

**COLLEGE TOWNSHIP REGULAR
COUNCIL MEETING MINUTES**
Thursday, May 15, 2014

ATTENDED BY:

COUNCIL: David P. Fryer, Chair
Mary C. Shoemaker, Vice-Chair
L. Eric Bernier
Lynn B. Herman
Carla Stilson

STAFF: Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Michael W. Heath, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary
Louis T. Glantz, Township Solicitor

ABSENT: Robert T. Long, Jr., Finance Director

CALL TO ORDER

Chair Fryer called to order the May 15, 2014, College Township Regular Council Meeting at 7:00 PM, and announced that, for the convenience of the Centre County Recycling and Refuse Authority (CCRRA) Plan presenters and Open Discussion matters, Council will first open this meeting for those two purposes, then recess into the duly advertised public hearings on Ordinance O-14-05, College Township Official Map Amendment; Ordinance O-14-06, Gateway Commercial (GC) Zoning; and Ordinance O-14-07, Hilltop Area Rezoning. Following the closure of the last public hearing, the Regular Meeting would be reconvened.

ANNOUNCEMENT:

Chair Fryer announced that Council met in Executive Session immediately prior to the start of this meeting for the purpose of discussing a personnel matter.

OPEN DISCUSSION:

1. Ms. Sue Smith, Lemont Village Association (LVA) representative, notified Council that the LVA would be sponsoring the *5K End of the Mountain Walk/Run* on Saturday, May 17, 2014, from 9 AM to 10 AM.

2. Mr. Jim Serene, President of the Centre Region Bicycle Coalition (CRBC), and Ms. Terri Rudy, Vice-Chair of the Centre Region Bicycle Advisory Committee (CRBAC), were present to thank the College Township Council for its Township bikeways and for the new Remick Way, as well as for its support of the Centre Region's successful effort to become a certified, Bronze-level *Bicycle Friendly Community (BFC)*. There are only three other communities in Pennsylvania having attained this designation. Mr. Serene advised that the CRBAC was formed for the purpose of collaborating with the Centre Region municipalities and Centre Region Council of Governments (CRCOG) to promote safe bicycling in the Centre Region through awareness, planning, enforcement, and education. CRBAC plans on continuing its work with College Township in the areas of education, enforcement, and engineering projects to enhance bicycle and pedestrian experiences within the municipality.

PLANS:

P-1 Centre County Refuse and Recycling Authority (CCRRA) Preliminary/Final Land Development Plan, Tax Parcel 19-002-057-0000

In written correspondence to Council, dated May 9, 2014, Mr. Kent Baker, Township Engineer, reported that the Centre County Recycling and Refuse Authority (CCRRA), previously known as the Centre County Solid Waste Authority, was proposing to expand their Struble Road facility with the construction of a 16,500-square-foot building; relocation of their existing salt shed; and installation of a bypass road around the Scale House. This would allow the center to move recycling operations out of the transfer station building.

Mr. Jason Little, P.E., Nittany Engineering and Associates, LLC, presented the subject Preliminary/Final Land Development Plan for the CCRRA site located off of East College Avenue, along SR 26 in College Township. The overall property consists of 38.74 acres of land with approximately 11.5 acres of existing impervious surface. The CCRRA accepts over 25,000 curbside pickups and hundreds of drop-off bins from the area and handles thousands of tons of solid waste daily. Mr. Little receive and addressed the four staff comments made in Mr. Holdren's letter to Nittany Engineering, agreeing to address all on the plan. Those comments included 1) changing the Centre County Planning Commission signature block to read "College Township Planning Commission"; 2) removal of the trees shown on the new parking spaces from the Conditions and Demolition plan; 3) planting of one additional canopy tree along the perimeter of the proposed parking spaces; and 4) granting the sidewalk waiver for Transfer Road, as described in note 17.

Council inquired into the option chosen by CCRRA relative to the bids; and Mr. Little reported that Option 3 was chosen, which represents the construction of the whole building. This option is pending approval of financing.

