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The Board of Supervisors of College Township met April 11, 1967, at 7:30 in the Municipal Building. All members were present.

Minutes of the March meeting were read and approved.

The treasurer reported March expenses amounting to $11,432.25. Motion was made by Mr. Williams and seconded by Mr. Levine approving payment of these expenses.

Mr. John Monaco, representing Jd Products Co. and Brute incinerators, requested permission for the installation of two incinerators at the Nittany Mall development. Mr. Dan Stearns stated that the question of disposing of garbage was most closely related to the refuse ordinance. Since this particular ordinance is standard throughout the Centre Region, Mr. Levine suggested that the question be brought up at the next meeting of the Landfill Committee. Mr. Monaco agreed to make his request to this group; Mr. Williams, College Township representative on this committee, will let him know the date and time of the next meeting.

A letter to the College Township Supervisors from John Miller, legal representative for the Meyers' brothers, was presented. The letter stated that Don C. Meyers and Joseph C. Meyers will not sign an agreement that no further commercial development shall occur on their property from the power line easement to the West boundary line. The letter requests that the Zoning Officer be instructed to issue the applicants a permit and further states

"The Township Planning Commission, subsequent to a meeting with the Meyers brothers on Monday, April 3, 1967, indicated to them that the Planning Commission would like to go on record stating that the landowners, when contemplating the

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future development of the entire zoned C-2, give strong consideration to designating the area zoned C-2 in an Easterly direction from the proposed diary store to approximating that described by the power line, "as open space." If the Planning Commission wishes to make this recommendation, the present owners, in the future planning for the development of this particular area, will take such recommendation, together with all other factors, into consideration in their planning."

Question was raised from the floor for clarification of the terms of the letter. Mr. Miller was not present to explain the new proposal.

Mr. Tewksbury, Chairman of the College Township Planning Commission, said he had suggested that the matter be brought back to the Supervisors for consideration because Meyers' did not intend to comply with the Supervisors motion of March. No action was taken at the last meeting of the Planning Commission because it was felt that referral of any new plan should come from the Supervisors.

Question was raised from the floor as to whether this letter is to be construed as the agent of the Meyers' making a recommendation.

Mr. Tewksbury stated that at the last meeting of the Planning Commission the discussion seemed to indicate that there was no question about the fact that under law there was no allowance for conditional approval. If the Meyers' brothers either present some plan or program indicating their intent in development of the remaining portion of the property, it might satisfy the Planning Commission's desire and would not necessitate entering into a legal agreement, but rather some type of verbal agreement for consideration of designating open space.

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Mr. Charles Moore stated that the Meyers brothers had met with Harris Acres representatives last evening, April 8, for a four-hour discussion. He reported that the people of Harris Acres are interested in C-2 zoning following through as planned, but they have no objection to the dairy store as such. Only concern is that third disinterested party might later develop area in an objectionable manner.

Mr. Kisheberger, architect for Meyers brothers, stated it is their intent to follow the C-2 zoning requirements.

Question was raised from floor whether there is any legal binding way to insure development of this tract.

At the request of a spokesman from Harris acres, plans of the Meyers tract were made available to the meeting. These plans illustrate the development both before and after the inclusion of the dairy store.

Mr. Kisheberger stated that in the original plan the property which included the dairy tract was not under consideration for C-2 zoning. However, the portion of land was included when C-2 zoning was extended to include land to Branch Road. He suggested to the Meyers' brothers that the dairy store be developed in this plot. Mr. Kisheberger said the Meyers brothers ask that they be given a permit on the basis of the College Area Zoning Ordinance.

Question was raised from the floor as to why this area was stippled the same as the remainder of the property if it was not also under consideration for C-2. Mr. Kisheberger said the stippling did not mean anything.

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Mr. Moore expressed the difficulty in reaching an agreement in "unambiguous terms," and questioned the viability of a gentlemen's agreement for other than a short term consideration. Mr. Moore recommended that the discussion be tabled until Miller arrived and could clarify his statements.

In summing up the discussion, Mr. Levine stated:
① That the feeling on the part of the residents (of Harris Acres) and the owners (of the Meyers tract) was to do the right thing. However, the residents want a definite agreement while the owners favor a gentlemen's agreement.

