

FERGUSON TOWNSHIP BOARD OF SUPERVISORS

Regular Meeting Agenda

Monday, May 4, 2015

7:00pm

I. CALL TO ORDER

PLEDGE OF ALLEGIANCE TO THE FLAG

CITIZEN'S INPUT

CONSENT AGENDA ITEMS

ABC REPORTS – Mr. Jonathan Dietz, University Area Joint Authority

II. PUBLIC HEARINGS – ORDINANCES

III. PUBLIC HEARINGS – RESOLUTIONS

IV. COMMUNICATIONS TO THE BOARD

V. ACTION ITEMS

1. Tressler Subdivision – Plan Last Dated April 7, 2015 Plan Deadline July 10, 2015
2. Confer BMW Land Development Plan – Plan Last Dated March 25, 2015 Plan Deadline June 25, 2015
3. Discussion CATA 2015-2016 Budget
4. Discussion of DRAFT Centre Region Bicycle Plan
5. Discussion of Affordable Housing Ordinance Amendment
6. Revised Foxpointe PRD Plan – Access to Old Gatesburg Road
7. Variances
 - a. Theodore C. Mannino, 183 Anaconda Drive
 - b. Thomas and Christa Watshke, 1168 Longfellow Lane
8. Consent Agenda

VI. REPORTS

1. Manager
2. Public Works Director
3. Planning & Zoning Director
4. COG Committee Reports
 - a. Transportation and Land Use
5. Other Non-COG Regional Committees

VII. CALENDAR ITEMS – MAY

1. Open House – May 14th

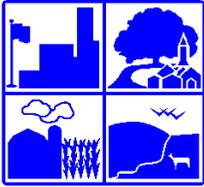
VIII. MINUTES

1. April 20, 2015 Board of Supervisors Regular Meeting Minutes
2. April 27, 2015 Board of Supervisors Worksession Meeting Minutes

IX. ADJOURNMENT



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TOWNSHIP OF FERGUSON

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V. ACTION ITEMS

1. TRESSLER SUBDIVISION – PLAN LAST DATED APRIL 7, 2015 PLAN DEADLINE JULY 10, 2015

NARRATIVE

Provided with the agenda is a reduced copy of the Tressler Subdivision which proposes to divide a 9.24 acre parcel of land located in the rural residential zoning district into a three parcel 6.24 acre parcel located on North Nixon Road. The newly created lot is proposed to be served by an on lot sewer facility as well as water. The subdivision is located outside of the regional growth boundary and sewer service area. Provided with the plan is a memorandum dated April 28, 2015 from the Director of Planning and Zoning outlining the conditions for approval as recommended by the Planning Commission. The applicant is required to show sidewalks on the subdivision plan and post surety upon final plan approval. The applicant is requesting a modification to this section of the subdivision and land development ordinance.

MANAGER'S RECOMMENDATION

That the Board of Supervisors **approve** the Tressler Subdivision plan subject to the completion of the outstanding conditions for approval as set forth in the Planning and Zoning Director memorandum dated April 28, 2015 and further that a modification to Chapter 22, Section 512.1.B be granted.

2. CONFER BMW LAND DEVELOPMENT PLAN – PLAN LAST DATED MARCH 25, 2015 PLAN DEADLINE JUNE 25, 2015

NARRATIVE

Provided with the agenda is a reduced copy of the Confer BMW Land Development Plan along with a memorandum from the Director of Planning and Zoning dated April 28, 2015 setting forth the conditions for approval as recommended by the Planning Commission. This plan proposes to build a 6,570 square foot expansion of the existing Confer BMW dealership and to place the required parking in the rear of the building. The automobile dealership is currently located on two parcels and a lot consolidation plan has been submitted. A variance from the riparian buffer has been granted by the Zoning Hearing Board on March 24th.

MANAGER'S RECOMMENDATION

That the Board of Supervisors **approve** the Confer BMW Land Development Plan subject to the completion of the outstanding conditions as set forth in the Planning and Zoning Director memorandum dated April 28, 2015.

3. DISCUSSION CATA 2015-2016 BUDGET

NARRATIVE

The Centre Region Council of Governments has referred the 2015-2016 CATA Budget to the participating municipalities for review and comment to the Finance Committee by 8:30 am on May 14, 2015 for consideration. The draft budget can be found electronically at <http://www.catabus.com/AboutCATA/Budget/Budgets/FY20152016DRAFTBudget.pdf>. The CATA budget is divided into two budget sections, the first the operating budget and the second the capital budget. The following tables show the comparative local share contributions for both the operating and capital budgets.