Ms. Shoemaker moved to approve the Centre County Recycling and Refuse Authority Building Expansion Project Preliminary/Final Land Development Plan, dated February 13, 2014, and last revised May 1, 2014, with the following conditions:

- 1. Obtain all required signatures on the plan;**
- 2. Payment of all outstanding plan review fees; and**
- 3. Address review comments defined in Mr. Mark Holdren's letter to Mr. Jason Little, Nittany Engineering, dated May 8, 2014.**

Ms. Stilson seconded the motion.

Motion carried unanimously.

Chair Fryer recessed this Regular Meeting at 7:14 PM in order to conduct three public hearings associated with the Hilltop Area Rezoning. The Regular Meeting was reconvened at 9:03 PM. The three ordinances, having gone to public hearing this date, were brought forward on the agenda for discussion and consideration.

Mr. Brumbaugh advised that Council members should feel free to comment on all of the ordinances at this time.

OLD BUSINESS:

OB-1 Ordinance O-14-05, College Township Official Map Amendment

Ordinance O-14-05, College Township Official Map Amendment, having gone to a duly advertised public hearing this date, was presented to Council for consideration of approval. This ordinance proposes to amend the College Township Official Map by adding an extension of Puddintown Road from East College Avenue up into the former Hilltop Mobile Home Park and connecting with Squirrel Drive.

In correspondence to Council, dated May 6, 2014, Mr. Holdren, CRPA Sr. Planner, stated that the inclusion of this route on the Township's Official Map is known as a 'reservation'. This reservation gives College Township the right to hold up development for up to one year while negotiations between the developer and Township proceed to create an acceptable solution to providing additional access into the Hilltop area.

Ms. Shoemaker, Council member, supported the addition of an extension of Puddintown Road on the College Township Official Map and stressed that College Township should slow traffic down on Oak Ridge Avenue and Country Club Road. Ms. Shoemaker previously supported the R-2 zoning proposed for the Hilltop area but stated that the R-1, R-2, and R-3 proposed by Trinitas Ventures was too much.

Mr. Bernier, Council member, stated that proposed Ordinance O-14-05 – Official Map Amendment, could be considered independent of the other two ordinances. He added that he heard no one at the public hearing object to the Gateway Commercial Zoning District Amendment, as proposed, and offered his support for that ordinance. However, Mr. Bernier had some problem with proposed Ordinance O-14-07, Hilltop Area Rezoning, feeling that the process was too fast and that the issue required some additional time for clarification and to address the confusion. Mr. Bernier suggested that the Walters property zoning could resolve itself naturally with time.

Ms. Stilson, Council member, supported the proposed Official Map Amendment, as presented. However, Ms. Stilson was resistant about moving forward with the Gateway Commercial Zoning District amendment due to hesitancy over the 300-foot distance from any R-1 zone set for building heights, preferring a step-down calculation being established. Additionally, Ms. Stilson voiced her opposition to the Hilltop Area Rezoning request based on its being rushed through, although noting that it was not without study. She added that Hill Drive should be residential with R-1 along the top of the hill. Ms. Stilson stated that there was a fear of any PRD plan that was allowable in the R-1 and/or R-2 zoning districts that could result in student housing; and, hence, the public opposed any R-1 or R-2 zoning for the Hilltop area. However, Ms. Stilson stressed that a municipality cannot zone to prevent students, and it is understood that apartments would likely have student residents. Additionally, Ms. Stilson noted that students' shortest route to campus would be through Thompson Woods Preserve; and her preference was to focus on neighborhoods.

Mr. Herman, Council member, stated that, contrary to one and a half years ago, no one who presented public comment at the public hearings this evening said anything about the need for workforce housing, adding that he would like to see the requirement for workforce housing be set at something more than the current ten percent (10%). Mr. Herman recognized that public comment reflected an opposition to allowing any type of student housing but added that the Gateway Commercial Zoning District would offer some mitigation. Additionally, Mr. Herman stated that the proposed rezoning would give College Township the tools to better manage future development.

