

MINUTES OF THE MEETING OF THE BOARD OF SUPERVISORS OF COLLEGE TOWNSHIP  
HELD ON NOVEMBER 19, 1968

The regular meeting of the Board of Supervisors of College Township was held in the Municipal Building at 7:30 p.m. on November 19, 1968. All supervisors were present.

The minutes of the previous meeting of October 9th were read and approved.

Treasurer's Report - Supervisors approved payment of bills in the amount of \$18,302.13, leaving a balance of \$18,302.13.

Old Business - The supervisors considered a letter from Robert Bartlett, Secretary of Highways to Eugene Fulmer, stating that the Highway Department would permit removal of a section of the raised median strip in front of the township building to improve access. The letter indicated that perhaps at the time that the garage is built, some improvement could be made at that time.

The agreement between Nicholas D'Antonié and the supervisors has now been reached and work can begin to grade the lot at the intersection of Spring Lea Drive and Haverhill Road.

Development Plans Meyer Brothers subdivision - The supervisors approved the plan for the subdivision of five acres on the Meyer Brothers property at 1322.

Branch Road Subdivision The Planning Commission at its meeting on October 15th made the following recommendation to the supervisors: That the supervisor disapprove that portion of the Final Resubdivision Plan for Branch Road Village and Centre Hills Village as presented by Mitchell Enterprises, Inc., dated August 1966, which is north and west of Branch Road, excluding Lots 1 through 75, and which is known as Centre Hills Village, and that the supervisor not approve that portion of the Resubdivision Plan because no provision has been made for the State of Michigan in the plan thereof. The plan was displayed so that citizens could inspect it. Mr. Granlund reviewed previous considerations and recommendations of the Planning Commission with respect to this resubdivision.

Edward L. Willard, an attorney representing Mrs. Larkin, Mrs. Keithan, and other owners who own Lots 2, 3, and 4 along Branch Road in the section of the subdivision known as Branch Road Village stated that he wished to object to the approval of that section of the resubdivision because of the following: That Mr. J. H. Mitchell, Sr. had sold the property originally to Mr. [Name] who built the expensive homes owned by his clients on the basis of a resubdivision plan which showed the surrounding lots as being of larger size, equal to those owned by his clients. One lot behind the properties in question was subdivided in 1966, Lot No. 9, into Lot 9 and Lot 9-B, and his clients were unaware of anything concerning this action; however, they now feel that any further subdivision on the size of the lots behind their properties, as proposed in the resubdivision plan under consideration would not be in keeping with the spirit of the original plan. They said their view of the mountain would be cut off by the subdivision and they felt their property might be depreciated by the subdivision of their lots. While his clients feel that Mr. [Name] is concerned with larger lot sizes shown on the original plan, he wished to be placed on record against the subdivision of the lots behind his clients' properties and the supervisors should exercise judgment in making a decision.



Mr. Levine stated that the problem was that the supervisors may not have the power to exercise such judgment in this case. It was Mr. Willard's contention that the supervisors do have the power to enforce the spirit of the ordinance.

Mr. Peter Gould, who owns property at 921 Oakridge Avenue objected to the approval of the section of the resubdivision known as Centre Hills Village. He stated that at the time he purchased his lot from Mr. Mitchell, he was given verbal assurance that the lots on the south side of Oakridge Avenue would be at least 140 feet wide to protect the view of the people on the north side. He requested that the supervisors not approve the plan since the replotting of the lots into those of smaller size constituted a reversal of the verbal commitments made by Mr. Mitchell at the time of the sale of the Gould lot.

Mr. Frank Maykut, Lot 87, on Oakridge Avenue, also objected to the approval of the Centre Hills Village section of the resubdivision plan because the change in lot size was contrary to the plot plan he was shown when he purchased his lot from Mr. Mitchell since this plot plan had shown all lots across the street as being from 150 to 155 feet wide.

Dr. Nardozzo stated that he had purchased his house from William Frey and that there had been a verbal agreement between Mr. Frey and Mr. Mitchell that the lots opposite his property would be of sufficient size and the house construction would be of one story to protect the view, of those persons living on the other side of Oakridge Avenue. He also asked the supervisors not to approve the resubdivision plan.

Mr. Willard stated that his clients had all had similar oral agreements with Mr. Mitchell as that described by Mr. Gould.

Mrs. Harold Graves stated that if lots of smaller size were to be placed opposite her property, she would also add her objection to the others.

At this point in the meeting, the supervisors declared a recess so that they could confer with their legal representative, Mr. Reed McCormick before taking action on the resubdivision.

When the meeting resumed after the recess, Miss Lillian Raycroft, attorney for Mitchell Enterprises, stated that the comments of the several persons at the meeting had caught her by surprise, that she had understood that the only objection to the resubdivision was with respect to the bypass route. Had she known, she would have asked a representative of Kendree & Shepherd, who prepared the plan, to explain the plan in detail. She would like an opportunity to work out some of the problems involved with the planners.

Chairman Levine re-read the original recommendation from the Planning Commission. He stated that he felt the Board should support the Planning Commission's recommendation for the following reasons.

1. The supervisors have every reason to assume that Planning Commission has determined that the lots in the resubdivision plan for Centre Hills Village met all the minimum requirements of the Zoning Ordinance for an R-2 area and that they cannot find any violation of the general concept of the Zoning Ordinance.

Most of the lots are lots that will require off-site sewers in order to permit construction of homes. They cannot be built tomorrow, and, before they

are built, permits must be secured from the Township Zoning Officer. Because of the time that will be required between now and then, any of the persons concerned will have time to make any agreements they wish with the Mitchells concerning their properties. These problems will have to be resolved by the individuals concerned on an individual basis. The supervisors have to follow the detailed requirements of the Zoning Ordinance.

From his viewpoint, Mr. Levine stated that he did not see how the Board could turn down approval of that portion of the plan recommended for approval by the Planning Commission. Mr. Weaver and Mr. Williams concurred. With respect to the section of the resubdivision plan known as Branch Road Village, there is no provision for proper traffic flow or planning because of the bypass route; therefore, they cannot approve this section until the bypass route has been worked into the plan.

It was moved by Mr. Weaver and seconded by Mr. Williams that the Board accept the recommendation of the Planning Commission as stated earlier in the minutes. The motion was approved.

New Business The supervisors have received a letter from Frank Rusby submitting his resignation as township representative on the College-Harris Joint Authority and the University Area Joint Authority because he had been transferred by the company for which he works. His resignation was accepted with regret by the Board.

The Board appointed Mr. Charles DeLuca of 1235 Charles Street to fill Mr. Rusby's unexpired term on the College Harris Joint Authority. The Board felt that the College-Harris Joint Authority should recommend which member should serve on the University Area Joint Authority.

Announcements Mr. Levine stated that the recent article in the Centre Daily Times listing the assessed valuation of real estate in College Township was in error. The figure should have been \$8,817,620 instead of \$2,817,620.

At the regular meeting on December 3rd, the supervisors will hold a public hearing on the Sign Ordinance.

With respect to the recent letter from the County Planning Commission regarding their review of one-lot subdivisions, the Board decided that in the future the Planning Commission should forward all subdivision plans to the County Planning Commission for review.

Mr. Williams reported that the traffic lights to be installed at the Houserville intersection would provide for dual left-turn signals of the type that would only be activated when someone enters the proper lane to make a turn. The plans are presently in Harrisburg for final approval.

The installation of the traffic lights at Nittany Mall has been delayed because of the difficulty in obtaining certain signal parts.

Open Discussion The supervisors answered questions of residents with respect to Spring Creek Park development, dog control, school census and assessment practices. With respect to the parking problems in front of the shops at Nittany Mall which area should be reserved for a fire lane, the supervisors will contact the Fire Marshall to find how much progress has been made with Crown Construction to enforce parking restrictions in the fire lane area.

Mr. Williams will check to see if there are STOP signs presently at both exits to Nittany Mall, and, if not, Crown Construction will be asked to make installation.

Frank Glenn raised some objections to the regional codes, stating that there should be requirements that contractors be bonded rather than requirements for inspection fees.

The meeting adjourned at 9:30 p.m.

Respectfully submitted

*Lester M. Weaver*

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