



Centre Region Council of Governments

## **CENTRE REGIONAL PLANNING AGENCY**

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131 South Fraser Street #5, State College, PA 16801-3885

(814) 231-3050

Fax 814.231.3088

E-Mail: [PLICRCOG@vicon.net](mailto:PLICRCOG@vicon.net)

*Serving the Townships of College, Ferguson, Halfmoon, Harris, Patton, and the Borough of State College*

**TO:** Mark Kunkle, Township Manager  
Cassandra Schmick, AICP  
Ferguson Township Director of Planning and Zoning

**FROM:** Sebastian DeGregorio,  
Centre Regional Planning Agency (CRPA)

**DATE:** October 9, 2001

**SUBJECT:** Amended Review, Proposed Ordinance Amendment – Chapter 27, Ferguson Township Code of Ordinances, Appendix D, Official Map.

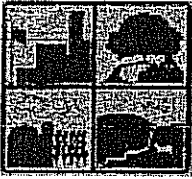
This current review serves to replace my previous review of record dated September 10, 2001 regarding the current Ferguson Township Official Map amendment. My prior review overlooked a major map change that could have very serious regional implications, and warrants staff comments from that perspective. I apologize for any misunderstandings and/or confusion that my oversight may have caused. That being said, in accordance with the stated review and comment time provisions noted in Article IV, Section 402 of the Municipalities Planning Code regarding adoption and amendments to an official map, the following comments are provided for your consideration:

### **Land Use and Environmental Concerns:**

1. The proposed Blue Course Drive extension illustrated on this revised official map is intended to connect Whitehall Road and Pa. Route 45. This proposal raises issues of consistency with the Centre Region Comprehensive Plan due to its location outside of the Regional Growth Boundary and established sewer service area, which should be considered in evaluating the Official Map for adoption.

The proposed road connection runs counter to the environmental protection goals and policies of the Regional Comprehensive Plan. The road would traverse the identified recharge area of the Harter Thomas Wellfield, which is an important water source of the State College Borough Water Authority. Slab Cabin Run is a sensitive headwater area that is a tributary to both the Spring Creek and its related resources, including the fragile ecosystem of the Millbrook Marsh. As noted in the Centre County Natural Heritage Inventory completed by the Western Pennsylvania Conservancy in 1991, "The water quality of Spring Creek is partially dependant on that of the Slab Cabin Run." Due to the shallow water table in this area and the presence of sinkholes throughout the Slab Cabin Run basin, the construction of a roadway in this area could present significant environmental issues.

This idea appears to warrant much more detailed future land use analysis relative to potential negative impacts on several municipalities including State College Borough,



APPLICATION FOR REZONING  
FERGUSON TOWNSHIP  
CENTRE COUNTY, PENNSYLVANIA

RECEIVED NOV 7 2003

The undersigned hereby applies to the Ferguson Township Board of Supervisors for rezoning of a tract of land described as follows:

Applicant Pennsylvania State University, ATTN: Gary Schultz, Sr. V.P. Finance & Business

Address 208 Old Main, University Park, PA 16802

Telephone (814) 865-6574 FAX (814) 863-7188

Owner of Record Pennsylvania State University

Address 208 Old Main, University Park, PA 16802

Telephone (814) 865-6574 FAX (814) 863-7188

Applicant's interest in property (attach supporting documentation, deed or sales agreement)

Legal  Equitable

Please answer and complete all of the following information before returning to the Township Office.

1. Location of the tract of land On the south side of Whitehall Road across from the Blue Course Drive/Whitehall Road intersection
2. Centre County Tax Map # 24-04 Parcel Number 76A
3. Present zoning district R-A
4. Requested zoning district change to R-4
5. Total acreage to be rezoned 26.3 Acres
6. Present use of tract of land Agricultural

7. Proposed use of tract of land Multi-Family Attached or other use

allowed under R-4

8. Applicant shall submit a plan showing the following information:

- a. Key map showing the generalized location of the tract.
- b. North point, graphic scale and date.
- c. Name of record owner (and applicant).
- d. Name and address of registered engineer, surveyor or land planner responsible for the plan.
- e. Name of all abutting property owners.
- f. Total tract boundaries of the property requesting rezoning showing bearings and distances and statement of total acreage of the tract.
- g. Zoning data including present zoning district and requested zoning district.
- h. All existing sewer lines, water lines, fire hydrants, utility lines, culverts, bridges, railroad, watercourses and easements.
- i. All existing buildings or other structures and approximate location of all tree masses.
- j. All existing streets including streets of record (recorded but not constructed), on or abutting the tract including names, right-of-way widths and cartway widths.
- k. Legal description of the tract requesting rezoning.