② That a recommendation from the Planning Commission in specific terminology was called for.

He proposed that the recommendation by Miller, as indicated in his letter of April 11, 1967, to the College Township Supervisors, be sent to the Planning Commission for their special recommendation. In the meantime, Harris Acres residents should think about what exactly they would be happy with other than a firm agreement which the Meyers do not feel they can give.

Motion was made to return the matter to the Planning Commission. Motion by Mr. Williams, second by Mr. Weaver.

Mr. Meyers asked why action could not be taken now. Mr. Levine replied he felt that the previous discussion answered this question.

Under items of new business, the Supervisors agreed to allow a student of hydrology from the Univ. to use the Regional Sand Fill in a study of Water Pollution." This motion was made by Mr. Weaver and seconded by Mr. Williams.

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The question of speed zones on Oak Hall and Branch Road will be investigated with the Highway Dept. in Clearfield to determine the results of radar checks in these areas.

Mr. Fightner, Township Policeman, reported on the activities of his department over the last six-month period. He reported numerous dog complaints, many unidentified; a total of 11,000 miles logged in the police cruiser. Among other items are nine cases pending on juvenile cases. Patton Township is currently doing a survey on dog law enforcement which will be made available to the Centre Region for consideration.

Mr. Williams reported that the weighing scales were now installed at the landfill operation and charging will be on a more accurate basis. Presently, 75 loads have been recorded for the four townships. Reported instances of overcharging on the part of one hauler will be investigated. Complaints relating to the landfill operation should be reported to the Township Office or to Mr. Williams, College Township representative on the Regional Landfill Operation.

Mrs. Joanne Parke questioned the issuance of only one building permit for Nittany Mall. Supervisors replied that the entire plans have been submitted and additional permits will be issued as construction progresses.

Mrs. Dolores Faricami of the Board of Adjustment asked the Supervisors to consider a request by that group for the purchase of a duplicating machine. The Supervisors agreed to make this purchase.

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A request was made from the floor for an investigation of the traffic situation at Grand Road and Route 322. Mr. Williams will contact the State Highway Department to ask if there are any plans for the intersection.

Dan Stearns, Zoning Officer, reported he had attended a meeting of the State College Borough committee on building codes, building codes, etc. The group is preparing to study fire prevention codes, plumbing codes, and other related areas. The study is being conducted on a regional basis, Mr. Stearns acting as the College Township representative on the group. Copies of proposed changes in permit fees were submitted to the Supervisors by Mr. Stearns. Discussion on this topic will follow at a later meeting.

Local government day is scheduled for April 15. A tape and slides of township government program are available for use by civic groups.

Mr. Levine announced that the parks and recreation program and topographical surveys should be progressing rapidly by next month.

He stated that the Supervisors can take no action on unsigned letters.

Mr. Miller was now in attendance and inquired as to the action taken on his letter. Mr. Levine replied that it would be submitted to the Planning Commission for their recommendation. Mr. Miller stated he felt that on the basis of the March meeting the Supervisors should issue a building permit. He further stated that his advice to his clients would be for a writ of mandamus (a request to the court to order the issuance of a permit.)

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Question was raised from the floor as to whether any action had been taken on a petition requesting the Supervisors to take over Green Acres Lane. (Planning Commission recommendation was on July 11). Supervisors will review the minutes to determine if action had been taken.

An inquiry was made concerning the weed ordinance. This subject is still under study in the Planning Commission.

Mr. John Miller reported that the Borough of State College planned to pave a portion of Logan Ave. (the main entrance road to the high school) and requested that the Supervisors consider paving that portion of Logan Avenue which falls in the College Township Island. This is not a Township road. Mr. Williams reported that the owner Mr. O'Brien, had supposedly intended to request the variances and setbacks necessary and would pave the road himself. Mr. Miller felt that this action would not be taken and again asked the Supervisors to consider it. The Supervisors replied that they will take a look at the matter.

Meeting was adjourned at 9:30 p.m.

Lester McWeaver
Secretary