

**COLLEGE TOWNSHIP REGULAR  
COUNCIL MEETING MINUTES  
Thursday, January 5, 2012**

**ATTENDED BY -**

**COUNCIL:**

David P. Fryer, Chair  
Daniel D. Klees, Vice-Chair  
David W. Koll  
Forest J. Remick, Ph.D.  
Mary C. Shoemaker

**STAFF:**

Adam T. Brumbaugh, Township Manager/Secretary  
Kent N. Baker, Township Engineer  
Robert T. Long, Jr., Finance Director  
John J. Franek, Jr., Zoning Officer  
Mark Holdren, CRPA Sr. Planner  
Mary. E. Wilson, Assistant Township Secretary

**CALL TO ORDER**

Chair Fryer called to order the January 5, 2012, Regular Meeting of the College Township Council at 7:00 p.m. followed by the Pledge of Allegiance.

**ANNOUNCEMENT:**

Chair Fryer announced that Council met in executive session immediately prior to Council's Reorganization Meeting to discuss a personnel matter.

**OPEN DISCUSSION:**

None.

**PLAN:**

**P-1 Kowalski Preliminary/Final Land Development; 921 Boalsburg Road –  
Tax Parcel 19-006A/6**

**a. Kowalski Preliminary/Final Land Development; Plan Approval**

Mr. Gregory A. Shufran, Land Surveyor, presented the Kowalski Land Development, which reflects a proposed second home at 921 Boalsburg Road on Tax Parcel 19-006A/6, which is

located in two zoning districts. The Agricultural (A) zoning tract contains 3.997 acres, and the rural Residential (RR) portion contains 4.941 acres, with the former proposed as the site for the new, second residence. The developer requested that Council grant a sidewalk waiver, as the property is outside of the Regional Growth Boundary and there are no other sidewalks in the area. Staff offered its support of this waiver request.

**Mr. Klees moved to approve the Kowalski Preliminary/ Final Land Development Plan, dated November 1, 2011, and revised on December 21, 2011, with the following conditions:**

- 1. Payment of all outstanding plan review fees;**
- 2. Obtain all required signatures on the plan;**
- 3. Council agrees to the waiver of sidewalk requirements as stated in Note #5 on Sheet 1; and**
- 4. Revise the Review/Approval Signature Blocks, as directed by the Township Engineer.**

**Mr. Koll seconded the motion.**

Ms. Shoemaker requested and received from Mr. Shufran clarification on the definition of 'studio'.

**Motion carried unanimously.**

**b. Sewage Facilities Planning Module; Approval of**

Mr. John Franek, Zoning Officer, presented the Kowalski Land Development Plan Sewage Facilities Planning Module, which requires Council approval and signature for the referenced plan's proposed on-lot sewage system for the proposed second home. Staff recommended that Council move to approve the Kowalski Sewage Facilities Planning Module for subsequent forwarding to the Pennsylvania Department of Environmental Protection.

**Mr. Klees moved to approve the Kowalski Sewage Facilities Planning Module and direct the Council Chair to execute the same.**

**Mr. Koll seconded the motion.**

**Motion carried unanimously.**

**MANAGER'S UPDATE:**

Mr. Brumbaugh presented the January 5, 2012, Manager's Update highlighting correspondence from Township Solicitor Louis Glantz, dated December 20, 2011, on a prior question from a resident on the possibility of a referendum on term limits for Council members. Atty. Glantz reported in the correspondence that the Second Class Township Code does not allow such a referendum.

**CONSENT AGENDA:**

- CA-1** Minutes:
- a. Dec. 5, 2011, Public Hearing-The Retreat At State College PRD.
  - b. Dec. 15, 2011, Public Hearing-1 on 2012 College Township Budget.
  - c. Dec. 15, 2011, Public Hearing-2 on Ordinance O-11-08, Official Map Amendment.
- CA-2** Correspondence:
- /1: Letter from PA DEP, dtd Dec. 2, 2011, Re: Chapter 94, UAJA, Annual Wasteload Management Report for 2010.
  - /2: Email from S. Nearhoof, dtd Dec. 15, 2011, subj: Letter Resulting From Last Week's Hearing on The Retreat.
  - /3: Letter from PA Dept. of Labor & Industry, dtd. Dec. 13, 2011, Re: Certification Renewal of Workplace Safety Committee.
  - /4: Letter from PA DEP, dtd Dec. 19, 2011, re: College Township 2009 Reimbursement for Enforcing the Pennsylvania Sewage Facilities Act.
  - /5: Petitions, dtd December 2011, in Opposition to The Villas At Happy Valley.
- CA-3** Report: Finance Director's: Year-To-Date December 31, 2011.
- CA-4** Resolutions:
- a. R-12-03, PennDOT Liquid Fuels – W. Branch Road and Woodsdale Lane Addition
  - b. R-12-04, Stop Intersection; Woodsdale Lane at W. Branch Road.