In addition to five (5) full-size copies of the plan, the applicant shall submit one (1) 11 X 17 copy of the plan and one (1) 8 1/2 x 11 copy of the plan.

Signature of owner

*Gay Schultz*

Date

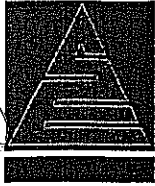
*11/7/03*

Date received by Township

*11/7/03*

Fee paid

*\$150<sup>00</sup>*



**SWEETLAND  
ENGINEERING  
& ASSOCIATES, INC.**

www.sweetland-eng.com

**CORPORATE OFFICE:**

600 Science Park Road  
State College, PA 16803  
(814) 237-6518  
Fax: (814) 237-1488

**BRANCH OFFICE:**

105 Cole Street  
State College, PA 16801  
(570) 882-9773  
7 November 2008  
Fax: (570) 882-8299

**Surveyor's Description  
of the Area to be Rezoned R4  
U.P.I. No. 24-04-76A**

All that certain parcel of land situated in Ferguson Township, Centre County, Pennsylvania shown as "Area to be Rezoned R4 (Currently RA) 26.3 Acres" on a plan prepared by Sweetland Engineering and Associates, Inc. dated 11/07/03, drawing number E-2595, being more fully bounded and described as follows:

**BEGINNING** at a corner of the municipal boundary line between Ferguson Township and State College Borough in the centerline of West Whitehall Road (SR3018), a variable width right-of-way, at the common northern corner of lands now or formerly of the Pennsylvania State University identified as U.P.I. No. 24-23-028S and the western corner of the herein described parcel;

**THENCE** along said municipal boundary and the centerline of West Whitehall Road N54°01'51"E, 1076.01 feet to a point at the northern corner of the herein described parcel ;

**THENCE** through a southeastern portion of the right-of-way of West Whitehall Road, 70 feet wide at this point, and concluding along other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 36-28-11F, S35°36'37"E, 201.00 feet to an existing 1/2" rebar at the common southern corner of the parcel identified as U.P.I. No. 36-28-11F and the western corner of other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 24-04-76;

**THENCE** along land of The Pennsylvania State University identified as U.P.I. No. 24-04-76, S39°41'43"E, 592.79 feet to an existing 2-3/4" iron pipe at the southern corner of land of The Pennsylvania State University identified as U.P.I. No. 24-04-76 and the western corner of lands now or formerly of Ronald A. Witmer and Louise A. Witmer;

**THENCE** along said lands of Witmer S38°33'59"E, 268.72 feet to a point at the eastern corner of the herein described parcel;

**THENCE** along a new line and through lands of The Pennsylvania State University identified as U.P.I. No. 24-04-76A, S54°01'51"W, 1091.17 to a point in the northeastern line of other lands now or formerly of The Pennsylvania State University identified as U.P.I. No. 24-04-94 and the southern corner of the herein described parcel;

**THENCE** along land of The Pennsylvania State University identified as U.P.I. No. 24-04-94, N37°49'46"W, 745.20 feet to an existing 3/4" rebar at the northern corner of land of The Pennsylvania State University identified as U.P.I. No. 24-04-94 and the eastern corner of the above mentioned land of The Pennsylvania State University identified as U.P.I. No. 24-23-28S;

**THENCE** along land of The Pennsylvania State University identified as U.P.I. No. 24-23-28S, N37°47'50"W, 316.33 feet to the point of **BEGINNING**.

