

FERGUSON TOWNSHIP ZONING HEARING BOARD

Special Meeting

Tuesday, February 20, 2018

7:00 pm

I. ATTENDANCE

The Zoning Hearing Board held a special meeting on Tuesday, February 20, 2018 at the Centre Region Council of Governments Forum Room. In attendance were:

Board:

Michael Twomley—Chairman
Karen English—Vice Chair, absent
Michael MacNeely—Secretary
Swamy Anantheswaran
Susan Buda
Marc Friedenberg—Alternate
Irene Miller—Alternate

Staff:

Jeffery Ressler, Zoning Administrator
Jeff Stover, ZHB Solicitor

Others in attendance included: Marcella Bell, Recording Secretary; Ray Stolinas, Planning & Zoning Director; Joe Green, Township Solicitor; Dwight Ferguson, Circleville Road Partners L.P.; Charles Suhr, Residential Housing Development, LLC; Michael Pratt; Keller Engineers

II. CIRCLEVILLE ROAD PARTNERS, L.P. – VALIDITY CHALLENGE CONTINUANCE

Mr. Twomley stated that at the last hearing, it was decided that the Zoning Hearing Board would meet to hear the last part of the testimonies. Mr. Twomley reminded everyone that the Zoning Hearing Board set aside an hour to wrap up the testimonies and he would like to adhere to the schedule. He then turned the floor over to Attorney Green.

Attorney Green stated that he has a few exhibits and one witness for the Zoning Hearing Board. After the proceeding, the schedule of legal memorandums, briefs, and filings will be discussed.

Attorney Green presented the Zoning Hearing Board with a few exhibits: a list of attendees that attended the Pine Hall Charrette on February 2, 2017, the Pine Hall Charrette worksession summary, correspondence from the previous attorney of Circleville Road Partners, L.P., the Centre Daily Times advertisement for the Pine Hall Charrette, and email correspondence between previous Township Manager Mark Kunkle and representatives of Circleville Road Partners L.P. regarding attendance for the Pine Hall Charrette. Attorney Green called his first witness, Mr. Ray Stolinas, Ferguson Township Director of Planning and Zoning. Mr. Stolinas testified to matters regarding the TTD text amendment; the history of the TTD text amendment; the Pine Hall project; the Turnberry project; correspondence from Kevin McKeegan associated with Circleville Road Partners L.P.; the modification process in the previous TTD Ordinance as well as the current modification process; the timeline of the TTD text amendment; and the Pine Hall Charrette process, worksession summary, and attendee list.


Attorney Ferguson presented the Zoning Hearing Board with exhibit 14, a letter to the Zoning Hearing Board regarding the other Circleville Road Partnerships that are associated with the appellant, Circleville Road Partners, L.P. Attorney Ferguson then cross-examined Mr. Stolinas. Afterwards, Attorney Suhr gave his follow-up examination of Mr. Stolinas' testimony. Attorney Ferguson then re-examined Mr. Stolinas.

Attorney Ferguson stated that the attorneys should submit errata sheets within a week to the court reporter regarding mistakes in the previous transcripts. The attorneys will submit briefs to the Zoning Hearing Board within 30 days of receiving tonight's hearing transcript. Attorneys will have 20 days to reply to the briefs. The attorneys will then have 10 days after that to do any further briefing. It was clarified that the time clock will not start until all of the attorneys have received the transcript. The Zoning Hearing Board will meet after the last 10 days to discuss and make a decision at a public hearing.

III. ADJOURNMENT

With no further business to come before the Zoning Hearing Board the February 20, 2018 meeting adjourned at 7:55 p.m.

RESPECTFULLY SUBMITTED,



Michael MacNeely, Secretary
For the Zoning Hearing Board

Date approved by the Board: 3/27/18