Development of Regional Impact Report

For the Proposed Rezoning of a Portion of Centre County Tax Parcel 19-004-078
501 Struble Road, College Township
to the General Industrial Zoning District
Maxwell

Prepared as Required by the
Centre Region Growth Boundary and Sewer Service Area
Implementation Agreement

By PennTerra Engineering, Inc.
Suite 100
3075 Enterprise Drive
State College, PA 16801

Friday, December 9, 2022
DEVELOPMENT OF REGIONAL IMPACT REPORT

FOR THE PROPOSED REZONING OF A PORTION OF CENTRE COUNTY TAX PARCEL 19-004-78
501 STRUBLE ROAD, COLLEGE TOWNSHIP
TO THE GENERAL INDUSTRIAL ZONING DISTRICT

FOR MAXWELL TRUCKING AND EXCAVATING
1705 EAST TROUT ROAD
STATE COLLEGE, PENNSYLVANIA 16801

PREPARED AS REQUIRED BY THE
CENTRE REGION GROWTH BOUNDARY AND SEWER SERVICE AREA
IMPLEMENTATION AGREEMENT

BY PENNTERRA ENGINEERING, INC.
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FRIDAY, DECEMBER 9, 2022
THE PROPOSAL

Maxwell Trucking and Excavating, or MTE, is a firm located at 455 Struble Road (Centre Co. Tax ID No. 19-004-78B) in College Township’s General Industrial Zoning District and within the Regional Growth Boundary and Sewer Service Area (RGB/SSA). Maxwell Trucking and Excavating (MTE) provides a variety of mechanical, excavation, demolition, renovation, paving, streetscaping, and utility installation and design services. MTE has projects ranging in size from $5,000 up to $3 million throughout Central Pennsylvania. MTE was established in 1989 and currently has 55 employees. They store a vast array of heavy equipment and inventory at their site on Struble Road.

As MTE has evolved, it requires more space to store its equipment and especially its inventory, both under roof and outside. Without a new storage building and parking area, Edward Maxwell, MTE’s owner, reports that they cannot fit in their current location. Unfortunately, there is no room to build a badly needed storage building or parking lot on their current parcel at 455 Struble Road (Centre Co. Tax ID No. 19-004-78B). Mr. Maxwell owns an adjacent 31.76-acre parcel at 501 Struble Road (Centre Co. Tax ID No. 19-004-78) that contains his family farmstead, which is no longer farmed. Mr. Maxwell would like to build a new storage building and parking lot on the closest possible portion of this adjacent parcel. However, 501 Struble Road lies in College Township’s Forest Zoning District, which does not permit industrial uses (see Appendix A for a list of permitted uses). Thus, Mr. Maxwell seeks to change this zoning on a roughly three-acre portion of the 31.76-acre parcel closest to his business to General Industrial so that he might build the storage building and parking there. The rezoning request is this size because of a power line easement that prohibits construction on a 50 ft. wide strip of 501 Struble Road closest to the business at 455 Struble Road. The power line is visible in the distance of the photograph to the left.

Figure 1: Looking northeast across the area to be rezoned from the southernmost corner.
The roughly three-acre portion of 501 Struble Road for which Mr. Maxwell seeks a zoning change, however, lies outside of the Regional Growth Boundary/Sewer Service Area (RGB/SSA). The border of the RGB/SSA runs between the two parcels at 455 and 501 Struble Road as shown in the following maps. Although Mr. Maxwell would accept the extension of public sewer service to the area proposed for rezoning, it is not necessary for the construction of a storage building and parking.

Figure 2: Location of rezoning request
Because College Township's General Industrial Zoning District permits densities greater than one equivalent dwelling unit (EDU) per acre, however, Section V of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement presumes that the requested zoning change is a Development of Regional Impact (DRI). Thus, this DRI report is required prior to College Township’s consideration of the requested rezoning.

The storage building and parking will not have a “substantial impact upon the health, safety, or welfare of citizens in more than one Centre Region municipality,” and will not impact the University Area Joint Authority. Although it qualifies as a Development of Regional Impact, we believe that it qualifies for the “Limited Review Process” described at Section V, subpart 3 of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement.

Note that the roughly three-acre portion of Mr. Maxwell’s farmstead at 501 Struble Road that is proposed for a zoning change is surrounded on two sides by properties that are zoned General Industrial and lie within the RGB/SSA. The remainder of the Maxwell farmstead at 501 Struble Road lies on the third side. A roughly 125 ft. by 500 ft. strip of land is proposed to be left in College Township’s Forest Zoning District on the fourth side, serving as an extension of the existing strip and as a buffer between the new storage and the Mount Nittany Terrace residential neighborhood.

Daily construction, repair, and maintenance activities at Maxwell Trucking and Excavating require that all equipment and inventory be stored at the same business
location. Thus, building the new storage building and parking on another parcel in a distant location is not practically feasible. Likewise, a multi-story storage building on the 455 Struble Road property is not practically feasible due to the size and weight of the involved equipment.

When considering any rezoning, policy makers consider the impacts that the proposed project will have on its community. Even though all that MTE proposes here is a storage shed and a parking area, this report must also address any other activity permitted in College Township’s General Industrial Zone (see Appendix B). Because public sewer service is not proposed to be extended to the site, however, these activities could only be established there to the extent that their sewage could be treated on site. On September 21, 2022, Mr. Maxwell had the Centre Region Code Administration test eight locations on 501 Struble Road (Centre Co. Tax ID No. 19-004-78) for suitability to host an on lot septic system. Only two of these locations were found suitable for further percolation testing. Given that the existing house would need one of these two locations for a backup site, there is not a backup site available for a new septic system. This means that an additional on-lot septic system cannot be approved at 501 Struble Road. The site cannot treat any new sewage flows without the use of a spray system that would take up too much land.

So although College Township’s General Industrial Zone would allow any of the uses listed below, they could only be established within the proposed rezoning if they generate no sewage and can fit on three acres.