	2013/14		2014/15		2015/16		Percentage
OPERATING	Budget	% of total	Budget	% of total	Proposed	% of total	Change*
State College Borough	\$ 89,469	17.87%	\$ 90,784	17.61%	\$100,137	18.86%	10.30%
Ferguson Township	\$ 86,021	17.19%	\$ 92,760	17.99%	\$ 95,204	17.93%	2.63%
Patton Township	\$ 75,682	15.12%	\$ 75,981	14.74%	\$ 74,158	13.97%	-2.40%
College Township	\$ 58,351	11.66%	\$ 65,745	12.75%	\$ 62,732	11.81%	-4.58%
Harris Township	\$ 24,781	4.95%	\$ 22,189	4.30%	\$ 21,399	4.03%	-3.56%
Spring Township	\$ 17,623	3.52%	\$ 17,960	3.48%	\$ 20,871	3.93%	16.21%
Bellefonte Borough	\$ 16,631	3.32%	\$ 14,989	2.91%	\$ 17,407	3.28%	16.13%
Halfmoon Township	\$ 6,309	1.26%	\$ 5,734	1.11%	\$ 5,336	1.00%	-6.94%
Benner Township	\$ 3,584	0.72%	\$ 3,662	0.71%	\$ 4,253	0.80%	16.14%
Penn State University	\$122,091	24.39%	\$125,754	24.39%	\$129,528	24.39%	3.00%
Total	\$500,542	100.00%	\$515,558	100.00%	\$531,025	100.00%	3.00%
<i>* Reflects percentage change between 2015/16 and 2014/15.</i>							

	2013/14		2014/15		2015/16		Percentage
CAPITAL	Budget	% of total	Budget	% of total	Proposed	% of total	Change*
State College Borough	\$ 13,406	17.87%	\$ 17,609	17.61%	\$ 23,572	18.86%	33.86%
Ferguson Township	\$ 12,889	17.19%	\$ 17,992	17.99%	\$ 22,410	17.93%	24.56%
Patton Township	\$ 11,340	15.12%	\$ 14,738	14.74%	\$ 17,456	13.97%	18.44%
College Township	\$ 8,743	11.66%	\$ 12,752	12.75%	\$ 14,767	11.81%	15.80%
Harris Township	\$ 3,713	4.95%	\$ 4,304	4.30%	\$ 5,037	4.03%	17.04%
Spring Township	\$ 2,641	3.52%	\$ 3,484	3.48%	\$ 4,913	3.93%	41.01%
Bellefonte Borough	\$ 2,492	3.32%	\$ 2,907	2.91%	\$ 4,098	3.28%	40.95%
Halfmoon Township	\$ 945	1.26%	\$ 1,112	1.11%	\$ 1,256	1.00%	12.96%
Benner Township	\$ 537	0.72%	\$ 710	0.71%	\$ 1,001	0.80%	41.00%
Penn State University	\$ 18,294	24.39%	\$ 24,392	24.39%	\$ 30,490	24.39%	25.00%
Total	\$ 75,000	100.00%	\$100,000	100.00%	\$125,000	100.00%	25.00%
<i>* Reflects percentage change between 2015/16 and 2014/15.</i>							

In total the municipal shares of the CATA Operating Budget have increased by 3 percent. For Ferguson Township our contribution increased from \$92,760 to a requested \$95,204 an increase of 2.63 percent. For the Capital Budget Ferguson Township share increased from \$17,992 to \$22,410 an increase 24.56 percent. Ferguson Township's total contribution is \$117,614 representing an increase of \$6,862 or 6.2% from the 2014-2015 CATA Budget. Similar to last year's consideration of the CATA budget the Board will find two graphs included with the agenda showing the Township's comparative municipal contribution for both the operating and capital budget for the past four years as well as the projected contributions for the 2016-2017 budget year. Both of these graphs show a significant increase in local share contribution being requested by the Centre Area Transportation Authority to support local transit service.

MANAGER'S RECOMMENDATION

That the Board of Supervisors *discuss* and *provide comments* to the COG Finance Committee by May 14, 2015.

4. DISCUSSION OF DRAFT CENTRE REGION BICYCLE PLAN

NARRATIVE

On April 13th the Ferguson Township Planning Commission received a presentation from Centre Region Planning Agency Transportation Planner, Trish Meek regarding the Centre Region Bike Plan and specifically where bike facilities are proposed in the future.

In May 2012, the League of American Bicyclists (LAB) designated the Centre Region as a Bronze-level Bicycle Friendly Community (BFC). As part of the application review and designation, the LAB provided the Centre Region Council of Governments (COG) with a feedback report that listed short- and long-term recommendations to promote bicycling in the Region.

CRPA staff worked with the COG Transportation and Land Use (TLU) Committee to identify and prioritize key actions that should be advanced based on the LAB's recommendations. It was decided that preparation of a Regional Bike Plan would be advanced by COG on behalf of the Region's municipalities, with the TLU Committee providing plan oversight.

In September 2014, CRPA staff provided a presentation to the COG General Forum, which is comprised of all Centre Region elected officials. As part of the planning process, CRPA staff will also be attending municipal planning commission meetings to introduce the plan and receive input.

