



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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BOARD OF SUPERVISORS

BOARD MEETING ROOM
PATTON TOWNSHIP MUNICIPAL BUILDING

April 28, 2021 5:00 PM

***** AGENDA UPDATED *****

Updates Include: New Item – Item 2A Endorse COG statement on Diversity, Equity and Inclusion; Item 4a – Police Chief's recommendation included; Item 6b – revised recommendation included; Item 6c – add'l attachments included; New Item – Item 8d2 AAPI Heritage Month Proclamation; New Item – Item 9a.2 Supplement Correspondence; Item 10 – 3 add'l committee reports included

PLEASE NOTE: This meeting will be conducted via ZOOM only

The Public is welcome to attend via Zoom, but may also provide comments prior to the meeting by email patton@twp.patton.pa.us or phone 814-234-0271 (ask for the Manager)

The meeting will be broadcast live on C-NET (Comcast Ch 7) and live-streamed at <https://www.youtube.com/user/CNetCentreCounty/live>

Join Zoom Meeting Information: <https://us02web.zoom.us/j/85246615264>
or Dial-up: 929-205-6099 Meeting ID: 852 4661 5264

- If you are not a Board member or a Patton Township staff member we request that you turn off your video. If you are an applicant or presenter please wait to be recognized by the Chair or Manager to turn on your video and speak.
- If you are a member of the public and would like to provide comments during Item 2; Public Comments or on a particular agenda item, please use the "raise hand" feature of the Zoom application. Please wait for the Chair to indicate that it is your opportunity to speak. Public comments will be limited to five minutes per person per item.

To receive Board agendas via email, please email a request to patton@twp.patton.pa.us
Meetings can be live-streamed at <https://www.youtube.com/user/CNetCentreCounty/live>

1. CALL TO ORDER

The Chair will call the meeting to order.

Please see attachment “Item 1, Meeting Conduct Policy”, for guidance on meeting decorum.

2. PUBLIC COMMENTS

Residents may address the Board on issues of interest to the Township. Comments related to specific agenda items should be deferred until that point in the meeting.

If you are a member of the public and would like to provide comments during Item 2, Public Comments, please use the “raise hand” feature of the Zoom application. Please wait for the Chair to indicate that it is your opportunity to speak. Public comments will be limited to five minutes per person.

2A. STATEMENT ON DIVERSITY, EQUITY, AND INCLUSION – NEW ITEM

Responding to vandalism at the Martin Luther King, Jr. mural in downtown State College, the Centre Region Council of Governments (COG) has issued a joint statement to “encourage the municipalities of the Centre Region and the leadership of the Centre Region COG to collaborate to support diversity, equity and inclusion efforts to build a stronger Centre Region.”

The agenda materials include the COG statement approved April 26th and information supplied by the PA Attorney General “Combating Hate Crime; A Resource Guide.”

The Chair suggests the Board take action to endorse the COG statement and pledge support for community efforts to support diversity, equity, and inclusion.

3. PRESENTATIONS / PUBLIC HEARINGS

a. Library Board Update

The Patton Township representatives to the Schlow Regional Library Board of Trustees, Dr. Linda Trevino and Judge Casey McClain, will present an update on activities at the Library. The new Executive Director, Lisa Rives Collens, will also be in attendance.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)**b. Public Hearing for Proposed Rezoning: 101 Hawbaker Industrial Drive, I-1 to C-1**

The owner of this parcel has requested a change of zoning from [Industrial](#) (I-1) to [General Commercial](#) (C-1). The zoning regulations for each district can be accessed through the hyperlink or found in [Chapter 175](#), Zoning of the Code of Patton Township. This item was referred to the Planning Commission by the Board of Supervisors at its January 27, 2021 meeting. This item was introduced to the Planning Commission (PC) at the February 1 meeting. Conversation at the February PC meeting centered around potential traffic increases with C-1 uses and access to North Atherton Street. Any facility on this parcel must utilize Hawbaker Industrial Drive as the access point. Traffic impacts were analyzed using a fast food restaurant as a potential high-traffic use on the site. Peak trips per hour were calculated using figures from Taco Bell and Chick-Fil-A located along North Atherton Street in the Township.

