Members Present: Dave Breon, Vice-Chairman; Jack Shannon, Secretary; Cecil Irvin; Freddie Persic and Kevin Abbey

Members Absent: Robert L. Corman, Chairman; Tom Hoover and Tom Poorman

Staff Present: Robert Jacobs; Chris Price; Anson Burwell; Chris Schnure; Mike Bloom; Beth Rider, Linda Marshall; Norm Lathbury and Mary Wheeler

Others Present: Tomasz Kulakowski, Developer for Opequon Hills

1. **Call to Order – Pledge of Allegiance**

   Vice-Chairman Breon called the meeting to order at 6:00 p.m.

2. **Citizen Comment Period**

   Mr. Irvin questioned why the absent members were advertised on the meeting minutes above? Is it to embarrass the members who didn’t show up the previous month?

   Ms. Wheeler stated just to keep everyone informed of whom is attending the meetings but if this is something that needs to be changed, it needs to be discussed by the members. No further discussion occurred.

3. **Approval of Minutes**

   A motion was made by Mrs. Persic and seconded by Mr. Shannon to approve the minutes of the Centre County Planning Commission meeting of February 15, 2005. Motion carried.

4. **Planning Commission Member Updates**

   Vice-Chairman Breon stated that the Nittany Valley Joint Planning Commission is beginning a joint zoning ordinance development process with the help of the County Planning Office. This is going to be very successful. This group of townships is very interested in working together.

   Mr. Jacobs stated that it is a positive process for the Planning Office as well.
Vice-Chairman Breon also spoke regarding the proposed transfer of property to Penn State, the Rockview property north of I-99. Benner Township has been involved in discussions with the State to insure that the local constituents are involved in the whole process. It looks like it is moving ahead. A meeting was held with Senator Corman about a month ago. Senator Corman stated that Benner Township should be hearing from the Secretary of Agriculture about the property and what the desire is. Benner Township has decided that one of the stipulations would be that the Canyon area of the property in Spring Creek would be open to the public in some form and would not be under the direct control of Penn State. This has been a positive and Penn State has agreed in principal to that along with and Senator Corman. DCNR is also in favor of this and will put forth some money to develop trails in this area which is between the hatcheries.

Mr. Abbey questioned Mr. Irvin if the Planning Commission has ever been briefed on the ridge overlay?

Mr. Irvin stated that he never brought it up.

Mr. Abbey stated that it is significant. In response to proposed developments along Tussey Ridge in particular Musser Gap which is near the Harris Ferguson line; the township began to evaluate a corridor overlay along the ridge from township line to township line. It affected 130 properties, with the idea being to take a closer look at soils, hydrology, slopes, and meaningful geologic and environmental features there that made residential development a shaky proposition. We didn’t want 10 - 20 years down the road residential developments complaining that they were not informed about the sinkholes or other complaints associated with Andover, Buchanan and colluvial soils. In response to some development plans the overlay was reviewed and public meetings were held to look at ways that a plan could be laid out meaningfully that protected the interests of property owners but also being mindful of the type of unique environmental features that are on the slope of the ridge. The last public hearing was held and soon an overlay district will be taken to the board for their review that will implement certain restrictions and caveats for existing owners and any potential development so that staff is now doing a better job communicating with what the experiences have been with those soils and how only under certain circumstances would they be appropriate for residential development.

Mr. Irvin stated that this should have been done about 30 years ago when the Ordinance was changed. A developer came in and developed in the flash flood area. The house could have been washed right off of its foundation. It is a beautiful nature area but not a place to build a house. Then it was realized what kind of an opening there was in the Ordinance. ClearWater is talking to Musser at this time, because this would be an ideal opportunity to create a companion to Shingletown Gap and actually make an entry way into Rothrock, because the State Forest is at the County line at the top of the ridge. Discussions are underway now. This represents the most significant environmental planning that has been done in Ferguson Township.

5. **Old Business**

none
6. **New Business**

- **Centre County Greenways Plan** – *Mike Bloom & Beth Rider*

  Mr. Bloom & Mrs. Rider reviewed a powerpoint presentation (Attachment #1).