At the Board of Supervisors meeting, staff will provide an overview of the plan components and schedule; and review existing and proposed facilities in Ferguson Township. As part of the discussion, staff is looking for input on proposed bicycle facilities and programs that should be considered in the plan. Plan adoption is scheduled for December 2015.

The following are attached for your information:

- DRAFT Ferguson Township Bicycle Facilities Map
- DRAFT Ferguson Township Bicycle Facilities Table: Existing and Proposed
- Centre Region Bike Plan Public Input Tool
- Centre Region Bicycle Plan Schedule
- Ferguson Township Board of Supervisors PowerPoint Presentation
- Ferguson Township PC Meeting Minutes April 13, 2015

MANAGER'S RECOMMENDATION

That the Board of Supervisors *provide feedback* to the Centre Regional Planning Agency with regard to the proposed bike plan for the Centre Region as it affects Ferguson Township and intersecting paths with adjacent municipalities.

5. DISCUSSION OF AFFORDABLE HOUSING ORDINANCE AMENDMENT

NARRATIVE

Provided with the agenda is a DRAFT Workforce (Affordable) Housing Ordinance. The Board received an update of the affordable housing task force initiatives at their meeting on March 2 and conducted a worksession on this matter on April 27. The Board confirmed its continued interest in developing a legacy program that would keep housing developed under this program in the affordable housing inventory. Crafted in response to the Board's direction, the draft ordinance is a no frills ordinance. It accomplishes the basic requirements including designating a third party administrator to manage the qualifications of purchasers and continued administration of the affordable housing inventory; and the requirement of a workforce housing development agreement between the developer, the township, and the third party administrator to apply certain conditions to the development of workforce housing.

Staff is requesting Board to consider the draft ordinance for public hearing on May 18 or June 1 depending on advertising deadlines.

MANAGER'S RECOMMENDATION

That the Board of Supervisors *authorize advertisement for public hearing* an amendment to the Township Zoning Ordinance amending the requirements for affordable housing.

6. REVISED FOXPOINTE PRD PLAN – ACCESS TO OLD GATESBURG ROAD

NARRATIVE

Following the April 27 Board worksession a request was submitted by S&A Homes to consider the enclosed revised plan that depicts a driveway access from Old Gatesburg Road to the multi-family section of the PRD. Other than that change in access, the previously submitted plan depicting the street system remains the same. The purpose of this submission is to provide an opportunity to the developer to explain how this revised plan improves the function of the proposed street system. At this point staff has not reviewed the plan and does not have any recommendation for the Board. The discussion on Foxpoointe Drive as a collector road is scheduled for the May 18th Board of Supervisors meeting.

7. VARIANCES

a. THEODORE C. MANNINO, 183 ANACONDA DRIVE

NARRATIVE

Provided with the agenda is a copy of a variance application submitted by Theodore C. Mannino for property located at 183 Anaconda Drive, Pennsylvania Furnace. The applicant received a zoning permit on September 27, 2009 to construct a free standing garage and second floor storage area above the garage. No power no water was part of the application. In March 2015 the Zoning Administrator was requested by the realtor listing the property for sale to provide confirmation that the area above the garage was permitted as a second residence on the property. The realtor asked if the carriage house could be rented. This was the first knowledge the township had that the "storage space" had been converted into living quarters. No building, electrical, plumbing permits or inspections by Centre Region Code Administration occurred. There is no sewer permit for this residence.

The applicant is requesting a variance to allow a second residence on a 1.41 acre lot located in the Rural Residential zoning district.

MANAGER'S RECOMMENDATION

That the Board of Supervisors *has grounds to oppose* the variance request of Theodore C. Mannino for property located at 183 Anaconda Drive, Pennsylvania Furnace.

b. THOMAS AND CHRISTA WATSHKE, 1168 LONGFELLOW LANE

NARRATIVE

Provided with the agenda is a copy of a variance application submitted by Thomas and Christa Watshe for property located at 1168 Longfellow Lane, State College. This property is in Saybrook and is adjacent to the Rural Agricultural zoning district and has a 200 foot ag buffer on the rear of the property. In 2011 the Township amended the ag buffer yard requirements by reducing the buffer for future subdivisions from 200 feet to 50 feet. This amendment did not affect the 200 foot ag buffer on the Saybrook subdivision. Contrary to the variance application did not receive a variance but the applicant did receive a permit to construct a 20' x 30' patio based on the proposed ordinance reducing the ag buffer to 50 feet. The patio encroaches into the 200 foot ag buffer setback. The applicant is now requesting a variance to construct a roof partially over the patio that will encroach into the buffer yard setback by 9'.

MANAGER'S RECOMMENDATION

That the Board of Supervisors *remain neutral* on the variance request of Thomas and Christa Watshe for property located at 1168 Longfellow Lane, State College.

8. CONSENT AGENDA

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