

COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Thursday, August 18, 2016
7:00 PM, Following Public Hearing-4
1481 E. College Avenue, State College, Pennsylvania

ATTENDED BY:

COUNCIL: D. Richard Francke, Chair
Carla Stilson, Vice Chair
L. Eric Bernier
Steven Lyncha

STAFF: Adam T. Brumbaugh, Township Manager/Secretary
Kent N. Baker, Township Engineer
Mark Gabrovsek, Zoning Officer
Mark Holdren, CRPA Sr. Planner
Mary E. Wilson, Asst. Township Secretary

ABSENT: Anthony Fragola, Council Member

CALL TO ORDER:

Chair Francke called to order the August 18, 2016, Regular College Township Council Meeting at 7:08 PM, following the Pledge of Allegiance and the holding of four public hearings.

PUBLIC OPEN DISCUSSION:

No Public Open Discussion matters were presented.

SPECIAL PRESENTATION:

SP-1 New Property Maintenance Code Overview; Walter Schneider, Ph.D.

Mr. Mark Gabrovsek, Zoning Officer, introduced Walter Schneider, Ph.D., Director of Centre Region Code Administration (CRCA), who presented the Draft *Centre Region Building Safety and Property Maintenance Code 2016 Edition*, dated August 4, 2016. This document was last adopted by participating municipalities in 2010. After Dr. Schneider's highlighting of the key revisions in the document, Council asked questions and/or offered comments on 1) the three-hour response time levied on landlords being an insufficient time; and 2) consideration given as to whether or not to exempt out of Section 807, Student home License.

Following review, staff was directed to provide a list of items that have previously been exempted for Council's review at the September 15, 2016, Regular Council Meeting.

Dr. Schneider requested written comments on this draft document by the end of September and advised that the final of this document should be ready for approval in October or November with a January 1, 2017, effective date.

REPORTS:

a. Manager's Update

Mr. Adam Brumbaugh, Township Manager, presented the August 18, 2016, Manager's Update, which was received without significant comment.

In response to Council inquiry about the status of the Pike Street project design work, Mr. Baker reported that survey work was now complete.

b. COG Regional, County, and Liaison Reports

Public Services and Environmental Committee (PSEC), August 4, 2016: Ms. Stilson reported that PSEC received an update on the development of a regional organics recycling program for the residents of Benner, College, Harris, Ferguson, and Patton Townships. The COG Refuse and Recycling Program Office will make a presentation on this matter to each municipality prior to its going to a COG General Forum Meeting for consideration. It is the goal of the Committee to have the program ready for the next contract, which will begin January 1, 2020.

Finance Committee, August 18, 2016: Chair Francke reported that the Finance Committee delayed discussion on the 2017 COG Program Plan and Capital Improvement Plan until all municipal comments have been received.

Executive Committee, August 16, 2016: The August 29th General Forum Meeting was cancelled. Next General Forum Meeting will be held on September 26th.

c. Staff/Planning Commission/Other Committee Reports

Planning Commission (PC) Update: Mr. Holdren advised that PC has been working on Community Corrections Facilities ordinance; the previous Wireless Communications Facilities ordinance; the Pleasant Pointe subdivision plan; and the Burger King sketch plan.

CONSENT AGENDA:

CA-1 Minutes; Approval of

- August 4, 2016, Regular Council Meeting

CA-2 Correspondence, Receipt of

- No Correspondence Presented

CA-3 Resolution; Approval of

- a. R-16-18, September Is Suicide Prevention Month

**Ms. Stilson moved to approve and receive the August 18, 2016, Consent Agenda, as presented.
Mr. Lyncha seconded the motion.
Motion carried unanimously.**

OLD BUSINESS:

OB-1 Ordinance O-16-07, University Planned District (UPD) Definitions Revisions

A duly advertised public hearing on Ordinance O-16-07, UPD Definitions Revisions, was held earlier this date, and no public comments were presented. This proposed ordinance would amend the College Township Code, Chapter 200, Zoning, by revising the definitions of “Essential Utility Services” and “Utility Uses, Facilities, and Structures.”

**Mr. Bernier moved to adopt Ordinance O-16-07, UPD Definitions Revisions.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

OB-2 Ordinance O-16-08, University Planned District (UPD) Map Revisions

A duly advertised public hearing on Ordinance O-16-08, UPD Map Revisions, was held earlier this date, and no public comments were presented. This proposed ordinance would amend the College Township Zoning Map to rezone a 1.15-acre portion of College Township Parcel 19-003-,100-,0000- from UPD 7 to UPD 8.

**Mr. Lyncha moved to adopt Ordinance O-16-08, UPD Map Revisions, as presented.
Ms. Stilson seconded the motion.
Motion carried unanimously.**

OB-3 Ordinance O-16-04, Solar Energy Systems

A duly advertised public hearing on Ordinance O-16-04, Solar Energy Systems, was held earlier this date, and no public comments were presented. This proposed ordinance would 1) provide property owners and business property owners/operators with flexibility in satisfying their energy needs utilizing renewable sources; 2) reduce overall energy demands within the community and promote energy efficiency; and 3) integrate alternative energy systems seamlessly into the Township’s neighborhoods and landscapes without diminishing quality of life in the neighborhoods.

Ms. Stilson provided to staff some editorial corrections to the proposed ordinance and questioned the Centre Region Fire Director’s letter relative to the 30-inch pathway rule and to his suggested one- to two-year ordinance review period.