- “auto wrecking, junk and scrap establishments”
- “bulk storage of materials”
- “business services”
- “commercial parking lots”
- “commercial and fleet vehicle wash facilities”
- “construction equipment and vehicles, rental, sales, service and storage of”
- “data center”
- “freight handling equipment and vehicles, rental, sales, service and storage of”
- “industrial services”
- “manufacturing facilities”
- “mini storage/self-storage facilities”
- “motor vehicle fueling station”
- “motor vehicle maintenance/repair and storage”
- “office uses”
- “radio and television stations”
- “research, engineering and testing laboratories”
- “solar energy systems”
- “utility facilities”
- “vocational/technical schools”
- “warehousing, wholesaling, distribution and freight movement/handling facilities”
• “bulk storage of gas, petroleum, gasoline and other petroleum derivatives; explosives”
• “intensive manufacturing facilities”
• “power generation facilities”
• “nonindustrial uses by conditional use”

This report will consider the potential impacts of the proposed roughly 8,000 sqft. storage building and 10,000 sqft. parking lot. It will also consider the potential impacts of the above permitted uses to the extent that they could operate on three acres without generating sewage. This would eliminate from consideration any occupancies that generate waste, or that Section 2902.3 of the 2015 International Building Code requires to have toilet facilities – such as offices, retail, manufacturing, radio/television stations, laboratories, or schools. This requirement reduces the list of uses that could be established on this site down to storage, parking, junkyards, solar energy systems, or some utility facilities. Mr. Maxwell’s proposed storage building is exempted from this requirement only because it is a “parking garage” without attendants, or a structure “intended for quick transactions... having a public access area less than or equal to 300 square feet.” Employees will continue using the existing bathrooms in Maxwell’s offices, which are served by the University Area Joint Authority (UAJA) system. Only employees will occupy the proposed storage building, and then only briefly to place or retrieve inventory and vehicles.

Although Mr. Maxwell may subdivide the three acres proposed for rezoning into its own lot separate from 501 Struble Road (Centre Co. Tax ID No. 19-004-78), this report assumes that the thus created lot will not merge with his existing business parcel at 455 Struble Road (Centre Co. Tax ID No. 19-004-78B). It assumes that his business will stay in operation at 455 Struble Road. Together, this eliminates 455 Struble Road from considerations of potential future development and its implications. Furthermore, public sewer service cannot be extended under the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement without the approval of the COG General Forum. Should Mr. Maxwell ever make such a request, he would have to submit a new DRI report. This report will not consider the possibility of requesting public sewer service.

For the sake of simplicity, the remainder of this report is organized around the list of questions that a DRI report is required to answer by Section V of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement (pages 4 and 5). Each question will be presented and then answered in the same order as in the agreement. As requested in a November 2, 2022, letter from the Centre Regional Planning Agency, only questions under “ii. Effect of the Development of Regional Impact on:” will be addressed.
Questions from Section V of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement

ii.1. Effect of the Development of Regional Impact on the existing sewer collection, conveyance, and treatment system.

An expansion of the public Sewer Service Area (SSA) is not proposed. The specifically proposed storage building and parking will not generate any sewage. Without an expansion of the SSA, none of the uses permitted in College Township’s General Industrial Zone, as listed above, could be served by the University Area Joint Authority (UAJA). Thus, there will be no impacts on the existing public sewer collection, conveyance, or treatment system in any scenario. Nevertheless, we have included as Appendix C a letter from the University Area Joint Authority, dated September 5, 2022, stating that their existing system could handle seven EDUs, which was the amount requested at the time.

ii.2. Effect of the Development of Regional Impact on public water infrastructure.

Mr. Maxwell does not propose that the new storage building be connected to public water infrastructure. Nevertheless, such a request could come in the future, from either Maxwell Trucking and Excavating or a different business or use. Without public sewer service and a new DRI, however, these activities would still be unable to generate sewage. This reduces the list of feasible, permitted uses down to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. None of these uses are significant users of water.

Appendix D is a letter from Amy J. Kerner, P.E., the College Township Public Works Director, explaining the College Township Water Authority’s abilities to provide water to this site.

ii.3. Effect of the Development of Regional Impact on transportation network (including bicycle and pedestrian facilities).

Mr. Maxwell estimates that MTE currently generates about 150 vehicle trips on an average business day. He anticipates that the proposed storage building and parking will generate little additional business or traffic. He states that the space is not needed because of business growth, but rather a change in the business’s activities that requires that more inventory be on hand.

Nevertheless, the requested rezoning would double the amount of land that MTE would have at that site. If we assumed that traffic generation was directly related to acreage, this would imply that an extra 150 vehicle trips would be generated on an average day for a total of 300 trips. This is
admittedly an aggressive estimate. Yet, we have no documentation that Struble Road couldn’t handle the extra 150 vehicle trips per day.

Without public sewer service and a new DRI, the other potential permitted activities that would be feasible in the three acres proposed for rezoning would be limited to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. None of these uses would generate as much traffic as MTE does.

College Township has not noted any concerns with Struble Road or its ability to handle additional traffic.

ii.4. Effect of the Development of Regional Impact on the public transportation system.

Appendix E is an e-mail from Gregory M. Kausch, the Senior Transportation Planner for the Centre Regional Planning Agency assigned to the Centre Area Transportation Authority, or CAT. In this e-mail, Greg explains that the nearest fixed route bus stop eastbound is about 1,300 ft. away, at the corner of Struble Road and East College Avenue. The nearest bus stop westbound is at 2601 East College Avenue. These two stops are served 43 times per weekday (46 times on Thursdays and Fridays) by the College Avenue Connector, and 3 times per weekday by the XB Route on its way to and from Bellefonte.

Because it largely works with motor vehicles, most of the traffic generated by MTE does not utilize CATA but rather drives there. As stated above, Mr. Maxwell anticipates that the proposed storage building and parking will generate little additional business or traffic. But if we assumed, again, that the CATA trips generated by MTE are directly related to its acreage, then the number of CATA trips could double due to this rezoning and project. Although this is an aggressive estimate, it does not result in a large amount of CATA usage.