The Planning Commission has recommended approval of the request on a 5-2 vote.

A Meeting Notice was mailed to residences in the vicinity.

The agenda materials include a location map, the rezoning request letter from Rodney Hendricks, 101 Hawbaker Industrial Drive rezoning calculations package, the Patton Township Zoning Map with street names, and comment letters from the Centre Regional Planning Commission, the County Planning Office, and College Township.

1) Public Hearing

The Public Hearing for proposed Ordinance 2021-616 to Rezone Tax Parcel 18-009-,219 from I-1 (Industrial) To C-1 (General Commercial) has been advertised for this meeting. The Board should convene the Public Hearing and receive comments from the public regarding the proposed amendment to the zoning map. The proposed ordinance is included with the agenda materials.

2) Action Consideration

After the Public Hearing is closed, the Board should consider action on proposed Ordinance 2021-616 to Rezone Tax Parcel 18-009-,219 from I-1 (Industrial) To C-1 (General Commercial) or identify revisions or further information needed before further consideration. Substantive revisions will require re-advertisement and a new Public Hearing.

3. PRESENTATIONS / PUBLIC HEARINGS (Continued)**c. Public Hearing for Proposed Amendment to Subdivision Regulations:
Requiring Digital Plan Submission**

The Planning Commission reviewed a staff recommendation to revise Chapter 153, Subdivision and Land Development Ordinance (SALDO), to require plans to be digitally submitted in PDF format in addition to the current paper submissions. [Article II](#) of Chapter 153 includes current submission requirements.

The Planning Commission has recommended approval of the change.

The agenda materials include comment letters from the Centre Regional Planning Commission and the County Planning Office.

1) Public Hearing

The Public Hearing for proposed Ordinance 2021-614 to Add Portable Data File (PDF) Submission requirements for Land Development Plans to Chapter 153 – Subdivision and Land Development has been advertised for this meeting. The Board should convene the Public Hearing and receive comments from the public regarding the proposed amendment to Chapter 153. The proposed ordinance is included with the agenda materials.

2) Action Consideration

After the Public Hearing is closed, the Board should consider action on proposed Ordinance 2021-614 to Add Portable Data File (PDF) Submission requirements for Land Development Plans to Chapter 153 – Subdivision and Land Development or identify revisions or further information needed before further consideration. Substantive revisions will require re-advertisement and a new Public Hearing.

4. PUBLIC SAFETY**a. Use of Deadly Force Policy – attachments included**

As a part of the national conversation regarding policing, the Board of Supervisors began engaging in June 2020 with the Township's Police Department and Township residents to review and discuss various aspects of police operations. At the April 14, 2021, the Board received presentations of prior information that had been provided on the "Use of Deadly Force by Police" including:

- Pennsylvania Law on Use of Deadly Force from the PA Crimes Code
- Current Township Police Department Policy on Use of Deadly Force
- Proposed model policy, developed by resident Ben Jones

A proposal for changes to be made to the Department's policy on Use of Deadly Force has been prepared by the Chief of Police, Tyler Jolley, and was provided in a supplemental distribution on April 27th. The agenda materials also includes a Summary of the Recommended Changes as Item 4a.2

For this item the Board members should

- Review the materials provided with the agenda
- Receive a presentation from Chief Jolley on the proposed policy
- Receive comments from Dr. Jones on the proposed policy
- Solicit public input
- Identify any further information desired or needed from the presenters, the Manager, or the Solicitor to prepare for the next steps in the process as outlined below.

