

**COLLEGE TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING MINUTES  
In Person and Via Zoom**



**October 4, 2022 7:00 p.m.**  
**1481 East College Avenue, State College, PA 16801**  
[www.collegetownship.org](http://www.collegetownship.org)

**PRESENT:** Ray Forziat, Chair  
Ed Darrah, Vice Chair  
Peggy Ekdahl, Secretary  
Bill Sharp  
Matthew Fenton  
William McKibbin  
Robert Hoffman  
Noreen Khoury, Alternate

**STAFF PRESENT:** Don Franson, P.E., P.L.S., Township Engineer  
Lindsay Schoch, AICP, Principal Planner  
Mark Gabrovsek, Township Zoning Officer  
Sharon Meyers, Senior Support Specialist – Engineering/Planning

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**CALL TO ORDER:** Mr. Forziat called the meeting to order at 7:01 p.m.

**ZOOM MEETING PROTOCOL:** Mr. Forziat verified there was one Commission member present via Zoom and that she understood the Zoom protocol.

**ROLL CALL:** Mr. Forziat verified the presence of all members.

**OPEN DISCUSSION:** Nothing presented.

**CONSENT AGENDA:** Mr. Darrah requested a change be made to the September 20, 2022 minutes as they were written. He asked that the amount in the staff informatives section be changed from \$1.2 million to \$1.6 million. Ms. Meyers agreed to make the change.

*Mr. McKibbin moved to approve the September 20, 2022 meeting minutes with the discussed modifications. Mr. Fenton seconded. Motion carried unanimously.*

**OLD BUSINESS:** No old business presented.

**NEW BUSINESS:** No new business presented.

**REPORTS:**

**R-1 RFQ Review Committee Update**

Ms. Schoch stated a date has been set, Tuesday, October 25, 2022 for interviewing all three candidates. Beginning at 8:30am on that day, there will be two interviews held in the morning and one interview in the afternoon. Ms. Schoch explained there has been an hour and a half allotted for each interview. Mr. Forziat questioned if a decision will be made that same day or if there will be a separate meeting for the final decision. Ms. Schoch stated there will be a separate meeting, so as to give the attendees a chance to debrief, gather all thoughts and considerations, and make an informed decision. Ms. Schoch then asked if the Planning Commission has any interview questions, they feel free to submit those questions to staff prior to October 25, 2022. Mr. Sharp asked if there would ultimately be a recommendation to Council and they would be the making the final decision. Ms. Schoch verified that, yes Council will make the ultimate decision. Mr. Hoffman asked when the anticipated start date would be. Ms. Schoch stated she would anticipate to have the chosen candidate under contract by the end of the year ideally, and we will hopefully know better at the end of the month.

**OTHER MATTERS:**

**OM-1 Zoning Hearing Board Procedures**

Mr. Forziat explained that the Zoning Hearing Board (ZHB) is a tool for the public to use if they do not agree with the Township Zoning Officers interpretation of an ordinance. He also stated, should the public not be satisfied with the outcome from the ZHB, the next step would be to take the matter to a court. Mr. Forziat then turned the matter over to staff for further explanation.

Ms. Schoch stated that Mr. Gabrovsek is the Township Zoning Officer and the Zoning Hearing Board is to be used in order to obtain relief from an ordinance and/or verify the Zoning Officer's interpretation of an ordinance. Ms. Schoch explained the Zoning Hearing Board will hear requests for variances where it is alleged that the provisions of the zoning ordinance inflict unnecessary hardship upon the applicant, and there are five criteria that will designate a hardship. Ms. Schoch also explained who makes up the Zoning Hearing Board and that there is always a solicitor present during these meetings and that solicitor is not the same as the Township solicitor due to conflict of interest. Ms. Schoch stated, it is a quasi-judicial board, that being said, Council has no say in matters presented to the Zoning Hearing Board. Ms. Schoch stated that Ms. Susan Hetzel, College Township's Senior Support Specialist for the Zoning Department, has put together a thorough description of the process. Ms. Schoch explained that this is a very strict process that has a firm timeline which must be followed.

Mr. Darrah asked what the Township's fee is to go through this process. Ms. Schoch stated the fee is six hundred dollars, however, fees are to be re-evaluated in the future. In order to determine a new fee amount, Township staff will be reviewing average costs generated during recent zoning hearings.