Without public sewer service and a new DRI, the other potential permitted activities that would be feasible in the three acres proposed for rezoning would be limited to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. None of these uses would generate as much traffic as MTE.

ii.5. Effect of the Development of Regional Impact on emergency services (for example, fire, police, and ambulance service)

According to Mr. Maxwell, Maxwell Truck and Excavating has never made a call for fire, police, or ambulance services. He does not anticipate a noticeable increase in calls for police, fire, and ambulance services because of the new storage building. If we assumed, again, that the demand for police, fire, and ambulance services is directly related to acreage, then the demand could double due to this rezoning and project.

Without public sewer service and a new DRI, the other potential permitted activities that would be feasible in the 3 acres proposed for
rezoning would be limited to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. It is unlikely that any of these uses would generate as many police, fire, or ambulance calls as even MTE has.

Appendix F is a letter from Steven W. Bair, the Fire Director/Chief of Department, discussing the abilities of the Alpha Fire Company and Centre Region Emergency Management to serve the proposal. Appendix G is a letter from John F. Gardner, Chief of the State College Police Department (which provides policing to College Township), and Appendix H is a letter from Scott E. Rawson, Executive Director of Centre Lifelink EMS, each addressing the proposal. None of these organizations expressed significant concerns.

ii.6. Effect of the Development of Regional Impact on environmental features (such as soils, wetlands, streams, the aquifer, sinkholes, or similar environmental concerns)

The Centre County Natural Heritage Inventory, updated December 31, 2002, shows no biological diversity areas or natural heritage areas within 7,500 ft. of 501 Struble Road. Although a detailed field study has
not yet been undertaken, there are no known streams, steep slope areas, wetlands, floodplains, sinkholes, or unique natural features in the three acres of 501 Struble Road proposed for rezoning to General Industrial. Nevertheless, a few environmental concerns can be addressed. Over 75% of the three acres is prime agricultural soils, although none of the land is currently farmed. The two soil types found in the three acres (Murril Channery Silt Loam MuB and Murril Very Stony Silt Loam MvB) list as concerns slopes, erosion, and potential sinkholes (see soils map on the previous page). However, no sinkholes or wetlands have been observed on site (see photograph).

The site is similar to the adjacent property on which Maxwell Truck and Excavating currently exists (455 Struble Road, Tax ID No. 19-004-78B). College Township will require a land development plan to be submitted and approved that will address applicable environmental features.

ii.7. Effect of the Development of Regional Impact on school facilities.

Mr. Maxwell anticipates that the proposed storage building and parking will generate little additional business, traffic, or employment. They are instead needed to address business changes that require more inventory. As such, the parking lot and storage building are not likely to generate new students for the State College Area School District (SCASD). We could again assume that doubling the size of MTE in acreage could as much as double MTE’s effects on SCASD attendance. With only 55 current employees, however, the number of students generated by MTE is very small. Any increase would also be small.

Without public sewer service, and hence, a new DRI, the other potential permitted activities that would be feasible in the three acres proposed for rezoning would be limited to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. None of
these uses would generate as many new SCASD students as even MTE does.

From July 1, 2022, through June 30, 2023, the State College Area School District taxed the Forest District zoned former farm at 501 Struble Road at a rate of $94.90 per acre. Meanwhile, SCASD taxed the General Industrial zoned MTE business lot at 455 Struble Road at a rate of $3,441.11 per acre. If we assume that the three acres of 501 Struble Road that are requested to be rezoned General Industrial would then be taxed at roughly the same rate as the already General Industrial 455 Struble Road, then the three acres would provide $10,038.61 more in tax revenue for SCASD annually than they currently do – assuming that tax rates do not change. Relative to SCASD's overall budget, this increase is minor but nonetheless positive.

Appendix I is a letter from Mike Fisher, Director of Physical Plant at the State College Area School District addressing its abilities and concerns in providing services to the proposed rezoning.

ii.8. Effect of the Development of Regional Impact on adjacent land uses.

The roughly three-acre portion of Mr. Maxwell's farmstead at 501 Struble Road that is proposed for a zoning change is surrounded on two sides by properties that are zoned General Industrial and lie within the RGB/SSA. The remainder of the Maxwell farmstead at 501 Struble Road lies on the third side. A roughly 125 ft. by 500 ft. strip of land is proposed to be left in College Township's Forest Zoning District on the fourth side, serving as a buffer between the new storage and the Mount Nittany Terrace residential neighborhood. Given this buffer and the surrounding uses, the effect of the storage building and parking lot on adjacent land uses should be minimal.

Without public sewer service, and hence, a new DRI, the other potential permitted activities that would be feasible in the three acres proposed for rezoning would be limited to storage, parking, junkyards, solar energy systems, or some utility facilities like a substation. Some of these facilities could negatively affect surrounding land uses, such as a junkyard. However, the 125 ft. by 500 ft. strip of land left in the Forest District should provide a substantial buffer between these uses and Mount Nittany Terrace.

iii. In addition to the above noted information, the host municipality may also require information relative to fiscal impacts or specific details on transportation impacts, environmental impacts, or similar studies.

To date, College Township has not requested any such studies.

iv. Economic analysis of the impact of the proposal on other areas of the community.
It is not anticipated that the proposed rezoning, storage building, or parking lot would have much of a noticeable economic impact on the Centre Region. The proposed storage building is merely intended to support the level of business activity that MTE has already achieved.

Nevertheless, the requested rezoning would have minor but positive tax revenue implications. From July 1, 2022, through June 30, 2023, the State College Area School District taxed the Forest District zoned former farm at 501 Struble Road at a rate of $94.90 per acre. Meanwhile, SCASD taxed the General Industrial zoned MTE business lot at 455 Struble Road at a rate of $3,441.11 per acre. If we assume that the three acres of 501 Struble Road that are requested to be rezoned General Industrial would then be taxed at roughly the same rate as the already General Industrial 455 Struble Road, then the three acres would provide $10,038.61 more in tax revenue for SCASD annually than they currently do – assuming that tax rates do not change. Meanwhile, in calendar year 2022, College Township taxed the Forest District zoned former farm at 501 Struble Road at a rate of $12.15 per acre. Meanwhile, the Township taxed the General Industrial zoned MTE business lot at 455 Struble Road at a rate of $440.48 per acre. If we assume that the three acres of 501 Struble Road that are requested to be rezoned General Industrial would then be taxed at roughly the same rate as the already General Industrial 455 Struble Road, then the three acres would provide $1,285 more in tax revenue for College Township annually than they currently do – assuming that tax rates do not change. Together, this would mean a total tax revenue increase of $11,323.61 annually.

v. Quality of life issues and the value the proposal would add to the community.

