



**COLLEGE TOWNSHIP COUNCIL
REGULAR MEETING MINUTES
Thursday, September 16, 2021
Hybrid Meeting (In-Person or via Zoom)
1481 E. College Avenue State College PA 16801**

**ATTENDED BY –
COUNCIL:**

L. Eric Bernier, Chair
D. Richard Francke, Council Vice Chair
Carla Stilson
Paul Takac
Anthony Fragola

STAFF:

Adam T. Brumbaugh, Township Manager/Secretary
Don Franson, Engineer
Amy Kerner, Public Works Director
Lindsay Schoch, AICP, Principal Planner
Mark Gabrovsek, Zoning Officer
Mike Bloom, Management Analyst
Jennifer Snyder, Executive Assistant

CALL TO ORDER:

Mr. L. Eric Bernier, Chair, called to order the September 16, 2021, regular meeting of the College Township (CT) Council at 7:04 PM, which followed the Public Hearing for Ordinance O-21-05. Chair Bernier led in the pledge of allegiance.

OPEN DISCUSSION:

Mr. William Brandt, CT resident, offered he continues to collect garbage on a daily basis and witness rule breaking in the Thompson Woods Preserve (TWP). He asked about the progress of the TWP Oversight Committee.

PLANS: P-1 Nittany Casino

Mr. Chad Stafford, Penn Terra Engineering, offered an overview of the Nittany Casino Preliminary/Final Land Development Plan (LDP). The intent of this LDP is to convert the property and building of the former Macy's Department Store, Tax Parcel 19-2B-89A, to the Nittany Casino. The Nittany Mall was previously subdivided into four properties. Lot 2, the former Macy's property, contains 7.274 acres.

Penn Terra Engineering addressed four (4) specific items to conform to the township ordinances; 1) impervious Coverage; 2) parking lot; 3) stormwater control; 4) lack of connectivity.



Mr. Stafford offered that they added landscaping islands, removed sidewalks and pavement in strategic locations on the property to allow for the creation of an additional 9,200 square feet of pervious coverage. Restriping and repainting of parking spaces, added greenspace through landscaping islands, and the addition of thirteen rain gardens address the impervious and stormwater criteria.

Mr. Stafford offered a description of the planned alternative pedestrian routes and connections. A waiver is being requested to not provide the specific 365 linear feet of sidewalk along the Benner Pike but instead provide 215 linear feet of connecting concrete sidewalk, 1,070 additional pedestrian pathways (total of 1,285 linear feet), and twelve ADA Curb Ramps and improvements to connect these pedestrian walkways.

Minimal modifications will be made to the building. A Sally Port will be added to the Benner Pike side of the building and a new canopy will be installed at the main entrance. Ninety-One canopy trees and hundreds of shrubs will be added to comply with the township ordinance. One (1) fire hydrant will be moved and they will be upsizing two (2) sanitary laterals.

Mr. Ed Darrah, Planning Commission (PC) Liaison to Council, offered the concerns of the PC related to safety of the pedestrian walkways were addressed with this revised edition of the LDP.

Mr. Stafford offered the developer engaged in a lighting study. A photometric plan is being created and will be included in the plan set for recording purposes and will comply with the current ordinance.

Council discussed the planting varieties. The approved CT tree list limited the types of trees that could be used. The majority of the trees for wet gardens are not on the approved list. Staff will work with the developer to include a diversity of plantings.

Council discussed the pedestrian walkway on the east side of the building. Bollards in the loading dock area will be placed as a safety measure.

Council discussed the sidewalk waiver. They are comfortable accepting this waiver because of the addition of 1070 linear feet of additional pedestrian pathways, and twelve ADA Curb Ramps and improvements to connect the pedestrian walkways, in exchange for the shortage of 150' linear feet of sidewalk along the Benner Pike. A note on the plan will be added related to the waiver.

Unrelated to the LDP, Council discussed and offered comments related to: 1) maintaining the stripping of the pedestrian walkway and winter maintenance; 2) energy savings/sustainability efforts; 3) parking requirements; 4) CATA routes; and 5) historic traffic studies during peak situations like PSU games.