**Mr. Klees moved to accept the January 5, 2012, Consent Agenda, as presented.  
Ms. Shoemaker seconded the motion.  
Motion carried unanimously.**

**OLD BUSINESS:**

**OB-1 The Retreat At State College Planned Residential Development (PRD); Discussion**

**a. PRD Process Overview**

Mr. Mark Holdren, CRPA Sr. Planner, gave a PRD process overview, explaining the requirements described in the Municipalities Planning Code (MPC) and the Township Code that must be adhered to when reviewing a PRD application for tentative plan approval. If the tentative plan is approved, the zoning map would be amended to show the developing parcel

as being a PRD. Mr. Holdren stressed that under PRD regulations, no development may commence until the final plan has been approved by Council.

Mr. Klees requested the Planner's perspective on the level of diversity of the submitted PRD plan, as the MPC calls for diversity on a Township PRD. Mr. Holdren responded that diversity could be viewed by the three different types of land uses or the mix of home styles in this proposed student housing development. Additionally, there was a range of rental prices from low \$400s to \$700+ per month, depending on the unit type and style.

Council requested that this information be captured and presented to Council for the next Council meeting, and the developer agreed to provide those numbers from other Retreat developments.

In response to Council inquiry, Mr. Holdren reported that Council's January 19<sup>th</sup> meeting would cover the following topics: transportation matters; plan narrative; and other issues such as infrastructure; and trash collection agreement.

#### **b. Plan Issues**

Mr. Kent Baker, Township Engineer, presented specific issues related to the plan itself, comparing plan Version 2 and Version 3. Mr. Williams, Landmark Properties, confirmed that Version 3 was developed in response to resident comments about moving the eastside houses and Parks and Recreation Committee's request for more useable open space. Council offered the following comments.

- **Location of proposed driveway to the site** – Either proposed location works.
- **Open space, buffer, perimeter grading and perimeter walkway** – Clarify what type of social gatherings would require permits; did not support any type of smooth, noise-reflecting surface for the boundary wall; developer to be aware of where plowed snow is physically going to be placed after a winter storm.
- **Preference for parking lot or backyards being adjacent to the properties on the eastside of the development** – Leave as depicted on Version 3.
- **Walkway connection to West Whitehall Road** – Version 3 plan's depiction of a walkway to W. Whitehall Road drew a mix of reactions leading to the eventual, overall support for the sidewalk to remain on the plan. Although there was resistance to gating this walkway at the perimeter, Council suggested that this area be lighted and possibly monitored by video camera for safety's sake.
- **Trash collection relative to site layout** – This remains unresolved pending the review of a trash collection agreement with State College Borough. This topic will return to the next Council meeting.
- **Video surveillance and other police comments** – Council concurred with the concept of video surveillance of this site and recommended its reference in the plan narrative. Developer agreed to add video surveillance/monitoring on the site, adding that such monitoring would be referenced in the plan narrative for the clubhouse and other common areas.
- **Review comments from Mr. Holdren** – The plan should reflect that the old bus shelter will be removed.

- **Stormwater Management as part of final plan approval** – Mr. Baker noted that when the detailed stormwater report is completed with the final plan, it may result in changes to the plan layout.

**c. Police Hours/Property Tax**

Mr. Brumbaugh, Township Manager, provided Council with an estimate of likely levels of police activity for a student housing project comprising 138 units and 587 occupants and placed an approximate annual dollar value on any additional police services that the Township could incur with this project. In accordance with documentation prepared by Chief of Police T. King, State College Borough Police Department, there would be approximately 43 additional annual calls for police service across the combined State College Borough/College Township-situated development, which would result in weekly projected hours of service to be increased from 260 hours to 263 hours. The current hourly rate for regular hours of police service is set at \$92.30 for 2012.

Council noted that the costs are not as great as initially anticipated, as College Township has only 102 Retreat dwelling units within its jurisdiction, not 138, which should bring the Township cost estimates down when recalculated.