The proposed rezoning, storage building, and parking lot will not have much of a noticeable impact on the Centre Region’s quality of life, good or bad, beyond providing a modest increase in tax revenue and allowing a local business to sustain its economic growth and employment. The storage building and parking lot will be hidden from the nearest public right-of-way behind the 125 ft. wide Forest District wooded buffer. Mr. Maxwell’s specific proposal will not affect public infrastructure beyond possibly a few more vehicle trips, and should have little impact on neighboring properties or the environment. Given the sewage treatment limitations of the three acres proposed for rezoning, the other feasible activities permitted in College Township’s General Industrial Zone would not significantly add to or detract from the Centre Region’s quality of life either.

vi. The consistency of the proposal with the Centre Region Comprehensive Plan.

The community goals, objectives, and policies set by the 2013 Centre Region Comprehensive Plan understandably do not explicitly speak to a proposal as small as the one presented here. Policy 3.2.1. on page 21 does "Encourage the clustering of industrial land uses in locations with
appropriate infrastructure." The requested rezoning would allow Maxwell Trucking and Excavating to grow in place in an industrial area with the necessary infrastructure. However, Policy 3.2.1 lies underneath Objective 3.2, which says "Locate the majority of industrial development within the Regional Growth Boundary in accordance with sound land planning principles and the needs of industry." Furthermore, the Centre Region Comprehensive Plan's future land use map shows the area of the requested rezoning as "Forest." This is understandable, given that back in 2013, nobody knew what changes would happen to MTE or its business environment.

**SUMMARY**

To build a badly needed 8,000 sqft. storage building and 10,000 sqft. parking lot, Maxwell Trucking and Excavating (MTE) has requested that three acres of an adjacent 31.76-acre former farm addressed as 501 Struble Road (Tax ID No. 19-4-78) be rezoned from College Township's Forest District to its General Industrial District. Normally, changing land from a restrictive conservation zone (like the Forest District) to a permissive industrial zone (like the General Industrial District) could have substantial impacts. The Forest District permits nothing more intensive than single family detached homes on two-acre lots, open space, forestry, agriculture, and correctional facilities. Meanwhile, the General Industrial District permits manufacturing, wholesaling, gas stations, offices, and power generation. Replacing many of the Forest District activities with a General Industrial District activity could significantly increase demand for sewage treatment, water, transportation, transit, and emergency services. It could impact the environment, schools, neighboring lands, and the regional economy.

However, the request to rezone the three acres of 501 Struble Road from the Forest District to the General Industrial District does not involve a request to extend public sewer service. There are not enough acceptable septic system sites on the parcel. Without a request to extend public sewer service and a new DRI, any activity on the three acres could not generate any sewage. In this unique instance, laws and ordinances governing sewage treatment override the permissive nature of industrial zoning. What can be done with the three acres is greatly limited, as are the potential impacts on the community. The potential uses shrink down to merely storage, parking, junkyards, solar energy systems, or some utility facilities like a substation.

Without generating any sewage, the potential General Industrial District uses for the three acres would have no impact on the University Area Joint Authority (without a new DRI), and very little impact on the College Township Water Authority, traffic on Struble Road, the Centre Area Transportation Authority, the Alpha Fire Company, Centre Region Emergency Management, the State College Borough Police Department, Centre Lifelink, the State College Area School District, the environment, neighboring lands, or the regional economy. The specific storage shed and parking proposed by Maxwell Trucking and Excavating would also have
little impact beyond providing a modest increase in tax revenue and allowing a local business to sustain its economic growth and employment.
APPENDIX A: LAND USES PERMITTED IN COLLEGE TOWNSHIP'S FOREST DISTRICT

ZONING

Township of College

[Township of College zoning criteria]

### Appendix A: Land Uses Permitted in College Township's Forest District (F)

#### Permitted Uses

<table>
<thead>
<tr>
<th>Land and structures may be used for only the following:</th>
<th>Minimum Site</th>
<th>Minimum Width (feet)</th>
<th>Maximum Coverage</th>
<th>Front Yard (feet)</th>
<th>Side Yard (feet)</th>
<th>Rear Yard (feet)</th>
<th>Maximum Height (feet)</th>
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</thead>
<tbody>
<tr>
<td>Primary Uses</td>
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<tr>
<td>(1) Conservation areas for the conservation of open space, water, soil and wildlife resources</td>
<td>10 acres</td>
<td>300</td>
<td>10% (buildings)</td>
<td>50</td>
<td>100</td>
<td>75</td>
<td>35</td>
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<tr>
<td>(2) Correctional institutions</td>
<td></td>
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<td>(3) Forestry uses relating to the harvesting of timber on the premises</td>
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<td>(4) Game lands and forest lands (public)</td>
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<td>(5) Grazing of cattle and horses; see § 200.16C</td>
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<tr>
<td>(6) Horticultural uses relating to the raising, propagating and selling of plants, flowers and other plant materials produced and raised on the premises</td>
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<td>(7) Keeping of bees</td>
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<tr>
<td>(8) Park and recreational areas (semi-public or private), including gardens and wildlife hunting and gun clubs, camps and camping grounds, and winter sports areas</td>
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<tr>
<td>(9) Single-family detached dwellings; see § 200-38.1</td>
<td>2 acres</td>
<td>500 at the building setback line, 100 at the street line</td>
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<td>50</td>
<td>50</td>
<td>75</td>
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<tr>
<td>(10) Mobile homes</td>
<td></td>
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<tr>
<td>(11) Seasonal cottages, hunting and fishing cabins</td>
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<td>(12) Park and recreational areas (public)</td>
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<tr>
<td>(13) Utility facility pursuant to Chapter 87, Conditional Uses</td>
<td>See Chapter 87, Conditional Uses, for requirements</td>
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</table>