  Discussion ensued.

- **Centre County Affordable Housing Coalition** - *Linda Marshall*

  Ms. Marshall stated that Diana T. Myers & Associates is the Consultant for the Affordable Housing Needs Assessment. In February key person interviews concluded as well as phone interviews. The information is being compiled at this time. In March the information will be processed. In April the compiled information will be available in draft form. In May it will be presented to the Board of Commissioners for their guidance with respect to strategies and recommendations and the County’s commitment to this process.

  Invitations for the March 29 Affordable Housing Workshop have been sent out and there are 94 people registered. There is a good mix of people attending i.e. Realtors; Builders; Municipal Officials; people from the outlying areas; good representation from Centre Region.

  Vice-Chairman Breon questioned what would be in the report. What results can be expected. Is the consultant going to inform the County where it needs to be developing affordable housing and the strategies of doing it?

  Ms. Marshall stated that the County Planning Office’s job is to identify buildable areas and part of that process is now completed. Staff will be providing the Consultant with that data. The bulk of the report will be identifying the needs i.e. elderly housing; very low income and workforce housing. The Consultant will also look at priority projects. A lot of this will be driven by the private sector.

  Mr. Abbey questioned if part of the recommendations that the Consultant might make would be to identify locations and projects?

  Ms. Marshall stated that staff will be identifying buildable land opportunities. At this point it is not clear how this information will be formatted in the report. Adaptive reuse opportunities are also going to be review. Ms. Marshall also chairs the Affordable Housing Coalition and would like the affordable housing area to be review as well. Kelleann Foster, Associate Professor of Landscape Architecture at PSU, is considering doing an affordable housing project as a design workshop for the fall semester as well as looking at adaptive reuse opportunities in which the vacant commercial properties in the area could be looked at for affordable housing. Ms. Marshall stated that our office could play the role of coordination; education and facilitating that process but the office is not in a position to go out there and be the developer or the redevelopment authority.
Funding for Public Transportation

Mr. Bloom reviewed (Attachment #2 – Briefing Paper put together by Mr. Zilla from CRPA) with the Commission members.

Mr. Abbey stated that he attended a meeting March 15 with the House of Transportation Committee and according to information reviewed the Governor’s Plan is virtually DOA in the State Legislature. Mr. Abbey also stated that any formal action taken as a public entity to support the Governor needs to be discussed with local legislative delegation even though the Governor has Executive Authority to do this, it was unannounced and key folks in both committees are totally up in arms. The House Transportation Committee stated that transit as a result of the Governor’s action has never been in worse legislative shape than it is right now.

Mr. Jacobs questioned if an alternative was put on the table by the Transportation Committee.

Mr. Abbey stated no and since 1991 when transit got their own dedicated funding, there has been a coalition of highway and transit that has moved jointly and the Governor’s action takes an executive fiat to essentially flex highway dollars that are badly needed in a lot of places and it challenges that 15 year coalition. Legislators are saying it is not good public policy to give a band aid approach to transit. Highway and transit needs to move together.

Mr. Bloom stated that Hugh Mose was very apprehensive about what this plan could do. Mr. Mose will be approaching the MPO for support.

Mr. Jacobs stated that initially they were going to take money from each MPO across the state and give it to Philadelphia or Pittsburgh, to help pump them up for a short period of time. There were a lot of MPO staffs that were up in arms over it and without having anything else on the table and this may change according to what Mr. Abbey reported today. It is better than having our local fund robbed.

Mr. Bloom stated that he would forward Mr. Abbey’s comments on to Ms. Meek and Mr. Zilla from CRPA.

Mr. Bloom also reviewed the following programs on (Attachment #3):

Home Town Streets / Safe Routes to Schools Program

TE Program

Coordinating Committee

Project Ranking
PennDOT’s Press Release regarding a new District Executive being chosen to replace George Khoury (Attachment #4).