Mr. Holdren, CRPA Sr. Planner, clarified that the ten percent (10%) workforce housing requirement would only kick in if the plan's dwelling unit density was over five units per acre.

In response to Council inquiry regarding the Planning Commission's switch from R-1 to GC zoning, Mr. Rich Francke, PC/Council liaison, replied that the Planning Commission supported the redevelopment of the lots along East College Avenue and believed that expanding the GC zone up the hill gave the greatest flexibility on how this area could be developed.

Chair Fryer stated that he had no issues with the three amendments offered and would support all three ordinances, as presented. However, he recognized that Mr. Walters' property was the 'fly in the ointment'.

**Ms. Stilson moved to approve Ordinance O-14-05, College Township Official Map Amendment.
Ms. Shoemaker seconded the motion.
Motion carried unanimously.**

OB-2 Ordinance O-14-06, Gateway Commercial (GC) Zoning

Ordinance O-14-06, Gateway Commercial (GC) Zoning, having gone to a duly advertised public hearing this date, was presented to Council for consideration of approval. This ordinance proposes to amend the existing regulations of the Gateway Commercial (GC) Zoning District with three key components. First, residential development would be restricted through a maximum permitted density of 15 dwelling units per acre and an area restriction in which only 30% of a given lot greater than two (2) acres may be developed with solely residential uses. Mixed-use buildings are exempt from the 30% area requirement. Second, the maximum permitted building height is proposed to be restricted to 35 feet in areas that are within 300 feet of R-1-zoned land. Third, the size restrictions on retail establishments would be increased from 20,000 square feet to 35,000 square feet.

In correspondence to Council, dated May 6, 2014, Mr. Holdren, CRPA Sr. Planner, stated that the Centre Regional Planning Commission (CRPC) was generally supportive of the ordinances, citing the proposal provided for development of a property within the RGB/SSA that is adjacent to infrastructure and services. In its review, CRPC commented that the Township should consider also rezoning the two R-2 parcels at the end of Hill Drive to Gateway Commercial. The College Township Planning Commission (PC), in its review, was supportive; although, PC questioned whether or not the 50-foot-wide OSR strip along the Preserve was necessary and if the 35-foot building height restriction within 300 feet of R-1 was too restrictive.

Ms. Stilson asked if there was any support for a change from the ordinance's proposed 300-foot distance from any R-1 zoning; and Mr. Francke replied that there was no strong opinion against the existing ordinance language; therefore, PC recommended it, as presented.

**Ms. Shoemaker moved to approve Ordinance O-14-06,
Gateway Commercial (GC) Zoning.
Mr. Bernier seconded the motion.
Motion carried 4 – 1 (Stilson voting nay).**

OB-3 Ordinance O-14-07, Hilltop Area Rezoning

Ordinance O-14-07, Hilltop Area Rezoning, having gone to a duly advertised public hearing this date, was presented to Council for consideration of approval. This proposed ordinance would rezone seventeen properties totaling 75 acres. The Hilltop, Mitchell, Hendricks, and Walters properties, totaling 26 acres, are proposed to be rezoned to the Gateway Commercial (GC) Zoning District. Open Space Recreation Conservation District (OSR) is proposed for the

Thompson Woods Preserve, totaling 42 acres, as well as for a 150-foot-wide strip along the southern boundary of the former Hilltop Mobile Home Park and a 50-foot-wide strip along the western boundary of Hilltop. In addition, the Koval property at the end of Hill Drive is proposed to be rezoned to R-1.

Chair Fryer advised Council that this proposed Ordinance could be tabled, adopted, or denied and requested Council's preference.

Ms. Stilson moved to deny Ordinance O-14-07, Hilltop Area Rezoning.

Mr. Bernier seconded the motion.