#### Accessory Uses

- See primary use above to which it is accessory.
## APPENDIX B: LAND USES PERMITTED IN COLLEGE TOWNSHIP'S GENERAL INDUSTRIAL DISTRICT (I-1)

### ZONING

#### Township of College

Criteria and Standards for the General Industrial District (I-1)


### Table: Permitted Uses

<table>
<thead>
<tr>
<th>Land and structures may be used for only the following:</th>
<th>Permitted Uses</th>
<th>Lot Requirements: The following lot requirements shall be met for each primary use</th>
<th>Yard Setback Requirements: The following yard requirements shall be met</th>
<th>Minimum Size</th>
<th>Minimum Width (feet)</th>
<th>Maximum Width (feet)</th>
<th>Minimum Coverage</th>
<th>Front Yard (feet)</th>
<th>Side Yard (feet)</th>
<th>Rear Yard (feet)</th>
<th>Maximum Height (feet)</th>
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<tbody>
<tr>
<td>Primary Uses</td>
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<td></td>
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<td>150</td>
<td>50% (buildings)</td>
<td>50% (total impervious)</td>
<td>50</td>
<td>25</td>
<td>50</td>
<td>45</td>
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<td>(1) Auto wrecking, junk and scrap establishments; see § 200-33</td>
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<td>(2) Bulk storage of materials; see § 200-33</td>
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<td>(3) Business services</td>
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<tr>
<td>(4) Commercial parking lots</td>
<td></td>
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<td>(12) Mobile vehicle fueling station; see Ord. Nos. O-100-11C and O-100-12C</td>
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<td>(17) Solar energy systems</td>
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<td>(20) Warehousing, wholesaling, distribution and freight movement/handling facilities</td>
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<td>(21) Wireless communications facilities, see § 200-02</td>
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<td>(23) Intensive manufacturing facilities</td>
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<td>(25) Non-hazardous uses by conditional use; see Chapter 47, Conditional Uses</td>
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¹ Editor's Note: For automobile service stations, see § 200-114.

### COLLEGE CODE

### Table: Permitted Uses

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<tr>
<th>Land and structures may be used for only the following:</th>
<th>Permitted Uses</th>
<th>Lot Requirements: The following lot requirements shall be met for each primary use</th>
<th>Yard Setback Requirements: The following yard requirements shall be met</th>
<th>Minimum Size</th>
<th>Minimum Width (feet)</th>
<th>Maximum Width (feet)</th>
<th>Minimum Coverage</th>
<th>Front Yard (feet)</th>
<th>Side Yard (feet)</th>
<th>Rear Yard (feet)</th>
<th>Maximum Height (feet)</th>
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<td>Accessory Use</td>
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<td>(26) Retail sales and customer service areas as an accessory use to any permitted primary use listed above and in accordance with the requirements of § 200-36D, retail sales and customer service areas</td>
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<td>(27) Customer uses accessory to the above, essential services</td>
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Notes:

1. Yard setback shall be increased to 300 feet of any zoning district other than General Industrial District (I-1) or Rural Residential (RR).
2. This kind of a facility is intended to provide services to businesses and not intended for the washing of personal vehicles.
APPENDIX C: UNIVERSITY AREA JOINT AUTHORITY (UAJA)

September 5, 2022

Maxwell Trucking and Excavating
455 Struble Rd
State College Pa, 16801

RE: Intent to Serve (501 Struble Rd)

Dear Maxwell Trucking,

The University Area Joint Authority has available capacity in both the conveyance system and treatment facility for the 7 EDU’s for the 501 Struble Rd property. There are no current overloads, and none are projected in the next 5 years. It is also our understanding that all sanitary sewer flow from this project is to be directed into the Authority’s conveyance system. The purpose of this letter is to solely confirm available system capacity.

For UAJA to serve the property, the Centre Region’s Act 537 Plan Sewer Service Area will need to be expanded. Should the Centre Region plan be revised, a post card exemption or planning response is still required.

If you need additional information or have any questions, please contact our office.

Thank you,

Cory R. Miller
Executive Director
November 17, 2022

Lee C. Slusser, AICP
Project Manager
PennTerra Engineering, Inc.
3075 Enterprise Drive
State College, PA 16801

RE: Maxwell Trucking & Excavating, Inc.
Development of Regional Impact

Dear Mr. Slusser,

In response to your email dated November 9, 2022 requesting College Township Water Authority's (CTWA) ability to serve the three (3) acres in question for the proposed rezoning to General Industrial. Additionally, your email of November 11, 2022 clarified that use of the potential septic field behind the farmhouse should not be considered and that potential development will be limited by no public sewer service.

CTWA has the capacity to serve the potential future development being contemplated; however, some system pressure modifications may be required based on final design elevations.

Sincerely,

Amy J. Kerner, P.E.
Public Works Director
APPENDIX E: CENTRE AREA TRANSPORTATION AUTHORITY (CATA)

Maxwell Trucking and Excavating - Struble Road - Development of Regional Impact

Kausch, Greg <gkausch@crcog.net>  
To: Lee Slusser <lslusser@pennterra.com>  
Cc: “Oliva, Louwana” <loiva@catabus.com>, “Steve, Campbell” <scampbell@catabus.com>, “May, Jim” <jmays@crcog.net>, “Saylor, James” <jsaylor@crcog.net>, “Boeckel, Mark” <mboeckel@crcog.net>, Lindsay Schoch <lschoch@college township.org>, Don Franson <dfranson@college township.org>, “akerner@college township.org” <akerner@college township.org>, “Sharon E. Meyers” <smeyers@college township.org>  

Lee:

Thank you for allowing the Centre Area Transportation Authority (CATA) the opportunity to review and provide comment on the Development of Regional Impact (DRI) application referenced in the subject line above.

At this time, CATA will have no formal comment to offer. This is based upon the anticipated use of the site, the maximum number of employees, and the proximity of CATA services to the site.