The tentative schedule for this matter is:

- | | |
|------------------|--|
| May 3 – 14 | Collect public input through social media and listening sessions |
| May 26 | Review public input; review any changes to model policy or Chief's proposal; Board discussion to formulate draft policy or identify any further information needed |
| May 31 – June 11 | Review Board's draft policy with POA and others as needed |
| June 16 | Board review of draft policy resolution with potential to adopt. |

5. PUBLIC WORKS**a. Spring Road Report**

A copy of the Township Engineer's Spring 2021 Road Report is included with the agenda materials and provides recommendations for the 2021 road maintenance program. Major items expected to be scheduled include:

TABLE 1. 2021 TENTATIVE ROAD RESURFACING WORK PROGRAM

STREET	FROM	TO	RATING	LENGTH (ft)	WORK TYPE
Toftrees Ave.	Station Driveway	Fox Hollow Rd.	85	3,540	Overlay
Highland Drive	Sierra Ln.	Briarwood Ln.	77	1,000	Overlay/ Curbing
Cricklewood Dr.	Wilts Ln.	Ale House	84	1,850	Overlay
Devonshire Dr.	Valley Vista Dr.	Brittany Dr.	83	1,800	Overlay
Gray's Woods Dr.	Scotia Road	Pin Oak Rd.	79	1,890	Overlay
West Shadow Ln.	Circleville Rd.	End	77	1,580	Overlay/ Curbing

Total Length (ft) 11,660

Attached to the report is a spreadsheet that includes all road segments in the Township and their numerical condition rating. A lower rating is an indication of a road that is in a better condition.

The Board should consider action to accept the report and authorize bidding for the recommended improvements.

b. Code Amendment: Exemption to Community On-Lot Sewage Disposal System Requirements

The State Department of Environmental Protection (DEP) is requiring that the proposed septic system for the Abington Equine Hospital, to be located on State Route 550, which would serve two non-residential buildings (the hospital building and the existing barn) to be classified as a Community On-Lot Disposal System (COLDS). In Patton Township COLDS are expected to serve multiple residential units, not uses such as the Equine Hospital has proposed, and they are intended to be constructed to "public sewer" standards. This would require significant and, in Staff's opinion, completely unnecessary costs.

5. PUBLIC WORKS (Continued)**b. Code Amendment: Request for Exemption to Community On-Lot Sewage Disposal System Requirements (Continued)**

As noted at the March 24th Board meeting, the owner of Abington Equine Hospital requested that the Board consider a change to the Code of Patton Township “to exempt an on-lot sewage disposal system that serves two or three non-residential structures, with a combined estimated sewage generation that is less than 2 equivalent dwelling units (EDUs), from the requirements found under Article V (Community On-Lot Sewage Disposal Systems) of Chapter 136 ...” The requested change would permit the septic system to be constructed as proposed on the approved Land Development Plan.

A draft ordinance has been prepared and advertised to enact the requested change and is included with the agenda materials.

For this item the Board should:

- Review the provided materials
- Receive a brief introduction from the Manager
- Solicit additional information if needed and ask for public input
- Following a motion and second, discuss the matter and consider action to adopt Ordinance 2021-615 to Add an Exemption to Chapter 136 for Community On-Lot Disposal Systems

6. PLANNING & ZONING**a. Rezoning Request: 474 and 480 Douglas Drive**

A partner in the ownership group for these properties has submitted a request to the Board to change the zoning from [Low Density Residence](#) (R-2) to [General Commercial](#) (C-1). The zoning regulations for each district can be accessed through the hyperlink or be found in [Chapter 175](#), Zoning, of the Code of Patton Township. The request email is included with the agenda materials along with a location map for the property.

6. PLANNING & ZONING (Continued)**a. Rezoning Request: 474 and 480 Douglas Drive (Continued)**

In broad general terms, a commercial zoning would greatly change the character of the properties and the permitted uses.

The location map also illustrates the zoning in the area of the subject property including:

- Residential (R-2) south along Douglas Drive and west along the southern side of Atherton Street (mostly undeveloped)
- Industrial (I-1) north along Hawbaker Ind. Drive and west along the northern side of Atherton Street
- Commercial (C-1) east along both sides of Atherton Street

On March 10th Board referred the matter to the Planning Commission along with suggestions to consider other zoning districts that maybe appropriate, such as the [Office Buffer District](#) (OBD) and to take a larger view with a vision for the future.