In Mr. Holdren's letter to Council, dated August 10, 2016, staff recommended two modifications to the proposed ordinance that would 1) allow the Zoning Officer to direct an applicant to the Centre Region Fire Director, who would review and determine if a solar energy system width wider than 30 inches would be permissible; and 2) clarify that, in the event a sloped roof has two roof planes that meet forming hips or valleys, the 30 inches shall be measured between the solar energy systems located on each roof plane. Staff determined that these changes, including editorial corrections, were de minimis in nature and recommended approval with the above revisions.

Mr. Lyncha moved to adopt Ordinance O-16-04, Solar Energy Systems, with the two changes noted in staff's memo, dated August 10, 2016, and editorial revisions, all deemed to be less than substantive changes.
Ms. Stilson seconded the motion.
Motion carried unanimously.

NEW BUSINESS:

NB-1 Ordinance O-16-10, Vacate a Portion of Pennsylvania Ave. and Mobile Ave.

A duly advertised public hearing on Ordinance O-16-10, Vacate a Portion of Pennsylvania Avenue and Mobile Avenue, was held earlier this date, and no public comments were presented. This proposed ordinance would allow for the permanent vacation of Mobile Avenue (T-654, a 33-foot right of way) lying West of Squirrel Drive (T-837) and a portion of Pennsylvania Avenue (T-653, a 33-foot right of way) lying West of Squirrel Drive (T-837), as these roads have no further benefit to the citizens of College Township.

Mr. Lyncha moved to adopt Ordinance O-16-10, Vacate a Portion of Pennsylvania Avenue and Mobile Avenue.
Ms. Stilson seconded the motion.
Motion carried unanimously.

NB-2 Whitehall Road Park; Review and Comment

In correspondence to Council, dated August 15, 2016, Mr. Brumbaugh, Township Manager, reported that, at the July 25, 2016, General Forum Meeting, elected officials discussed the impacts of recent developments involving the development of an adjacent residential project to the Whitehall Road Park site. The COG General Forum discussed possible modifications to previously anticipated Park work that may now be necessary. If the adjacent residential development does not occur, or occurs at some later date, the existing Park Master Plan cannot be implemented without constructing an access road and sewage pump station. The General Forum developed questions on this matter for municipalities to discuss individually. Comments were requested to be forwarded to the COG Executive Director by September 5.

Council opined that this was still a valid concept and subsequently considered 1) the complicating factors associated with the DCED grant; 2) the master plan's not addressing accessibility and utilities; 3) whether or not College Township would support a \$5.2 million regional park; and 4) the downside of attaching the development of a park to the approval of a residential development in order to gain access to the park.

Mr. Dan Klees, former Council member and previous chair of the COG Parks Capital Committee, advised current Council members that, at the time of the region's consideration of the adjacent development, Ferguson Township supervisors stated that the access was not going to be a problem and also insisted that, unlike the other regional parks solely owned by COG, Whitehall Road Park be put in the name of COG and Ferguson Township. Mr. Klees offered detailed background on the original principal partners in the access matter, namely, Ferguson Township as the key player; Penn State University as property owner; and PennDOT, who would determine where the access road could be located. In an effort to reduce the cost to develop this park, Mr. Klees suggested 1) keeping the access on the PSU property, moving it to the west; 2) putting down only a minimum amount of paved road, as determined by PennDOT; and, 3) Ferguson Township taking ownership of this access problem.

Question #2 – Does the governing Board/Council desire to move forward with the planned Whitehall Road Regional Parks? A: Yes, provided Ferguson Township, as the host municipality, takes a leadership role in the construction of the access road. Note that College Township does not consider the access road part of the Whitehall Road Park master plan. The master plan previously approved by the General Forum did not contemplate the absence of access to Whitehall Road and was never considered as an element of the master plan.

Question #3 – Should the construction of Whitehall Road Regional Park be postponed until the Regional Parks Comprehensive Plan is complete? A: No. Note that said study could provide data that would inform the potential phasing of the Park.

Question #4 – Are there “show stoppers” that would prevent the construction of Whitehall Road Regional Park from moving forward? A: Yes. Absence of access and/or right of way to Whitehall Road at Blue Course Drive; lack of funds, from host municipality or other participating municipalities, to pay for access to Whitehall Road; inadequate stormwater facilities/management related to construction of access road; an unwillingness on the part of municipal participants to make any necessary amendments to the master plan; and ongoing, lengthy appeals of Toll Brothers legal decision.

Questions #5 – Does the approved Whitehall Road Regional Park master site plan offer the park amenities that we want? A: Yes. Note that the Whitehall Road Regional Park amenities were not developed in a vacuum. Rather, there was a purposeful inter-relationship of amenities with other park facilities that was factored into what would be offered at Whitehall Road Regional Park.

Question #6 – Are the municipalities willing to modify the approved master plan and/or phasing schedule for Whitehall Road Regional Park? A: No. College Township wishes to move forward with the project as is presently master planned.

STAFF AND ABC INFORMATIVES:

No *Staff Informatives* were pulled for discussion.

OTHER MATTERS:

Mr. Brumbaugh advised that the proposed, amended Wireless Communications Facilities ordinance had been sent to the Cohen Law Group for review and will return to Council following that review.

ADJOURNMENT:

Hearing of no additional business, Chair Francke called for a motion to adjourn. Mr. Lyncha offered a motion to adjourn, and the Chair seconded the motion. Chair adjourned the August 18, 2016, Council Regular Meeting at 9:30 PM.

Respectfully submitted,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Manager/Secretary