To answer your other questions, the closest CATA fixed route stops are East College Avenue at Struble Road in the eastbound direction, and 2501 East College Avenue in the westbound direction. These stops are served 43 times per day most weekdays by the College Avenue Connector (46 times per day Thursdays and Fridays during full service only, and some Saturday and Sunday service applies), and 3 times per day weekdays by the XB route.

Please don’t hesitate to contact me directly if you have any further questions or concerns.

Thanks!
Greg

__________________________
Gregory M. Kausch
Senior Transportation Planner
Centre Regional Planning Agency
2643 Gateway Drive, Suite 4
State College, PA 16801
(814) 231-3050
(814) 231-3063 FAX

gkausch@crcog.net
November 14, 2022

Lee C. Slusser, AICP
Project Manager
PennTerra Engineering Inc.
3075 Enterprise Drive
State College, PA 16801

RE: Maxwell Trucking and Excavating proposed Rezoning

Dear Lee:

I have reviewed the proposed rezoning from a fire department and emergency management standpoint. Although this specific project does not involve an expansion of public sewer service, it is possible that such an extension could be sought in the future. I have considered this eventuality in my review.

This property is readily accessible and there are municipal fire hydrants proximate to the site. None of the approved uses within the General Industrial Zone are likely to create an undue burden on the fire department nor the region’s emergency management program. Similarly, none of the approved uses would be likely to create uniquely dangerous conditions should a fire or HazMat incident occur at this location. This assessment is based solely on potential impact related to emergency response. No consideration is being made regarding potential quality of life impact on the surrounding area, as this is beyond the scope of fire and emergency services.

If you need any additional information regarding my review, please do not hesitate to contact me.

Best Regards,

Steven W. Bair
Fire Director/Chief of Department

Serving the Townships of College, Ferguson, Patton, the Borough of State College, and Penn State University.
November 17, 2022

PennTerra Engineering, Inc
3075 Enterprise Drive
State College, PA 16801

RE: Development of Regional Impact for Struble Road in College Township

To Whom It May Concern:

The State College Police Department reviewed the zoning request and does not deem the rezoning to have any impact to emergency services by the State College Police.

Please let me know if you have any questions.

Sincerely,

John F. Gardner
Chief of Police
APPENDIX H: CENTRE LIFElink EMS

November 22, 2022

Mr. Lee C. Slusser, AICP
PennTerra Engineering, Inc.
3075 Enterprise Drive
State College, PA 16801

RE: MTE Rezoning

Dear Mr. Slusser,

In response to the MTE rezoning request for 501 Struble Road (Centre Co. Tax ID No. 19-004-78), I do not anticipate the potential rezoning to have an impact on Centre LifeLink EMS, Inc.

Should you have any questions, please feel free to contact me.

Sincerely,

Scott E. Rawson
Executive Director
APPENDIX I: STATE COLLEGE AREA SCHOOL DISTRICT

Mike Fisher  
Director of Physical Plant  
240 VILLA CREST DRIVE • STATE COLLEGE, PENNSYLVANIA • 16801  
TELEPHONE: 814-231-1026

To: Lee C. Slusser, AICP  
From: Mike Fisher  
RE: Maxwell Trucking & Excavating Rezoning Impact Memo  
Date: December 7, 2022

The State College Area School District has reviewed the proposed rezoning request and anticipates no adverse impacts to the School District as a result of the change in zoning on the subject parcel located at 501 Struble Road (Centre County Tax ID No. 19-004-78) from the Forest District to General Industrial District in College Township.
Development of Regional Impact Completeness Review and Recommendation – Maxwell Rezoning in College Township

Prepared by:
Mark Boeckel, AICP
Principal Planner
Centre Regional Planning Agency
December 22, 2022

Lindsay Schoch, AICP
Principal Planner
College Township
1481 E College Avenue
State College, PA 16801

RE: DEVELOPMENT OF REGIONAL IMPACTS COMPLETENESS REVIEW AND RECOMMENDATION – MAXWELL REZONING IN COLLEGE TOWNSHIP

Dear Lindsay:

On December 9, 2022, the Centre Regional Planning Agency (CRPA) received a revised Development of Regional Impact (DRI) application which proposes the rezoning of a three-acre portion of a 31.76-acre parcel (tax parcel number 19-4-78) in College Township from Forest to General Industrial. A previously submitted DRI report was deemed incomplete. The report indicates that this rezoning will facilitate the construction of a storage building and parking area for the applicant’s existing business, which is located on an adjacent parcel.

In accordance with Section V.2.b of the 2013 Centre Region Growth Boundary and Implementation Agreement, hereafter referred to as Implementation Agreement, the CRPA conducted a completeness review of the Maxwell Trucking and Excavating Development of Regional Impact (DRI) Report. Based upon the application requirements within the Implementation Agreement that pertain to proposed rezonings outside of the Regional Growth Boundary and Sewer Service Area, this DRI application is deemed complete.

CRPA Recommendation

In accordance with Section V.2.b of the Implementation Agreement, the CRPA is also required to provide a recommendation to the host municipality regarding the DRI request within 15 days of the application being deemed complete. The CRPA provides the following comments for the Township’s consideration:

1. The last paragraph on Page 3 states that the applicant believes that the request should qualify for the “Limited Review Process” stated in Section V, subsection 3 of the Implementation Agreement. Per that section of the Implementation Agreement, only proposed expansions to the Regional Growth Boundary (RGB) and Sewer Service Area (SSA) can qualify for the Limited Review Process. Where the proposed DRI does not propose the extension of RGB and SSA, the COG General Forum will only need to provide comments to College Township prior to final action on the proposed rezoning.
2. The DRI report concludes that the proposed rezoning would not have any negative impacts to service providers within the Region or to surrounding uses.

3. The Pennsylvania Municipalities Planning Code states that “Zoning ordinances adopted by municipalities shall be generally consistent with the municipal or multi-municipal comprehensive plan or, where none exists, with the municipal statement of community development objectives and the county comprehensive plan. If a municipality amends its zoning ordinance in a manner not generally consistent with its comprehensive plan, it shall concurrently amend its comprehensive plan in accordance with Article III.”