The Planning Commission reviewed the request at their April 5th meeting along with a prior request from 2006 to re-zone this property and 3 adjacent properties along Atherton Street. A report on the 2006 rezoning request is included with the agenda materials. That request was denied by the Board of Supervisor; the minutes of the March 22, 2006 Board meeting are also enclosed.

The Planning Commission recommends making no change to the current zoning for these properties.

The agenda materials also include comments received from the public on the re-zoning request.

For this item the Board members should:

- Review the materials provided with the agenda
- Receive a brief introduction by the Manager
- Receive comments from the owner
- Solicit additional information from the owner and/or staff
- Solicit public input

6. PLANNING & ZONING (Continued)**a. Rezoning Request - New: 474 and 480 Douglas Drive (Continued)**

The Board has the following options at this point in the process:

- Determine if any additional information is required prior to taking further action,
- Deny the request by direct action
- Deny the request by taking no action
- Move the request forward, and direct staff to prepare a draft ordinance to re-zone for a Public Hearing and further consideration at a future meeting.

b. Preliminary/Final Land Development Plan; Penn Highland Micro-Hospital and Medical Office Building – revised recommendation included

Penn Highlands Healthcare is proposing a three-story micro-hospital (82,409 SF) and a two-story medical office building (32,591 SF) in the Patton Towne Center Development located in the Planned Commercial District (C-2) at the intersection of Colonnade Blvd. and Waddle Rd. A portion of this property is within the I-99 Overlay.

This is a revision to the previously approved Patton Towne Center Development and will complete the buildout of the 16.26-acre site. Parking areas will be shared with the existing Cracker Barrel and Sheetz. Appropriate parking and utilities for all business on the site will be maintained during construction activities.

There will be no change to access to the site. A new traffic signal will be installed at the entrance. The traffic study has been revised for the proposed new uses.

The Planning Commission reviewed the plan at their April 5th meeting and recommended conditional approval pending the following items:

- a. Completion of all items noted on each comment letter provided by staff
- b. Installation of a pedestrian connection between this site and the adjacent Kohl's parcel.
- c. Completion of comments provided for the Traffic Impact Statement (TIS) including funding of all mitigations outlined in Comment 27 of the Trans Associates review of the TIS.

6. PLANNING & ZONING (Continued)**b. Preliminary/Final Land Development Plan; Penn Highland Micro-Hospital and Medical Office Building – revised recommendation included (Continued)**

Related to Comment 27 of the TIS review, Penn Highland has proposed providing and installing the signal equipment listed below. This is acceptable to staff in that it provides the essential equipment needed for signal coordination on the corridor.

Staff recommends this item also be included in the conditional approval motion for the plan:

d. In response to Comment 27 of the Trans Associates review of the TIS the applicant will add a note to the plan stating:

The following equipment will be supplied and installed to upgrade the coordinated signal system on Colonnade Boulevard:

<u>Colonnade/Kohl's signal</u>		<u>Colonnade/Colonnade signal</u>	
<u>Item</u>	<u>Qty</u>	<u>Item</u>	<u>Qty</u>
Cobalt Controller	1	Cobalt controller	1
Conflict Monitor	1	Conflict monitor	1
Ethernet Switch	1	Ethernet switch	1
Connectivity (Misc.)	1	Connectivity (Misc.)	1
Radar units	4	Radar units	3
UPS (Battery backup)	1	UPS (Battery backup)	1

And Fiber to PennDOT network -- 900 lineal feet

For this item the Board members should:

- Review the provided materials
- Receive a brief introduction by the Planner
- Receive a brief presentation from the developer's project design team
- Solicit public input
- Following a motion and second, discuss the matter and consider action to conditionally approve the Plan.