- **April 19 meeting date and time change** – Chairman Breon stated that due to the PSATS Convention in Harrisburg, the meeting date and time may need to be changed. A show of hands was taken for those who could attend the April 19 meeting. Freddie Persic, Dave Breon and Cecil Irvin could attend. Jack Shannon, Bob Corman and Kevin Abbey will be at the convention. Ms. Wheeler stated that both Tom Hoover and Tom Poorman would be contacted to verify if they can attend the April 19th meeting before any change would be made.

7. **Review / Approval of Subdivision and Land Development Plans** – Anson Burwell & Chris Schnure

1. **Opequon Hill Development Subdivision, Phase 1**

   Final Plan
   20-Lots (17-Residential; 1-Community Water Supply; 1-Stormwater Management; and, 1-Open Space)
   Benner Township

Mr. Burwell introduced the developer, Tomasz Kulakowski, to the Commission and welcomed his attendance. Mr. Burwell made the standard presentation relative to the proposed subdivision, he then read a statement from Mr. Milliron regarding the Opequon Hills Water System:

> “Based on my involvement with the development of a Community Water System to serve the proposed Opequon Hills Development, I would like to offer the following recommendation regarding the routing of the distribution piping that will serve the development. The distribution system to serve the development from the water storage tank located at the adjacent Hampton Hills Development should be connected by extending the water main located at the entrance into Hampton Hills, under Rt. 550 along Crestview Drive and then into and through the proposed Opequon Development. This would allow existing homes located in the Crestview development along Crestview Drive to connect to this public water system at some point in the future as they so desire or the township may require. This would also provide fire protection in the form of fire hydrants, which are currently non-existent, to this same group of homes. This same recommendation was made by the members of the Centre County Water Authority at its meeting on Tuesday, March 8, 2005. The new well that was drilled, tested, and to be developed within Opequon will be piped into the treatment system at Hampton Hills development, thus facilitating one larger community water system, with two sources and a single water storage tank.”

Vice-Chairman Breon indicated that Benner Township gave Mr. Kulakowski the option of looking at whether he wanted to come up Crestview Drive or go across Route 550 and tie into the chlorination station that is at the bottom of Hampton Hills. If Mr. Kulakowski decided to go up Crestview Drive, he would have to go in the roadway, which would include additional expenses to repair the roadway. It was up to Mr. Kulakowski and his engineer to decide which was best way to proceed. As a homeowner in the area of Crestview Drive, the water supplies are very good and at this time residents do not want to have a public water system. Mr. Breon also stated that as long as he is on the Board of Supervisors this issue will not be forced. Benner Township Supervisors do want to have the connection to the back, so Mr. Kulakowski is bringing the line
close to the connection because it was designed and always planned to be part of a public water system. There are capped lines within the last two segments of Crestview. All of the houses have lines coming in from the distribution lines, so this makes a lot of sense to make that connection. Mr. Kulakowski and his engineer were asked to review this situation and Benner Township was willing to accept either one. Benner Township knows that the connection is there if anything ever happens in the future, such as a Connect Ordinance, then Benner Township knows it will be the Township’s responsibility to bite the bullet at that time. Mr. Breon stated that this was a decision of Benner Township. It is a private system at this time, so if Mr. Kulakowski decides to put it in now, he must foot the bill, but if the system is taken over by the Benner Township which will then be a public system, then it will be the responsibility of the township. Mr. Breon stated that the Benner Township Water Authority is not a strong water authority, they have a very difficult time making a decision and frankly it is not know where they stand on this. It may very well be that the County takes it over and it is run as a Community System for a period of time. Eventually, Benner Township will own it.

Mr. Kulakowski stated that according to his information HRG, Engineers did the study and they are recommending that it be taken over by Benner Township and it is going to be voted on this month.

Mr. Burwell stated that this is a recommendation as opposed to a requirement, but it was something that Mr. Milliron felt appropriate to share with the Commission members today. Obviously there is no water system there now, so it will be better than nothing. They do have fire protection, but if you have a water system and fire hydrants then homeowners insurance might be lower and it would add value to the property, but is it Mr. Kulakowski’s responsibility to add value to those houses? This information will be shared with all parties involved.

Vice-Chairman Breon stated that if any emergency does come along, where Benner Township would have to provide public water, it can be done.