The 2013 Centre Region Comprehensive Plan identifies the future use of this land as “Forest”, which is defined as “land uses that include public or private areas that are primarily in timber. This category may also include commercial timber or pulpwood harvesting.” The area to be rezoned is located adjacent to an area with an Industrial future land use category. Forestry activities are a permitted use in all districts there is per the MPC, however it is unlikely that this property will remain vacant or be utilized for forestry activities as a result of this rezoning.

4. In 2004, College Township entered into an intermunicipal zoning agreement with Patton Township to cooperatively plan for industrial and multi-family residential land uses. The provisions of this agreement should be followed as they related to proposed changes to district boundaries or regulations.

5. As noted within the DRI report, many of the uses within the General Industrial zoning district could not be established without public sewer service. Without sewer service, the use of the area for which rezoning is requested would be very limited. Sewer service is not being requested at this time, however, rezoning a portion of this property to General Industrial could result in a future request for an expansion of the Regional Growth Boundary and Sewer Service Area. Since many General Industrial uses require public sewer service, the Township should consider if this area would be appropriate for higher density development in the future.

The requested rezoning involves a minimal change to the district boundaries and given the limited uses that could be established without public sewer service, the CRPA agrees with the general conclusions of the DRI Report.

While the rezoning will not prohibit the future land use identified within Centre Region Comprehensive Plan, the requested change will likely result in industrial development on a portion of a property that is currently zoned for rural uses. Since this change is being considered as a result of the property owner’s request, the Township should establish findings to support the proposed rezoning to ensure that it’s approval would not establish a precedent for similar requests in the future. The Township should also consider establishing specific policies related to future expansion of the Industrial District within the next iteration of the Centre Region Comprehensive Plan.
Next Steps

Per the Implementation Agreement, the host municipality can begin its review of a DRI request once it has been deemed complete and a recommendation has been provided by the CRPA. There are no specific requirements related to the municipal review of a DRI request, either in terms of timeframe or scope.

If College Township determines that the requested rezoning has merit following its review of the completed DRI report, the DRI application must be forwarded back to the CRPA for regional discussion. The Township should include findings of fact related to its support of the request.

Once the DRI application and Township findings have been received by the CRPA, the request will be reviewed by the Centre Regional Planning Commission (CRPC) at its first available meeting. Following a review by the CRPC, the DRI will be forwarded to the COG General Forum for review. Rezoning requests are reviewed by the General Forum with an opportunity to provide comments, but the final authority for zoning decisions remain with the host municipality.

Once the General Forum has concluded its review of the proposed DRI and provided comments back to the host municipality for consideration, the Township can proceed with holding a public hearing to consider adoption of the requested rezoning.

If you have any questions regarding this review, its recommendations, or the DRI process, please contact me at your earliest convenience.

Regards,

Mark Boeckel

cc: Jim May, AICP, CRPA Director
     Lee Slusser, AICP, PennTerra Engineering
     John Sepp, PennTerra Engineering
     Ed Maxwell, Applicant
Township Staff Response to the Development of Regional Impact Report

Prepared by:
Lindsay K. Schoch, AICP
Principal Planner
Township of College
MEMORANDUM

To: College Township Council

Thru: Adam Brumbaugh, Township Manager

From: Lindsay K. Schoch, AICP | Principal Planner

Re: Township Staff Response to the CRPA Letter and the Maxwell DRI Report

Date: February 9, 2023

To correspond with the two earlier reports, the following is staff’s response to both the DRI Report and to Mr. Boeckel’s Completeness Review letter.

Development of Regional Impact Report for the Proposed Rezoning of a Portion of Centre County Tax Parcel 19-004-78, 501 Struble Road, College Township to the General Industrial Zoning District for Maxwell Trucking and Excavating dated December 9, 2022 (prepared by Penn Terra Engineering, Inc.):

The Proposal (Starting on page 2 of 23):

Maxwell Trucking and Excavating (MTE) is requesting a zoning change. Mr. Maxwell proposes to rezone approximately three (3) of thirty-one (31) acres from its existing zoning designation of Forest to the adjacent land zoning designation of Industrial. The purpose of this rezoning and related DRI pertain to a proposed roughly 8,000 square foot storage building and 10,000 square foot parking lot.

Mr. Maxwell reports that MTE is outgrowing their current location, therefore need more space to expand the business. (Staff questions the approximately 19 total acres owned by Mr. Maxwell located on and around East Trout Road/Shiloh. What is being done at the Shiloh Road business office/property where equipment is currently being housed)?

A roughly 125’ by 500’ strip of land is proposed to remain Forest on the side of the parcel fronting Struble Road to act as a buffer between the newly proposed storage area and the Mount Nittany Terrace residential neighborhood. This is one of the positive outcomes of the proposed rezoning, the fact a buffer remains. A precedent was set by a similar buffer just across the street with a
rezoning that preserved a strip of residential land to protect the residents from the uses in the adjacent zoning district, in this case, industrial.

At times, when development on a parcel becomes difficult, the option to “go up” should be considered. In the case of MTE, “going up” is not an option, as the machines and equipment he stores are far too heavy for a second story to support.

The report considers the permitted uses in the Industrial zoning district and the extent to which they could operate on three acres (amount requested) without generating sewage. Research into the International Building Code (IBC) was completed to show requirements for bathrooms. Per the Penn Terra Engineering report those IBC regulations dropped the list of permitted uses able to be established on the lot to a few: storage, parking, junkyards, solar energy systems, or some utility facilities. Staff agrees with this statement. These uses are noted later in the document, and to sum it up, staff is in agreement with the majority of the responses below.

The report stresses, should Mr. Maxwell wish to extend sewer service for future potential development, he would have to submit a new DRI report, which would require approval from five out of the six participating municipalities in the Centre Region. In the case of this DRI, the municipalities making up the Centre Region/General Forum opt to make only a recommendation and approval of the General Forum is not required.

