



## TOWNSHIP OF FERGUSON

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### Planning & Zoning Director's Report May 22, 2017

1. On May 10, 2017, the Planning & Zoning Director and Zoning Administrator met with Chris Summers, owner of T.P. #24-002A,124-,0000- (.46 acres) and Jake Johnson, a professional skateboarder. Mr. Johnson and two friends have built a private skate park facility on the property which is in the Terraced Streetscape District. Section 27-703 2.F. identifies "(8) Private recreation areas, arenas and stadiums" as a prohibited use within the TSD. Some options the applicants have include filing a Conditional Use Application, a Variance Request or an Appeal.
2. On May 10, 2017, the Planning & Zoning Director attended Centre Gives for the CCHLT Board of Directors at 119 Woodycrest and attended the monthly meeting of the CCHLT Board.
3. On May 10, 2017, Planning & Zoning staff received the Zoning Map Amendment Application and Request from Aspen Whitehall Partners, LLC, on behalf of Danny, Pamela, Thompson and Nancy Harner for T.P. #24-004-,067-,0000- (71.9 acres) currently designated within the RA Zoning District.
4. On May 11, 2017, the Planning & Zoning Director, Zoning Administrator and Community Planner participated in a discussion with nearly fifteen farmers in addition to our consultant, A.J. Schwartz of EPD to follow-up from our meeting on February 2<sup>nd</sup>. The discussion concerned changes to the Rural Residential and Rural Agricultural Zoning Districts. The farm group identified changes in the economy during this time span that influence the current regulations along with providing opportunity to accommodate value-added activities on the farm. Once the draft zoning ordinance is complete, staff and EPD intend to meet on the revised text of the ordinance.
5. On May 17, 2017, the Planning & Zoning Director and Zoning Administrator conducted a conference call with Attorney Rob Willig of the Attorney General's Office to discuss the property at 360 West Pine Grove Road, approximately 21.53 acres owned by Melody S. Fleck. Ms. Fleck filed a request with the Attorney General's Office in December 2015 to determine whether Ferguson Township violated the PA ACRE Law (Agriculture, Communities and Rural Environment) related to the continued agricultural uses on her property, namely livestock and a horse riding facility. ACRE is a legal tool in protecting Pennsylvania farm families from illegal attempts by municipalities to restrict and regulate agricultural activities commonly performed on farms. The Zoning Administrator responded to questions, in detail, related to her non-conforming status and affirmed the uses to be allowed as a conditional use for the riding facility and continuing of keeping of animals due to the property's non-conforming status. Atty. Willig may request a meeting between staff and Ms. Fleck to resolve the pending Attorney General determination.
6. On May 17, 2017 Planning & Zoning staff received the Commonwealth Court decision on the "Cottages at State College" that vacates the Centre County Court decision and remands the Centre County Court of Common Pleas to enter an order to quash the land use appeal filed by Objectors.