Ms. Shoemaker stated that, if this ordinance was denied, Council would have to come up with specific direction to staff in response to the request for clarity on what Council would like to know, such as numbers of people who could be permitted to occupy the Hilltop area.

Township Solicitor Glantz clarified for Council that the motion as stated was a double negative, meaning that a vote for the motion was a vote against the ordinance's approval.

Chair Fryer called the question.

Motion carried 3 – 2 (Fryer, Herman voting nay, against the denial).

Mr. Brumbaugh asked for Council's direction on what College Township staff or Planning Commission should do next.

Ms. Shoemaker advised that staff should offer to Council at an upcoming meeting the figures that reflect the maximum number of units and individuals per unit under Gateway Commercial zoning compared to those in residential zoning districts and the current Mobile Home Park zone. Mr. Bernier concurred, suggesting that some of the residents' comments could be mitigated at the zoning level through this additional Council review.

Following a brief discussion, Council directed staff to fully vet the zoning option that was presented and denied this evening.

Mr. Klees, former Council member, stated that he heard a lot of questions from the public that required clarification. Mr. Klees stated that a request for clarity translates to tabling the vote, not denying it. The requester must now submit a new rezoning request and start over.

Mr. Herman moved to reconsider the vote.

Louis Glantz, Esq., advised that once Council voted, the whole process starts over again. The motion dropped with no second.

Chair Fryer called for a five-minute recess at 9:52 PM to allow the room to clear; and the meeting was reconvened at 9:58 PM.

MANAGER'S UPDATE:

Mr. Brumbaugh, Township Manager, presented the printed May 15, 2014, Manager's Update, which was received without comment.

CONSENT AGENDA:

The following Consent Agenda items are presented for Council acceptance.

CA-1 Minutes:

- a. May 1, 2014, Public Hearing on Sam's Club Fueling Station Conditional Use Permit
- b. May 1, 2014, Regular Council Meeting

CA-2 Correspondence:

- /1: Email from Mr. Greg Johnson, dtd April 28, 2014, offering comment on the current Hilltop Area Rezoning proposal
- /2: Email from Ms. Kim Dick, dtd April 28, 2014, opposing the proposed Hilltop Area Rezoning
- /3: Email from Ms. Marlene Bannon, dtd April 19, 2014, opposing the proposed Hilltop Area Rezoning
- /4: Email from Ms. Rose Lemmon, dtd April 29, 2014, opposing the proposed Hilltop Area Rezoning
- /5: Ms. Barb Saxton, dtd May 1, 2014, opposing the proposed Hilltop Area Rezoning
- /6: Email from Mr. Ryan Ohlson, dtd May 5, 2014, opposing the proposed Hilltop Area Rezoning
- /7: Email from Ms. Amber Roy, dtd May 4, 2014, opposing the proposed Hilltop Area Rezoning
- /8: Email from Mr. Pete Roy, dtd May 4, 2014, opposing the proposed Hilltop Area Rezoning
- /9: Letter from Central PA 4th Fest, dtd April 23, 2014, thanking Council for ongoing support
- /10: Letter from ISO, Dtd April 29, 2014, subj: Building Code Effectiveness Grading Schedule Program
- /11: Letter from Barry and Patti Fisher, dtd May 2, 2014, opposing the proposed Hilltop Area Rezoning
- /12: Email from Mr. Bill Saxton, dtd May 2, 2014, opposing the proposed Hilltop Area Rezoning
- /13: Email from Ms. Lauren Walters, dtd May 7, 2014, opposing the proposed Hilltop Area Rezoning

- /14: Email from Mr. Eric Hart, dtd May 7, 2014, opposing the proposed Hilltop Area Rezoning
- /15: Email from Ms. Melinda Ohlson, dtd May 7, 2014, opposing the proposed Hilltop Area Rezoning
- /16: Email from Mr. Paolo Colombo, dtd May 9, 2014, opposing the proposed Hilltop Area Rezoning
- /17: Email from Ms. Cristina Houtz, dtd May 13, 2014, opposing the proposed Hilltop Area Rezoning
- /18: Email from Ms. Betsy Forney, dtd May 13, 2014, opposing the proposed Hilltop Area Rezoning
- /19: Email from Mr. Brian Burns, dtd May 14, 2014, opposing the proposed Hilltop Area Rezoning

CA-3 Resolution for Approval: R-14-11, Recognizing May 18 – 24, 2014, as Emergency Medical Services Week

Ms. Shoemaker moved to accept and approve the May 15, 2014, Consent Agenda, as presented.