Ms. Schoch explained that the Zoning Hearing Board will hear cases of "special exception". She then explained the difference between a special exception and a conditional use as they are fairly similar. A conditional use is heard by the governing body and a special exception is heard by the Zoning Hearing Board. Mr. Forziat added, the applicant will need to prove the uniqueness of the request. Ms. Schoch confirmed Mr. Forziat's statement and added conditions can be added if need be.

Mr. Forziat stated that, similarly to when a land development plan is presented to the Planning Commission, there is a timeline associated with the Zoning Hearing Board. The timeline is sixty days from the initial request to hold the first hearing.

Mr. Franson explained a difference in language, a waiver is used when a land development plan is presented to Planning Commission and Council. Many people use this same language when presenting to the Zoning Hearing Board. However, there are no waivers in a zoning hearing and no room for interpretation like in the case of a subdivision and land development.

There was some discussion about the process and that all zoning variances are separate incidences, one variance shall not set a precedence for future variances. The Planning Commission also discussed how wetlands can change and the Township does not base its zoning map on wetlands. It was

also discussed that sidewalk waivers are to be discussed at the subdivision and land development stage and will not be heard by the Zoning Hearing Board.

Mr. Fenton asked how many members make up the Zoning Hearing Board. Mr. Gabrovsek stated that the board is made up of five members. Mr. Sharp and Mr. Gabrovsek confirmed, those five members cannot also be members of Township staff or hold current position on any other Township Authorities, Boards, or Committees. Mr. Fenton asked if the five members are appointed. Mr. Gabrovsek stated the process is similar to how members are picked for Planning Commission and the members are appointed by Council. He explained further that many members of the Zoning Hearing Board are past members of other Township Authorities, Boards and Committees, specifically Council and/or Planning Commission.

Ms. Schoch added, should an applicant not be happy with the outcome of the Zoning Hearing Board the next step would be to take the matter to the Court of Common Pleas.

Mr. McKibbin thanked everyone involved for the presentation and information. He also asked where the zoning hearings take place. Mr. Gabrovsek stated in the Zoning Hearing Board meets in the Council Room at the Township Municipal Building.

### **OM-2 Regional Growth Boundary and Sewer Service Area at a Glance**

Mr. Forziat introduced the topic and stated that there is a possibility to change the Regional Growth Boundary (RGB) and Sewer Service Area (SSA), however, it is not an easy process. He then turned the topic over to staff to elaborate.

Ms. Schoch stated that the RGB was developed in order to control growth within the region. The RGB and SSA have developed over time and at this point they cover the same areas in the region, for the most part. Ms. Schoch stated that she has not seen the entire process from beginning to end, as it is a lengthy process. All municipalities in the region must meet and five of the six must be in agreement for the boundary to be changed. Mr. Forziat added the municipalities base their decision on the shared resources and infrastructure, then determine if the area is a viable spot to expand.

Mr. Franson clarified that five of the six municipalities have areas inside and areas outside the RGB. However, State College is the only municipality that is completely within the RGB.

Mr. Sharp questioned if any of Halfmoon Township was within the regional growth boundary. Ms. Schoch offered to retrieve some information from the Centre Region Planner about the area in question.

Ms. Schoch stated much of the land in College Township that is outside of the RGB is zoned as University Planning District (UPD), Forest, or Agriculture, for the most part. She also mentioned that College Township has specific regulations within the ordinances about building outside of the RGB. That being said, should someone want to build outside of the RGB in an agricultural district, for example, the builder would need to build a "country subdivision" or "conservation subdivision". Where the surrounding area and environment is taken into consideration as well as shared infrastructure and shared septic.

The Planning Commission discussed a few areas within the Regional Growth Boundary some within College Township and some outside of the Township.

Mr. Forziat stated the information provided is for the members to be aware and study. He added that the RGB and SSA is reviewed and evaluated periodically. He opined that the review may be coming up in 2023.

**ANNOUNCEMENTS:** Mr. Forziat announced the next meeting will be October 18, 2022 at 7:00 p.m.

**ADJOURNMENT:** *Mr. Hoffman moved to adjourn. Mr. Darrah seconded. Motion carried.*

Meeting adjourned at 7:48 p.m.

*Sharon E. Meyers*

Sharon E. Meyers  
Senior Support Specialist – Engineering/Planning