A motion was made by Mrs. Persic and second by Mr. Shannon to approve staff’s recommendation of Conditional Final Approval for the above-referenced plan including a recommendation to have both the Developer and Benner Township consider Mr. Milliron’s recommendation as to the water main location. Motion carried.

2. Opequon Hill Development - - Lot 83 Land Development Preliminary Plan
56-Units (28-Residential Duplexes)
Benner Township

Mr. Burwell made the standard presentation and recommendation.

Discussion ensued.

A motion was made by Mr. Irvin and second by Mr. Abbey to approve staff’s recommendation of Conditional Final Approval for the above-referenced plan. Motion carried.
Mr. Bloom pointed out some issues that PennDOT had regarding this development. If this development was built as originally proposed, improvements would have to be made to the intersection of Forest Avenue and Benner Road. To avoid these improvements, the previously proposed development has been scaled down substantially. There are two other areas near this development that staff has heard rumblings on as far as development. If this development was done as previously suggested, the townships would most likely approach the MPO for a TIP Project to fund improvements at this intersection to manage congestion and safety issues. Any development beyond what Nittany Vista III is doing will cause serious issues.

Vice-Chairman Breon questioned if this would be the obligation of the next developer to make the improvements to that area or is that a threshold?

Mr. Jacobs stated that according to the MPC staff cannot require off-site improvements. This would be considered off-site. There are two other areas that are possibly going to be developed and the one developer would be approached by staff to install a traffic signal and some other improvements. As a staff and as a Planning Commission, developers are going to be asked to pay the freight so to speak as development occurs rather than having these items put on the TIP of the PennDot Project List, because in the future there will be no money to pay for these things.

Mr. Abbey questioned what could be done regarding this issue, other than off-site improvements?

Mr. Breon stated what could be done would only be what was directly abutting the development.

Mr. Jacobs stated that the developer could be asked to contribute.

Mr. Abbey questioned if a traffic study could be requested.

Mr. Burwell stated that PennDOT did a traffic study, and that is why the developer changed the plan.

Mr. Abbey voiced concerns about the location of the water supply and wellhead to the housing units and suggested those concerns be forwarded to the Developer.

Mr. Burwell stated those concerns would be forwarded to the Developer.

A motion was made by Mrs. Persic and second by Mr. Shannon to approve staff’s recommendation of Conditional Final Approval for the above-referenced plan. Motion carried.

4. Kerstetter Estates Subdivision, Phases I, II & III
Preliminary Plan
150-Lots (147-Residential & 3-Stormwater Management)
Walker Township
Mr. Burwell made the standard presentation and recommendation. Discussion ensued.

A motion was made by Mr. Shannon and second by Mrs. Persic to approve staff’s recommendation of Conditional Final Approval for the above-referenced plan. Mr. Abbey opposed due to the concerns regarding the water supply and wellhead protection. Motion carried.

＊ Airport Park Subdivision, Phases 2, 3 & 4
Preliminary Plan
36-Lots (35-Commercial & 1-Open Space/SWM)
Benner Township

Plan continued to be Tabled per developer’s request.

Time Extension Requests:

＊ Thelma G. Flory Subdivision (CFA) File No. 286-04
Union Township.................................................................1st Request (No Fee)

＊ Ricky E. Homan Subdivision, Replot of Lots 4 & 5 into Lots 4R, 5R & 7 (CFA) File No. 297-04
Miles Township.................................................................1st Request (No Fee)
Note: CPA = Conditional Preliminary Plan Approval
CFA = Conditional Final Plan Approval

A motion was made by Mr. Shannon and seconded by Mr. Abbey to approve the above mentioned Time Extension Requests. Motion carried.

8. Director’s Report and Other Matters to come Before the Commission

none

With no further business to come before the Commission, a motion was made by Mr. Shannon and seconded by Mr. Abbey to adjourn. Meeting adjourned at 8:47 p.m.

Respectfully submitted,

Robert B. Jacobs
Recording Secretary

/mlw

These minutes were approved at the April 19, 2005 Planning Commission meeting.