

FERGUSON TOWNSHIP ZONING HEARING BOARD

Regular Meeting

Tuesday, January 26, 2016

7:00 pm

I. ATTENDANCE

The Zoning Hearing Board held its regular meeting immediately following the organizational meeting on Tuesday, January 26, 2016 at the Ferguson Township Municipal Building. In attendance were:

Board: George Pytel, Vice Chair
Scott Petryshak
Swamy Anatheswaran
Karen English
Charles Farrell
Mike Twomley

Staff: Jeffrey Ressler, Zoning Administrator
Jeffrey Stover, ZHB Solicitor
Joseph Green, Township Solicitor

Other in attendance included: Heather Bird, Recording Secretary; John Sepp, Terry Williams

II. SWEARING IN OF THOSE WHO WISH TO TESTIFY

One individual stood to be sworn in.

III. RON REHMEYER – REQUEST FOR VARIANCE CONTINUATION

Mr. Ressler stated the property that is the subject of this hearing is located at 446 Clinton Avenue, tax parcel 24-0150029C and is owned by Ron Rehmeier. The property is located in the C General Commercial Zoning District. This is a continuation of a previous hearing. The property is approximately 1.53 acres in size and is currently undeveloped. The applicant requested a variance for relief from the Riparian Buffer Overlay Zoning District Regulations Chapter 27-213 to construct a building and parking in the riparian buffer. The proposed building and parking are not permitted in the riparian buffer. There have not been any previous zoning hearings on this property.

Mr. Pytel asked if the Board of Supervisors have seen the plan at this time. Mr. Williams replied that they have not seen this plan at this time.

Mr. Williams stated the property is located at 446 East Clinton Avenue which is east of Confer's automobile garage, bounded by property owned by HFL Corporation and the University. On the south side it is bordered by the Bellefonte Central right of way, which is now a stormwater ditch. The property has been included in the Township's riparian buffer and flood plain ordinances. The combination of the two ordinances makes the land unusable. The lot preexisted both of those ordinances. The Zoning Hearing Board requested a plan depicting what could be done on the site if variances were granted. This plan has not been submitted as a land development plan and the property has not been sold. Mr. Williams called Mr. John Sepp as a witness.

Mr. Sepp, PennTerra Engineering, reviewed the plan proposal with the Board. The plan Mr. Sepp prepared included a two story office building with 50 parking stalls with a total foot print of 6,650 square feet. The plan used the 50 foot floodplain buffer as the environmental restraint for the property resulting in an encroachment into the riparian buffer of 80 to 95 feet or 50 – 65% of the riparian buffer. The 50 foot floodplain buffer would remain undisturbed but there would be an encroachment into the riparian buffer. The property is located in a commercial zone and in a commercial zone a plan would be permitted to have 80% impervious coverage. The proposed plan would only have 47.6% impervious coverage, 30% less than the permitted amount. Mr. Sepp compared this office building to the PennTerra Engineering building located in Ferguson Township. The plan is intended to demonstrate a reasonable use on the property and allow the owner of the property to have a definite allowable variance to the buffer in order to market the property to potential buyers. Mr. Williams asked Mr. Sepp to describe a few of the details of the map of the property showing the floodplains and riparian buffers. Mr. Williams asked Mr. Sepp, in his

Mr. Green stated it would be reasonable to request a review by Township staff and the Board of Supervisors before a variance were to be granted.

Mr. Green requested this case be continued to a later date to allow engineering staff to review and offer the Board an opinion on the development of this property. Mr. Williams had no objection to the continuance.

The Board granted the continuance of this case.

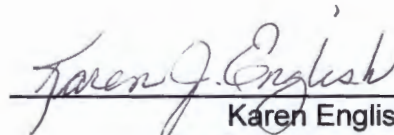
IV. MINUTES

Ms. English made a motion to APPROVE the regular meeting minutes from December 15, 2015.
Mr. Petryshak seconded the motion. The motion passed unanimously.

V. ADJOURNMENT

With no further business to come before the Ferguson Township Zoning Hearing Board, Mr. Pytel adjourned the regular meeting at 7:52 pm.

RESPECTFULLY SUBMITTED,



Karen English, Secretary
For the Zoning Hearing Board

Date approved by the Board: _____