Ms. Stilson made a motion to approve the Nittany Casino Preliminary/Final Land Development Plan dated July 19, 2021, and last revised September 3, 2021, subject to the following conditions:

- 1. Obtain all required signatures.**
- 2. Pay all outstanding review fees.**



- 3. Fully comply with College Township Code Section 180-12 of the Township Ordinance.**
 - 4. Address, to the satisfaction of the Township Engineer, any outstanding comments, including comments regarding traffic flow, signage, lighting, planting variety, and the bollard at the loading dock.**
 - 5. Post surety in an amount approved by the Township Engineer.**
 - 6. Satisfy any outstanding comments from the College Township Water Authority.**
 - 7. Provide proof of NPDES permitting.**
 - 8. Sign and record DSAME.**
 - 9. Obtain PennDOT HOP**
 - 10. Add a note on the plan indicating the sidewalk waiver to include linear feet totals.**
- Mr. Takac seconded the motion.**
Motion carried

P-2 Stocker Auto Body Shop – Sketch Plan

Mr. Mark Torretti, Penn Terra Engineering, Inc. presented Council with a sketch plan for a proposed Stocker Chevrolet Body Shop located at Tax Parcel 19-2B-13. The site is a 10.9-acre parcel located off the Benner Pike at the intersection with Ellis Place. A 26,000 S.F. body shop is proposed for the Stocker Chevrolet dealership that will include 23 work bays, 2 paint bays, detail and prep areas, parts department, offices, employee break area and customer area. Access will be from Ellis Place. A cross-lot driveway connection to Premiere Drive is proposed as was required in the Premier Theater Land Development Plan (LDP).

A note on the Premier Theater LDP plan stated that a connection to the Benner Pike must be created for the use of lots #1 (hotel) and #2 (movie theatre) when lot #3 (proposed site of Stocker Body Shop) is developed. The intent was to provide interconnects between the lots.

Two main issues that Mr. Torretti is seeking direction from Council is sidewalks and the connection to Premier Drive. Regarding sidewalks, the sketch plan shows a sidewalk connection from the auto body shop to Ellis Place and along the length of Ellis Place. When the front piece of this parcel is developed, sidewalks would be required along the length of Benner Pike.

Mr. Ed Darrah, PC Liaison, offered that the PC reviewed this sketch plan and had concerns with the cross-lot driveway connection to Premier Drive running through a parking lot. He continued that although this will be a private drive connection, once the public discovers this shortcut to Shiloh Road, they would use it. The PC appreciated the sidewalk connectivity.

Mr. Franson, CT Engineer, offered his main concern is perpendicular parking within the cross-lot connection.

Mr. Torretti asked for guidance related to how the Official Map would affect this plan. A discussion of the Official Map will take place later on the agenda.



Council offered clarification that the development of this plan requires sidewalks be installed along Ellis Place and Benner Pike, however they agreed, sidewalks along Ellis Place and connectivity to Premier Drive would be allowable until the development of the lower half of the parcel is completed. Sidewalks along Benner Pike would then be required upon final development of the parcel.

SPECIAL PRESENTATION:

Mr. Ben Eltz, Zoning Hearing Board (ZHB) Chair, offered an annual update to Council. Council appoints the five (5) member ZHB to five (5) year terms. The newest member, Steven Lynch, was recently appointed to replace Mark Argiro, who moved from the Township. Other members include Dan Klees (Vice Chair), Shaun Pardi and George Khoury.

The ZHB has had four (4) hearings in the last 12 months related to signage, side-yard setbacks and an appeal of a Zoning Officer ruling. This appeal was withdrawn before the hearing took place. The ZHB is prepared to do hybrid meetings in the future, due to COVID-19.

Mr. Eltz offered that the ZHB is a quasi-judicial board. They are a stand-alone independent board with their own solicitor. The ZHB hears and listens to both sides of an issue. They listen to the Zoning Officer, representing the Township and listen to the appellant or party asking for a variance from the zoning ordinance before making a ruling. Guidelines from the PA Municipal Code govern their decision making process and the adherence to the current Township Ordinance.

Council thanked Mr. Eltz and all those serving on the ZHB for all that they do.

REPORTS:

a. Manager's Update

Mr. Brumbaugh, Township Manager, presented the Manager's Update, highlighting: 1) construction on the Pike Street Traffic-Calming start delayed to Monday, September 20th; 2) Township Engineer met with residents in the field to discuss traffic flows relative to the Pike Street project; 3) next focus group meeting for the Dale Summit Area Plan will be held September 24, 2021; 4) CT Council approved selection of contractor for Solar Power Purchasing Agreement; and 5) CT Staff and PSU Staff met with Keller Engineer in the field to evaluate location of proposed path to campus. Additionally, PennDOT announced Multimodal Transportation Grant applications are due November 5, 2021.

The Spring Creek Park Master Plan survey is available and ready for feedback. Access to the survey can be found on the Township website.



b. COG Regional, County, Liaisons Reports

Local Traffic Advisory Committee (LTAC): Ms. Stilson reported the LTAC met on September 22, 2021, and reviewed with the Neighborhood Committee their ideas for the Centre Hills Village traffic calming measures. There was a broad range of suggested solutions. LTAC gave their feedback including suggesting a phased approach to remedies.

Climate Action and Sustainability Committee (CASC): Ms. Stilson reported the CASC met on September 13, 2021, and heard a presentation of the Climate Action and Adaptation Plan, and heard a presentation on the transition of refuse contract to Waste Management. There has been some complaints about Waste Management's customer service. Please report these complaints to Shelly Mato at COG.

Public Safety: Mr. Takac reported the Public Safety Committee met in a joint meeting with the Public Safety and Environmental Committee on September 14, 2021, and heard an annual update from the Centre Region Emergency Management Coordinator and heard a presentation on the Climate Action and Adaptation Plan. They also heard Staff updates from the Emergency Management team. They reported the first football game at PSU was relatively uneventful. They are planning for the ESPN GameDay and upcoming games.

Spring Creek Watershed Commission (SCWC): Mr. Takac reported the SCWC met on September 15, 2021, and heard a special presentation "Understanding and Stewarding Water Quality, a Legal Perspective" by Lara Fowler, PS School of Law. They heard an update on the One Water Plan, Atlas Project, and a brief presentation by Jasmine Field, State College Borough, and David Roberts, Sierra Club and Nittany Valley Environmental Coalition. 2021 invoicing to College Township will increase by \$124.10 to \$1,076.20.

Industrial Development Authority (CTIDA): Mr. Fragola reported the CTIDA met on September 15, 2021, and discussed their financial report, reviewed their audit report, reviewed applications for the contractual position of Executive Director and discussed grant funding.

Human Resources Committee: Mr. Fragola reported the Human Resources Committee met in a Special Meeting on September 15, 2021, to discuss the COVID-19 updates relative to mandating vaccinations for COG Staff. Incentives and disincentives were discussed relative to vaccinations.

Facilities Committee: Mr. Francke reported the Facilities Committee met on September 7, 2021, and heard project updates on the Schlow Library HVAC Project, Millbrook Marsh Nature Center Phase 2 Education building, Whitehall Road Regional Park Project, General Forum Room A/V upgrades, Exhaust fans at Park Forest and Welch Pool updates; and COG building lease review. The committee also heard a presentation on the Parks Maintenance Centralized storage-building lease; the proposed final Pools FCA document; fire department space needed; project management overview; governance structure of Parks and Recreation; and facilities committee structure follow up.

Finance Committee: Mr. Francke reported the Finance Committee met on September 9, 2021. They heard an update on the defined benefit pension plan; discussed the 2020 Audit; received a report on the fire department space need; discussed the Parks maintenance facility lease and the



COG Building lease; took action on the 2022 COG Program Plan and Capital Improvement Plan; and reviewed the budget schedule.

Parks Capital Committee: Chair Bernier reported the Parks Capital Committee met on September 9, 2021. He was unable to attend.

Staff/Planning Commission/Other Committee Reports:

Planning Commission (PC): Mr. Ed Darrah, PC Liaison to Council, offered that the PC reviewed the Stocker Body Shop sketch plan.

Mr. Mike Bloom, Management Analyst, offered the Pedestrian Facilities Master Plan comment period is ongoing. To-date the Township has received 214 comments.

CONSENT AGENDA:

CA-1 Minutes, Approval of

- a. September 2, 2021 CT Council Meeting

CA-2 Correspondence, Receipt/Approval of

- a. Email from Daniel Materna, dated September 3, 2021, regarding local feedback of casino
- b. Email from William Brandt, dated September 12, 2021, regarding trash in TWP

CA-3 Action Items; Approval of

- a. 2022 Minimum Municipal Obligation Certification for Township's Retirement Plan

Ms. Stilson made a motion to approve the September 16, 2021.

Mr. Fragola seconded the motion.

Motion carried unanimously.

OLD BUSINESS:

OB-1 Ordinance O-21-05; Changes to multiple sections of the Township Code

A Public Hearing was held prior to the start of this regular CT Council meeting.

Ms. Stilson made a motion to approve Ordinance number O-21-05, which makes corrections to Chapter 109, Fireworks as regulated by NFPA Standards; amends Chapter 145 Planned Residential Development; 180 Subdivision and Land Development; 196 Weeds; 200 Zoning; and consolidates A-203-13 and A203-18 as a result of reference changes in Chapter 177 Streets and Sidewalks.

Mr. Takac seconded the motion.

Motion carried unanimously.



OB-2 Official Map Review

Ms. Lindsay Schoch, AICP, Principal Planner, offered an overview and current considerations related to the Official Map. Section 401 of the PA Municipal Planning Code allows a municipality to adopt an Official Map to illustrate locations of planned future open space, transportation networks, parks, trails, etc. The Official Map shows the municipalities interest in acquiring these locations in the future. The Official Map is also a tool to inform interested parties of the long-term goals of the municipality.

The College Township Official Map was last updated in November of 2015. Council last discussed the Official Map when a developer issued a *Letter of Intent to Develop* related to the development on Squirrel Drive. A *Letter of Intent to Develop* allows township officials 365 days to decide if the property in question remain as originally enacted as part of the ordinance.

Ms. Schoch offered that an Official Map road is located near the proposed Stocker Body Shop, tax parcel 19-2B-13. Ms. Schoch explained that when the lots were originally created for what is now the theater, hotel, Christ Community Church, and the lot proposed for the Stocker Body Shop, two notes were added to the plan. Note 8 stated, “access to Lot 2 (movie theatre) shall be by a 60’ access easement for a private street. The easement shall provide for a shared 24’ wide cartway to lot 2 and for shared access to lot 1 (hotel) and tax parcel 19-2B-05 (now owned by Christ Community Church). The shared access shall remain private and not be offered for dedication to the Township.” Additionally, Note 9 stated, “A private shared access easement agreement shall be executed between the owners of Lots 1, 2, 3 (proposed Stocker Auto Body Shop) and tax parcel 19-2B-05 for access of all lots to Shiloh Road and the Benner Pike. Upon the development of lot 3, access shall be provided for the above lots to the Benner Pike through lot 3. Prior to the construction for the shared access on lot 3 to the Benner Pike, only lots 1, 2 and tax parcel 19-2B-05 shall have use of access to Shiloh Road.”

The Official Map shows a roadway connection from Ellis Place to East Trout Road. Ms. Schoch noted that Official Map roads are conceptual and the location of the lines on the map are not intended to be in that exact location. Council must decide if a private driveway interconnect from the Benner Pike to Shiloh Road meets the intent of the Official Map. Council offered that because of the notes on the plan, a connection must be created to Premier Drive from Lot 3. The designation between a private drive and public roadway was discussed.