Mr. Fryer expressed concern about the complex as proposed relative to alcohol use and the free use thereof, and asked the developers how they would be regulating the number of parties going on. Mr. Fryer asked the developer to consider restricting alcohol or open containers.

Mr. Williams replied that their student housing complexes are professionally managed with staff living on site. Parties of more than 15 guests must be registered.

Mr. Klees expressed surprise that the annual calls per capita for the other Retreat developments were less than any of the area's municipalities' per capita numbers.

College Township staff recognized that the project would require few Township services beyond public safety-oriented services and public transportation services, although occasional services of the zoning officer or ordinance enforcement officer may be expended on Retreat-related matters. It is not anticipated that these services would be of such frequency or volume to necessitate estimating added expenses to the Township budget. Based on County information and Township staff projections, The Retreat will generate total real estate tax revenues for College Township in the range of \$24,174 to \$38,761 annually. Projected total additional Township costs directly related to The Retreat are estimated to be \$17,380 (police costs of \$14,399 and CATA costs of \$2,981).

For the next meeting, Mr. Klees requested that staff 1) procure traffic volume numbers for the O'Bryan Lane to Whitehall Road vicinity, these being roads that access the Waupelani Drive area; 2) attempt to identify the total occupant count for this area; and 3) procure the Borough of State College's original plans for the S. Atherton Street and Allen Street intersection, as traffic impacts being mitigated was one of Mr. Klees's largest hurdles to overcome regarding this development. Mr. Klees stated that a turning lane at the

development entrance on Waupelani Drive was the minimum. Dr. Remick requested that council members provide to staff any findings of fact that staff and the township solicitor could utilize in preparing a proposed final decision. Mr. Fryer added that it would be helpful to see data on whether the plan is a benefit to, or adverse to, the neighborhood, and whether or not it will serve the residents or College Township.

The next meeting will cover transportation, trash collection, sewer service, possible need for tax agreement, revised PRD narrative, comments on Dr. Remick's findings of fact, and staff memo on public street issues.

Ms. Sally Lenker, 158 W. South Hills Avenue, stated that she was surprised that the final plan reflected the houses on the eastside having been removed, adding that adjacent neighbors only asked out of curiosity to see what the plan would look like with those Retreat residences sited further from the property line. They did not intend their comments to be interpreted as a preference for the plan to be changed. Ms. Lenker stated that her neighbors adjacent to that section prefer the Version 2 plan instead.

Mr. Charles Ulsh, 243 W. Whitehall Road, spoke in opposition to this proposed plan and inquired about the probability that the existing neighborhood would be adversely affected by this plan. Mr. Ulsh added that, by his observations, student behaviors are generally worsening and felt that enforcement at this proposed development would be problematic. Loud music and parties would also be disruptive to adjacent neighbors trying to sleep.

Mr. Pat Vernon, 858 Walnut Spring Lane, stated that he felt the projected tax revenues were low; College Township should consider the taking over of these streets to allow for police to freely patrol the development and allow for the possible, future road connection with Plaza Drive; suggested that under-age drinking could be controlled by the developer prohibiting drinking outside the building; recommended that playground equipment be installed as they will be needed; suggested that trash collection be at each residence via individual trash cans; supported wider video surveillance coverage; questioned whether or not College Township would go to the point system of rental property enforcement; and suggested that police services needs for this development would likely be different (higher) than other such developments due to Penn State's party-school reputation.

Dr. Remick suggested that the developer consider contacting the Centre Region Council of Governments' (CRCOG) recycling program coordinator, Ms. P. Adams, regarding experience gained and resulting recommendations on improving commercial recycling practices at student housing locations.

**NEW BUSINESS:**

None was forthcoming.

**STAFF AND ABC INFORMATIVES:**

SI-1, Veolia Environmental Services Rate Increase notification from Ms. Pam Adams, CRCOG, dated Dec. 14, 2011: Ms. Shoemaker requested that Ms. Adams be asked to provide with future annual rate notifications the rates from the current as well as the past years' rates for easy comparison.

**OTHER MATTERS:**

Ms. Shoemaker asked staff to provide background photographs of local sites on the meeting room whiteboard, such as Township parks.

**COMMITTEE REPORTS:**

None were reported.

**ADJOURNMENT:**

Chair Fryer adjourned the January 5, 2012, Regular Council Meeting at 9:55 p.m.

Respectfully submitted,

*Adam T. Brumbaugh*

Adam T. Brumbaugh  
Township Manager/Secretary