. Kevin Kassab, State College Borough Health Department, has been working with the Farmers' Market and will be present on opening day.

Mr. Jeff Kokoskie made a motion to recommend approval of the Temporary Use Permit upon completion of a signed temporary license agreement between the Farmers' Market and Home Depot. The motion was seconded by Ms. Kate Domico. The motion passed with a vote of 4-0.

8. **PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: FAITH BAPTIST CHURCH**

Mr. Joe Price introduced the Preliminary/Final Land Development Plan for the Faith Baptist Church. The Faith Baptist Church plans an expansion of its facility located at 647 Valley Vista Drive. The site is approximately 3.96 acres in size and is located in the R-2 Residential District.

8. **PRELIMINARY/FINAL LAND DEVELOPMENT PLAN: FAITH BAPTIST CHURCH (cont.)**

The proposal includes the addition of 4,600 square feet in building space and approximately 16,600 square feet 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.

Township Staff has reviewed the Plan and prepared a comment letter. Upon receipt of the developer's responses, the Township Staff finds that the Plan meets all Township regulations with the completion of minor/technical items noted on the Staff's marked up comment letter.

Mr. Tony Fruchtl of Penn Terra Engineering was present to address any questions from the Planning Commission.

Mr. Jeff Kokoskie made a motion to recommend approval of the Preliminary/Final Land Development for Faith Baptist Church upon completion of minor/technical items as noted on the Staff's comment letter. The motion was seconded by Mr. John O'Neill. The motion passed with a vote of 4-0.

9. **CURRENT WORK TASKS**

There were no comments from the Planning Commission on the current work task items.

10. **STATUS ON PENDING ITEMS**

There were no comments from the Planning Commission on the pending work task items.

11. **REPORTS**

No reports were provided by Planning Commission members.

12. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

13. **ADJOURN – REGULAR MEETING**

The meeting was adjourned at 7:50 PM

14. **CALL TO ORDER – WORK SESSION**

The April 4, 2011 Work Session Meeting was called to order at 7:50 PM by Chairman Mr. Jeff Hermann. Members Jeff Kokoskie, John O'Neill, and Kate Domico also attended. Staff members present were Doug Erickson, Township Manager; Brent Brubaker, Township Engineer; Pat Hubert, Assistant Township Engineer; Ken Soder, Zoning Officer; Joe Price, CRPA Planner; and Nicole Harter, Public Works Department Secretary.

15. **DEEP EXCAVATIONS: CONSTRUCTION ACTIVITIES AND PYRITIC ROCK**

Mr. Joe Price noted that during the February 7, 2011 Work Session, the Planning Commission considered draft regulations for governing construction activities that could potentially disturb and expose pyritic rock.

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 Drs. Gold and 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.

At the March 14, 2011 Work Session Township Staff provided an overview of recent discussions with Dr. Gold and Dr. Doden regarding a new approach to draft regulations. Township Staff met with Drs. Gold and Doden on April 1, 2011.

Mr. Price noted that Staff is still meeting with Drs. Gold and Doden and are making progress. Dr. Gold will be providing graphics of rocks to the Staff for reference purposes.

16. **WIND ENERGY FACILITIES**

Mr. Price noted that during its January 10, 2011, 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 facilities.

Since that meeting, Staff attended the "Windustry" conference in State College, has continued to collect and prepare additional information, and is in the process of finalizing draft regulations.

17. **OTHER BUSINESS**

There was no other business brought before the Planning Commission.

18. **ADJOURN – WORK SESSION**

The meeting was adjourned at 8:03 PM.