Council agreed the requirement for connection in the subdivision plan meets the intent of the official map designation. Council offered that the sketch plan be configured with a more direct cleaner connection between lots.

The Township received another *Letter of Intent to Develop* regarding Tax Parcel 19-2B-94, located on Dreibelbis Road at the property of the hotel currently under construction. The property is approximately seven (7) acres, divided into three (3) condominium lots. Two (2) of the three (3) lots are undeveloped. The letter, dated November 30, 2020, provides the Township 365 days to take action (or not) to either require the property owner to construct the road or the Township acquire the right-of-way for construction of a public road. Action is required on or before Tuesday, November 30, 2021.



The Land Development Plan for the Dreibelbis Hotel shows a driveway connection from Stocker Drive to the Sam's Club Access Road. This proposed route differs from the Official Map. Council is asked to determine if this proposed connection is sufficient to meet the intent of the Official Map designation.

Council agreed that the proposed connection on the Land Development Plan from Stocker Drive to the driveway connection at Sam's Club meets the intent of the Official Map. They asked that a driveway connection, off the proposed connection, be added to the LDP for future development of the property adjacent to the hotel.

NEW BUSINESS:

NB-1 Dale Summit Area Plan Update

Ms. Lindsay Schoch, AICP, Principal Planner, offered the Dale Summit Area Plan Citizen's Advisory Committee (CAC) will meet on Friday, September 24, 2021. At the October 7, 2021, CT Council Meeting, a draft of the Area Plan will be presented to Council.

Ms. Schoch offered that a Community Input survey seeking feedback on the proposed Dale Summit Area Plan, specifically focusing on the Goal, Objectives, Implementation Strategies and overall proposed direction for the future of the Dale Summit will be launched. Council will have the chance to add comments and input to the survey at the October 7, 2021, CT Council Meeting. After the 45-60 day public input period, Staff would like to follow-up with a Joint Council/Planning Commission meeting to review the Draft Area Plan as revised to reflect the community input.

NB-2 Expanded Air Routes for SCE

Mr. Brumbaugh, Township Manager, offered that Council discussed, at their September 2, 2021, meeting, an email received from Centre County Commissioners related to a request to participate with the County to assist the Centre County Airport Authority (Airport Authority) in negotiating with American Airlines for expanded services from State College to Charlotte, NC. The consensus of Council at that meeting was to participate with the County.

The Township Manager and the Finance Director reviewed the 2021 budget and offered that any contribution to the Airport Authority for Economic Development Contributions could come from the Capital Reserve Funds targeted for *Economic Development Initiatives*. \$11,000 was budgeted in this fund and reserved for Economic Development.

Mr. Francke made a motion to approve \$10,000 from the 2021 Capital Reserve Funds for assistance to the Centre County Airport Authority in negotiating expanded air routes with American Airlines between State College and Charlotte, NC and authorize the Township Manager to execute the transfer of said funds to the County and/or Airport Authority as required. Mr. Fragola seconded the motion.



Council discussed the merits of having a Capital Reserve Fund for projects such as this. Council discussed if American Rescue Plan Act (ARPA) funds could be used for their contribution to the Airport Authority. The final ruling for use of ARPA funds have not been released so Staff would like to wait to allocate any of ARPA funds until the final regulations are released.

Motion carried unanimously.

STAFF INFORMATIVES:

No *Staff Informatives* were brought forward for discussion.

OTHER MATTERS:

No *Other Matters* were brought forward for discussion.

ADJOURNMENT:

**Mr. Francke moved to adjourn the September 16, 2021,
Regular College Township Council Meeting.
Chair seconded the motion.
Motion carried unanimously.**

Chair Bernier adjourned the September 16, 2021, Regular College Township Council Meeting at 10:29 PM.

Respectfully Submitted By,

Adam T. Brumbaugh

Adam T. Brumbaugh
Township Secretary/Manager