**Required Responses to Section V of the Centre Region Growth Boundary and Sewer Service Area Implementation Agreement:**

Impact on Existing Sewer Collection, Conveyance, and treatment system: *Staff is satisfied with the Intent to Serve letter from the University Area Joint Authority (UAJA) indicating capacity exists in the system for this potential rezoning. One question arose, does UAJA consider the SSA/RGB when preparing the Letters of Intent to Serve?*

Impact on Public Water Infrastructure: *Staff is satisfied with the letter from the College Township Water Authority indicating the Authority has the capacity to serve the potential future development being contemplated; however, some system pressure modifications may be required based on final design.*

Impact on the Transportation Network: *Staff discussed the proposal with the township’s consulting traffic engineer. He felt the DRI request is only for additional parking and inventory storage, and doesn’t foresee counts needed; unless there is some existing traffic concern or if Struble Road needs maintenance and more truck traffic will deteriorate the road or service life. Mr. Maxwell should provide more information concerning additional truck traffic and proposed type of additional inventory/storage for the record.*

Impact on the Regional Public Transportation System: *Staff is satisfied with Mr. Kausch’s response that indicated anticipated use of the site, the maximum number of employees, and the proximity of CATA services to the site; he will have no formal comments.*

Impact on Emergency Services: *Staff is satisfied with the letter from Centre Life Link EMS indicating they do not anticipate the rezoning having an impact on Centre Life Link EMS. As well*
as the similar letters provided by the Regional Fire Director and the Chief of the State College Borough Police Department deeming no impacts.

Impact on Environmental Features: The property, as found in the DRI report does have prime agricultural soils, but the property is not currently being farmed. Staff is pleased no wetlands, floodplain areas or sinkholes are present on the property.

Impact on School Facilities: Albeit not a significant impact, the rezoning and changing the Forest land to Industrial land will provide a $10,000 increase in school district taxes. Staff feels the letter from the Director of the Physical Plant is sufficient. Please note it is a requirement of the Municipalities Planning Code to report new residential development to the local school district at the end of each development plan recording, but reporting other uses outside of residential do not require school district notification and therefore staff doesn’t feel this expansion would make an impact on the school district’s facilities.

Impact on Adjacent Land Uses: at the current time, the adjacent land uses are consistent with that of what is proposed and consistency would continue in the future if any of the uses stated throughout the DRI report are established. Another positive is the 125’ by 500’ buffer for the residential area across Struble Road.

The DRI Report also informs that the township can require further information such as fiscal impacts or specific details on transportation impact, environmental impacts, or similar studies. At this time, the Township staff is not requesting further information.

Economic Analysis of the Impact of the proposal: Staff is in agreement with the statement within the report noting the storage building and parking lot would not have a noticeable economic impact on the Centre Region.

Impact on the Quality of Life: Staff is in agreement with the report regarding allowing a local business to sustain its economic growth and employment. Otherwise the proposal does not impact the quality of life in the Region.

Consistency with the Comprehensive Plan: The fact is the Future Land Use Map designates this property as Forest. Typically, if something is not consistent with the Future Land Use Map, the rezoning should not be recommended. In this case, the Comprehensive Plan does encourage the reuse, redevelopment, or revitalization of underutilized properties in the region and identifies industrial sites specifically, noting existing barriers to revitalization efforts identified, as well as collaborating opportunities for incentives, site improvements, and other methods of encouraging redevelopment.


1. Township staff agrees that the proposed DRI does not propose the extension of the Regional Growth Boundary / Sewer Service Area (RGB/SSA), therefore the project does not fall under the “Limited Review Process” set forth in the Centre Region Growth
Boundary and Implementation Agreement, hereafter referred to as Implementation Agreement.

2. Regarding negative impacts, the report concludes the proposed rezoning would not have any negative impacts to service providers within the Region or to surrounding uses.

3. The Township acknowledges if the rezoning is approved, changing a Forest zoned property to an Industrial zoned property, which would not be consistent with the existing Regional Comprehensive Plan’s Future Land Use map, the Township will work with CRPA to ensure the zoning and comprehensive plan are consistent.

4. The Township works closely with Patton Township when an industrial or multi-family zoning change is proposed to ensure compliance with the 2005 Inter-municipal Zoning Agreement, which allows for the industrial and multifamily uses be shared across municipal boundaries. According to the Agreement, specifically Section X: Monitoring and Reporting Requirements, the Townships are required to report annually, any plans including industrial use plan reviews; description of any rezoning requests; and information on any changes to zoning districts related to multi-family residential or industrial. In the case of an approved rezoning, the Township shall notify Patton Township and abide by the requirements set forth in the Agreement.

5. Is this area suitable for future, high-density development? The answer is no, due to poor soil suitability.

6. The Forest District’s Intent encourages the preservation of woodlands as a most suitable use in rural areas; alleviating erosion and sedimentation and flooding; to protect wildlife habitat; and to provide for aesthetic relief, open space and recreational uses.

As one stands and looks toward the Maxwell site from the north side of College Avenue, you can see the growth boundary line by the limited amount of homes and businesses at a certain point, going up the side of Mount Nittany. This is subjectively the purpose of the RGS/SSA. Our region is fairly unique in the fact we have a regional growth boundary, it can be a very useful tool when determining where future growth and development occur. Allowing an intensive use to encroach up the sides of Mount Nittany could be detrimental and could set a precedent. Anytime the opportunity to expand the Regional Growth Boundary/Sewer Service Area is on the table, we take a chance in setting a strong precedent for the expansion requests to continue, especially if the request is successful. In this particular case, the development is slowly creeping up the side of Mount Nittany.

But, after much thought and consideration, staff recommended the Planning Commission make a recommendation to Council to approve the DRI Application and to set a Public Hearing after the DRI is heard by CRPC and the COG General Forum, and in-turn, the rezoning. Staff finds the rezoning acceptable for a few reasons, which include the fact that the soil is undesirable and building something denser without expanding the sewer service is nearly impossible from a sewage planning standpoint; the most reasonable/least intrusive request was made (3 acres) rather than request the entire lot rezoned; the intent to preserve what is existing beyond the three acres is present and a 125’ by 500’ buffer exists to buffer the residential zoning from the industrial zoning.