The agenda materials include a location map, staff plan review comments, Alpha Fire Company and COG Refuse and Recycling comments, response letter to the Trans Associates TIS review comments, renderings of the proposed building, and the land development plans.

6. PLANNING & ZONING (Continued)**c. Special Event Noise Waiver and Temporary Use Permit; Ashcraft American Historic Racing Motorcycle Association (ARHMA) – additional attachments included**

The Noise Waiver and Temporary Use Permit were both approved by the Board for this event last year (see 6/17/2020 agenda/minutes.) The approved Noise Waiver was effective from 8 am to 9 pm. The Township received no noise complaints last year.

The sponsors, the Ashcraft family, intend to hold the same event again this year and request approval from the Board.

The following items are included with the agenda:

- Location Map
- Request from Lisa Ashcraft
- Documents expected by meeting date
 - Comments from COG Emergency Management Coordinator, Alpha Fire and SCB Health Department
 - Noise Waiver

For this item the Board should:

1. Receive a brief presentation from Manager on the proposed event
2. Provide questions/comments to the applicant and/or staff
3. Request public comments/questions
4. Following a motion and second, discuss the proposed event, and consider action to approve the waiver and event, or identify additional information required prior to taking action.

7. ADMINISTRATION

a. COVID 19 – Local Regulations Update

The Pennsylvania Department of Health (DOH) published updated orders on April 1st, relaxing many of the pandemic restrictions that were put in place in 2020. The DOH orders can be found at: (scroll down to “Orders and Advisories”) <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Fact-Sheets.aspx>

Patton Township initially approved local pandemic regulations in August 2020, and last updated them in late January 2021. (see enclosed Item 7b.1) The latest changes from DOH have significantly revised the limits on many elements of Sections 3 through 5 in our local ordinance.

At the April 14th meeting the Manager suggested and the Board agreed that following the approach recently adopted by College Township to amend our local regulations by deferring to the DOH limits in many cases made the best sense. In areas where the DOH regulations are silent, such as gatherings at homes and in public parks, College Township has increased the outdoor gathering size limit to 100 people. A red-line of the draft ordinance is included with the agenda materials.

For this item the Board should:

- Review the draft ordinance included with the agenda materials
- Receive a brief introduction from the Manager
- Solicit additional information if needed and ask for public input
- Following a motion and second, discuss the matter and consider action to adopt Ordinance 2021-617 to supersede Ordinance 2021-613.

8. CONSENT AGENDA – includes New Item -- 8d2

The items included below are routine in nature and it is not anticipated that any will generate discussion or questions. The actual Consent Agenda with a brief description of each item is included with the agenda packet materials distributed to the Board and available to the public on-line and at the sign-in table. At the request of any Board member, any single item or all items on the Consent Agenda can be discussed and voted on separately. If no items are “pulled,” the Board should consider a motion for “approval of the Consent Agenda items as shown on the agenda.”

a. Public Safety – no items**b. Public Works**

- 1) Sewage Planning Module Resolution; Abington Equine Hospital
- 2) Operation & Maintenance Agreement for Community On Lot System; Abington Equine Hospital
- 3) Resolution to Approve Traffic Signal Maintenance Agreement with PennDOT

c. Planning & Zoning – no items**d. Administration**

- 1) Minutes: April 14, 2021
- 2) **NEW ITEM** -- Proclamation for Asian-American and Pacific Islander (AAPI) Heritage Month

9. MANAGER'S REPORT

The Manager will report on current matters, including

- a. Correspondence (enclosed)
 - a. No County LFT grant
 - b. West Nile Virus Update from County
 - c. 2019 & 2020 DEP review of UAJA Annual Wasteload Management Report Supplemental Correspondence (enclosed as 9a.2)
 - d. AAPI Heritage month programming
 - e. Response to Local Use of Radar Resolution
- b. [Bells Across PA](#), May 2, recognizing first responders and others who have enabled Pennsylvania to prevail against the pandemic.
- c. Project updates
 - a. Waddle Road Extension grant to Toftrees developers
 - b. Patton Crossing grant to Township
- d. Upcoming Events
 - [1] Township Office Schedule
 - May 31 – Memorial Day, Office Closed
 - July 5 – Independence Day (Observed), Office Closed
 - [2] April 30-May 1 Household Hazardous Waste collection
 - [3] May 18 – Municipal Primary Election