Mr. Bernier seconded the motion.

Motion carried unanimously.

NEW BUSINESS:

No *New Business* items came to the table.

STAFF AND ABC INFORMATIVES:

No *Staff Informatives* were pulled for discussion.

COUNCIL/STAFF OTHER MATTERS:

1. Mr. Brumbaugh requested Council's preference on how to fill the Council seat being vacated by Mr. David Fryer. By Council consensus, the applicants for the slot will be scheduled for interviews soon.
2. Ms. Shoemaker thanked Mr. Fryer for his 18 years in dedicated service to College Township. Mr. Bernier also recognized Mr. Fryer's significant contributions to the Centre Region COG, as well, representing College Township's position on matters related to regional financing, public services, human resources, transportation, and executive committee matters.

COMMITTEE REPORTS:

Parks Capital Committee Joint Meeting with Centre Region Recreation Authority Board, May 8, 2014: Mr. Bernier reported that the Parks Capital Committee, in a joint session with the Centre Region Recreation Authority Board, 1) reviewed the draft report on the widening of the Hess Softball Field Complex; 2) received an update on the Whitehall Road Regional Park Phase 1 Development; 3) received an update on the Oak hall Regional Park Phase 1 Development; and 4) was reminded to address the Phase 2 Capital Funding Strategy.

Public Services and Environmental (PS/E) Committee, May 7, 2014: Ms. Stilson reported that the PS/E Committee 1) discussed the Region's consideration of submitting an application for Georgetown University's \$5,000,000 Energy Prize grant; 2) received an update on the University's collaboration on solar electricity in the Centre Region; 3) reviewed the Request for Bids (RFB) for the regional refuse and recycling contract; and 4) received a CRPA update on the *2014 Regional Development Capacity Report*.

Ad Hoc Organics Committee, May 7, 2014: Ms. Stilson reported that the Ad Hoc Organics Committee 1) reviewed its mission statement, and 2) received a brief presentation from Committee Chair Hameister and COG Recycling Assistant Ms. Cooper on their tour of the anaerobic digester facility in Mifflintown, Pennsylvania.

Public Safety Committee, May 14, 2014: Mr. Brumbaugh, Township Manager, attended the Public Safety Committee as an Alternate and reported that the Committee 1) discussed the concept of requiring reimbursement to a municipality or fire company from individuals who start brush fires to cover the cost of responding to that incident; 2) reviewed the draft *Mutual Aid Assistance Agreement* between the Centre Region COG and the Central Keystone COG of Lewisburg; 3) received a status report from Mr. Jim Steff, COG Executive Director, on the *Bellefonte Borough Codes Services Proposal*; and 4) received an update on the training officer applications.

Human Resources Committee, May 7, 2014: Chair Fryer attended the Human Resources Committee on behalf of Mr. Herman and reported that the Committee reviewed the proposed new positions and reclassifications of existing positions for inclusion in the *2015 Program Plan*.

Planning Commission/Council Liaison Report: Mr. Rich Francke, College Township Planning Commissioner, requested that Council provide additional guidance on PC's upcoming review of the *Chickens in Residential Areas* ordinance. Mr. Brumbaugh responded that Council offered no specific direction to PC; however, PC's review and recommendation were necessary in order for Council to procedurally consider moving this to a public hearing.

ADJOURNMENT:

Hearing no further matters for discussion, Chair Fryer adjourned the May 15, 2014, Regular College Township Council Meeting at 10:17 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary