

MINUTES OF THE MEETING OF THE
COLLEGE TOWNSHIP BOARD OF SUPERVISORS
HELD AT THE COLLEGE TOWNSHIP MUNICIPAL BUILDING
ON MARCH 1, 1973

The meeting of the College Township Board of Supervisors was opened by Chairman, Elwood Williams at 7:30 P.M. All members were present.

The Minutes of the previous meeting were read and approved with the following exception: under Communications, page 3, it should have been indicated that the "Hospital" sign size 8" x 42" was the size of the signs which would be placed on the Township roads. The signs to be placed on the State roads would be of a larger size.

No Treasurer's Report was given because of the meeting being held so early in the month.

CORRESPONDENCE

A letter from Mr. Nuri Mohsenin, Secretary of the College Township Planning Commission, was read regarding the Hills Plaza Shopping Center lighting. He indicated that he had checked the Minutes of the Planning Commission in which they recommended that "Lighting would consist of four 750-Watt Mercury lamps 20 feet high". The problem, as he understood it, was the glare of the lighting which has to do with shielding, and the matter of enforcing the Ordinance which the contractors should have followed in the first place.

A letter from the Canadian Pacific Holding Corp. was read in which they indicated they had received various copies of correspondence and read newspaper articles of the local distress regarding parking lot lighting

at the Hills Plaza Shopping Center. They indicated that despite what they had already done to improve this situation, they were anxious to make further investigation into this matter. They requested a meeting with the Supervisors and the College Township Planning Commission on Friday, March 2, at a time and place to suit the convenience of the Supervisors and Planning Commission in order that they might solicit the aid and possible suggestions regarding this condition. Mr. Williams indicated that a meeting at noon on March 2 had been set to meet with Mr. Norman Katz of Penn State Engineering and the Canadian Pacific Holding Corporation.

OLD BUSINESS

Mr. Williams informed the people present that the Bid Proposal for the Spring Creek Park had been submitted and we were receiving a very good response to it. He indicated we had received 14 requests for the Construction Specifications and 6 requests for the Planting Specifications to date.

The Home Rule Ordinance which is to put the Question on the ballot for the people to decide whether or not they want to set up a Study Commission for College Township was submitted. A discussion was held on this and Mr. Skinner moved that the Question be put on the May Ballot. This motion was seconded by Mr. Williams and unanimously carried. Copy attached.

Another item of business which was not listed on the Agenda but was mentioned was concerning the request for a traffic signal at the entrance to the Hills Plaza Shopping Center on South Atherton Street. The Highway Department of Clearfield made a traffic count and found that it does warrant a light. The Canadian Pacific Holding Corporation has indicated that they

will pay for having this installed.

NEW BUSINESS

Bids for the Traffic Signal at the Intersection in Lemont were opened.

They were received from the following Companies:

Kelleytron Electric P. O. Box 185 Snow Shoe, Pa. 16874	\$3,998.30
Lightning Electric Co. 5307 Progress Boulevard Bethel Park, Pa. 15102	\$5,945.00
Tel-Power, Inc. R. D. #1, Box 164-B1 Hollidaysburg, Pa. 16648	\$5,100.00

Mr. Williams moved that they accept the low bid from Kelleytron Electric provided all the requirements of the Specifications are met. Mr. Skinner seconded this motion and the motion was carried.

The unanimous decision of the Board on the Proposed Rezoning is as follows:

"After studying testimony on the Proposed Rezoning, we have taken into consideration the landowners and citizens involved and have come to the decision that;

We will change the land from the Canadian Pacific Subdivision, excluding the five (5) acres on which the Meyer Dairy Store is located, from C-2 to R-1

We will change the area on the North Side of East College Avenue (Pa. 26) from Porter Road to the University Boundary Line from C-1 to R-1,"

"All of the area zoned C-1 on the North Side of East College Avenue from Houserville Road east to a point approximately 1750 feet from the Intersection of Houserville Road and East College Avenue to be changed to R-3,

All the rest of Benner Pike will remain the same."

The Board wants to discuss the Amendment with the Planning Commission before they approve it.

Attorney Miller submitted a written protest about the rezoning on behalf of Donald C. Meyer and Joseph C. Meyer who are requesting that their premises along Route 322 remain as it presently is zoned C-2. A copy of this letter is attached to the minutes.

PLANS FOR APPROVAL

The Final Plans of a 1.95⁺ acre tract of land for Frank Neusbaum for a proposed Subdivision into 2 Lots was presented by Mr. Stan Hoy and after a discussion it was approved by the Board.

OPEN DISCUSSION

A question was asked as to the date the Bids for the Spring Creek Park would be opened and Mr. Williams said these would be opened at a special meeting on the 21st of March.

The question of the Hills Plaza Shopping Center lights glaring and shielding was mentioned. Also reference was made to the Ordinance on lighting. Mr. Williams commented on this, saying that the Ordinance indicates

all lighting shall be completely shielded from traffic on any public right-of-way and from any Residential District.

ANNOUNCEMENTS

Mr. Williams indicated that the Bids for the Spring Creek Park will be opened on March 21. Also, that a decision will be given on the Centre Hills Country Club PRD before the 15th of March.

The Meeting was adjourned at 8:05 P.M.

Respectfully submitted,

Lester M. Weaver
Secretary

ORDINANCE NO. 42⁴

AN ORDINANCE authorizing an election to be held in the Township of College, Centre County, Pennsylvania on the question of whether a government study commission of 9 members be elected to study the charter and plan of government of the Township of College, Centre County, Pennsylvania, and to study and consider the advisability of adoption of an optional plan of government or a home rule charter and to recommend whether or not an optional form of government or a home rule charter should be elected; and directing the Township Secretary to file within five (5) days of the final enactment of this Ordinance a certified copy of the Ordinance with the Centre County Board of Elections.

BE IT ORDAINED by the Supervisors of the Township of College, Centre County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same:

SECTION 1. That an election shall be held in the Township of College, Centre County, Pennsylvania, on May 15, 1973 on the following question: "Shall a government study commission of 9 be elected to study the charter and plan of government of the Township of College, Centre County, Pennsylvania, to study and consider the advisability of adoption of an optional plan of government or a home rule charter and to recommend whether or not an optional form of government or a home rule charter should be adopted."

SECTION 2. The Township Secretary is directed to file within five (5) days of the final enactment of this Ordinance a certified copy of the Ordinance with the Centre County Board of Elections.

SECTION 3. This Ordinance is adopted under the authority of the Act of the General Assembly of April 13, 1972, (Act No. 62), known as the "Home Rule Charter and Optional Plans Law."

ORDAINED AND ENACTED THIS 1 day of March, 1973.

Township of College, Pennsylvania

Charles G. Williams
Chairman

ATTEST:

Lester M. Mullaney
Secretary

Vice Chairman

Lester M. Mullaney
Member

LAW OFFICES OF
MILLER, KISTLER & CAMPBELL, INC.
BELLEFONTE & STATE COLLEGE, PA.

JOHN R. MILLER, JR.
ROBERT K. KISTLER
RICHARD L. CAMPBELL
ROBERT B. MITINGER, JR.
STEPHEN W. BEIK

PLEASE REPLY TO
CRIDERS EXCHANGE BUILDING
BELLEFONTE, PA. 16823

AREA CODE 814
BELLEFONTE-355-5474
STATE COLLEGE-236-0554

March 1, 1973

College Township Supervisors
State College, Pa.

Gentlemen:

On behalf of Donald C. Meyer and Joseph C. Meyer, who are the co-owners of premises situate along Route 322 in College Township, Centre County, Pa., we are writing to you to protest any change in the present "C-2" zoning of that portion of their premises in College Township, Centre County, Pa. This protest is presented to the Board of Supervisors requesting that the present "C-2" zoning remain as it presently exists.

It is our understanding that at the meeting of the Supervisors being held this date, the Supervisors intend to consider re-zoning a portion of the Meyer tract presently zoned "C-2" to "R-1".

We respectfully submit the following reasons in opposition to any change:

1. The present "C-2" zoning was established in accordance with the Kindree-Sheperd Report which established the Comprehensive Plan for the Township.
2. Since the present zoning is Planned Commercial rather than General Commercial, your Ordinance has adequate regulations and safeguards to insure that any Commercial Development in the area will be properly planned and in no way be aesthetically unsound.
3. This is the only planned commercial area between State College and Boalsburg and, therefore, the retention of the present zoning would best serve the interests of the Township and adjacent residents.
4. As you know, a portion of the present area has been utilized for a dairy store and I am certain that we would all agree that the dairy store has been a valuable addition to the Township. This demonstrates the adequacy of this Planned Commercial zoning. Furthermore, you will recall that the owners were required to go through extensive litigation in order to accomplish the construction of the dairy store and the approval of the Court would indicate that the present zoning is proper.
5. The owners have been actively negotiating with interested developers in additional portions of the area presently zoned "C-2", and any change in the zoning would have a definite adverse effect upon these negotiations and would be detrimental to the property owners.

Bellefonte, Pa.
March 1, 1973

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6. The present owners were required to pay extensive Federal taxes upon the death of their father, J. C. Meyer, when the land was valued by the Federal Government at a high price, based upon the highest and best use of the premises adjacent to Route 322 as Planned Commercial. Since these high taxes, when paid, were based upon such highest and best use, to now change the zoning to "R-1" would unconscionably penalize the present owners.

The area presently zoned "C-2" has an adequate buffer zone between the commercial zoning and the residential areas so as not to cause any adverse effect upon residential properties. In addition thereto, the high tension line which cuts through the Planned Commercial area renders it inadaptable for "R-1" zoning. Therefore, any change from "C-2" would practically render the area worthless.

We would, therefore, respectfully request that since there are no compelling reasons to change the zoning from Planned Commercial, and the foregoing reasons indicate we have reasons to retain the present zoning, the Supervisors of College Township take action to reject any proposed change in the "C-2" zoning of the Meyer tract.

Very truly yours,

Miller, Kistler & Campbell, Inc.

JRM:k

By 