10. COMMITTEE REPORTS

Board members should report on the meeting(s) of the COG and other committee(s) on which they serve, including:

- a. Council of Governments Committees (Committee agendas can be downloaded by clicking the highlighted link)

[Climate Action & Sustainability](#), April 12 (report included with Update)

Committee Representation
Community Forum on Climate Planning
Update by the Solar Power Purchase Agreement Working Group
Technical Advisory Group for CAAP Implementation
Draft Mission Statement

[Exec](#), April 20

COG Meeting Etiquette
Motion Clarification Process
Approval Of General Forumagenda Items
Resolution 2021-4 To Designate May As Bike Month
Budget Amendment –A/V System
COVID-19 Leave Replacement
Appointment of COG Solicitor Discussion
Communications Procedure To Outside Entities

Future meetings

Transportation and Land Use, May 4, June 7, July 12, Aug 2, Sept 13, Oct 4, Nov 1, Dec 6
Facilities, May 4, June 1, July 6, Aug 3, Sept 7, Oct 5, Nov 2, Dec 7
Human Resources, May 5, June 2, July 7, Aug 4, Sept 1, Oct 6, Nov 3, Dec 1
Public Services & Environmental, May 6, June 3, July 1, Aug 5, Sept 2, Oct 7, Nov 4, Dec 2
Climate Action & Sustainability, May 10, June 14, July 13, Aug 9, Sept 14, Oct 11, Nov 8, Dec 13
Public Safety, May 11, June 8, July 13, Aug 10, Sept 14, Oct 12, Nov 9, Dec 14
Finance, May 13, June 10, July 8, Aug 12, Sept 9, Oct 14, Nov 18, Dec 9
Parks Capital, May 13, July 8, Sept 9,
Exec, May 18, June 22, July 20, Aug 17, Sept 21, Oct 19, Nov 18, Dec 15

- b. Patton Township Housing Task Force, April 20 (report enclosed)
- c. State College Borough Water Authority (3rd Thursday) (report included with Update)
- d. Centre Area Cable Consortium, as needed – Trevino (did not meet)
- e. Spring Creek Watershed Commission, _____ - Mason

- f. Centre County Metropolitan Planning Org., April 27 – Robb, Abrams Alt.
- g. Centre County Airport Authority, (4th Thursday) (report included with Update)

11. OTHER BUSINESS

12. ADJOURN

13. (reserved)

14. FOR YOUR INFORMATION

In memorium – [Joe Tanfani](#), 1937-2021 – member of the 2014 Open Space Task Force

Materials Included with agenda:

1. Letter to the editor on Local Use of Radar
2. Broadband Survey – hard copy enclosed – web link in box below.
3. Household Hazardous Waste Collection Flyer – [Pre-registration Required](#)
- 4.

How is Your Internet Service?

We Need Your Input.

Patton Township is surveying residents to evaluate the performance of internet services. All information collected by the survey will be used only for this purpose.

The survey can be found at:

<https://www.surveymonkey.com/r/PTBroadband>

Upcoming Meetings:

Wed., May 12 Board of Supervisors

Mon., May 24 General Forum (June 28, July 26, Aug 23, Sept 27, Oct 25, Nov 22, Dec 21)

Wed., May 26 Board of Supervisors

14. FOR YOUR INFORMATION (Continued)

Items to be Scheduled - as prioritized on Jan 4, 2021

- Open Space preservation options (October 2018)
- Regulating Special Events on Public Property (Sept 2017)
- Sustainability Resolution (August 2018)
- Authorities dissolution (December 2018)
- Home Occupations – potential change by Ordinance (Dec 2017)
- Stargazing Permits (Feb 2020)