**CONTAINING** 1,145,662 square feet or 26.30 acres of land, gross area more or less.

**UNDER AND SUBJECT** to all easements, conditions, restrictions and covenants of record.

24-04-76A

5-29-99  
1/1/04

**THIS DEED**

002139

MADE the 25th day of August, in the year nineteen hundred and ninety-nine (1999) between

MARK BOOKMAN and MARSHA BOOKMAN, husband and wife, of Pittsburgh, Pennsylvania, and THE RICHARD KING MELLON FOUNDATION, a Pennsylvania non-profit corporation, with a mailing address of P. O. Box RKM, Ligonier, Pennsylvania, parties of the first part, Grantors,


AND

THE PENNSYLVANIA STATE UNIVERSITY, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, having its principal place of business at University Park, Centre County, Pennsylvania, party of the second part, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of One and 00/100 (\$1.00) Dollar, lawful money of the United States of America, paid by the said Grantee to the Grantors, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, released, and confirmed and by these presents do hereby grant, bargain, sell, convey, release, and confirm to the said Grantee, its successors and assigns, a fifty (50%) percent undivided interest:

ALL that certain tract of land situated in Ferguson Township, Centre County, Pennsylvania; being Tax Parcel 24-4-76A as shown on the Perimeter Survey of Tax Parcel 24-4-76A for the Winston Corporation, dated April 23, 1990, by Uni-Tec, Inc., State College, Pennsylvania, being bounded and described as follows:

BEGINNING at an iron pin, being a northerly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous

	C.C.B.O.A.	Pd 5.00 CAS
	Registry	8-30-99
		24-4/76A
Uniform Parcel Identifier		

Book 207, Page 615) and lying in an easterly right of way line of State Route 3018, Whitehall Road (33-foot right of way); thence along the Whitehall Road right of way, North 53 degrees 39 minutes 00 seconds East, 68.43 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 15 minutes 20 seconds East, 405.48 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 31 minutes 55 seconds East, 433.02 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 53 degrees 53 minutes 10 seconds East, 168.04 feet to an iron pin lying in said right of way; thence continuing along said right of way and other lands owned now or formerly by Winston Corporation (Deed Book 354, Page 120), South 35 degrees 37 minutes 21 seconds East, 177.86 feet to an iron pin, being a southerly corner of the Winston Corporation lands and being a westerly corner of lands owned now or formerly by Whitehall Associates (Deed Book 437, Page 487); thence along the Whitehall Associates' lands, South 39 degrees 45 minutes 44 seconds East, 592.67 feet to an iron pin, being a southerly corner of said lands and being a westerly corner of lands owned now or formerly by Mildred I. Witmer (Deed Book 272, Page 180); thence along the Witmer lands, South 38 degrees 40 minutes 33 seconds East, 820.55 feet to an iron pin lying in a southerly line of the Witmer lands and being a northerly corner of other lands owned now or formerly by Winston Corporation (Deed Book 279, Page 876); thence along the other lands of Winston Corporation, South 53 degrees 35 minutes 33 seconds West, 1,099.36 feet to an iron pin, being a westerly corner of said lands and lying in a northerly line of other lands owned now or formerly by Winston Corporation (Deed Book 283, page 727); thence along the Winston Corporation lands North 37 degrees 51 minutes 41 seconds West, 1,303.36 feet to an iron pin, being a northerly corner of said lands and being an easterly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous Book 207, Page 615); thence along the White lands, North 37 degrees 46 minutes 50 seconds West, 299.27 feet to an iron pin, being the place of beginning; containing 39.757 acres.

BEING a fifty (50%) percent undivided interest in a portion of the same premises which were granted and conveyed unto Mark Bookman, one of the Grantors herein, by deed of Winston Corporation, a Pennsylvania business corporation, dated October 9, 1990, and recorded in Centre County Record Book 545, Page 1094.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues, and profits thereof, and ALSO all the estate, right, title, interest, property, claim, and demand whatsoever, both in law and

equity, of the said Grantor, of, in, to, or out of the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD the same premises, with all and singular the appurtenances; unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of said Grantee, its successors and assigns forever.

Grantors certify that no hazardous waste, within the meaning of the Solid Waste Management Act of 1980, is presently being disposed of or has ever been disposed of by the Grantors or to the Grantors' actual knowledge in or upon the above-described premises.

UNDER AND SUBJECT, NEVERTHELESS, to all existing easements, covenants, conditions, and restrictions of record.

The Richard Mellon Foundation joins in this deed to grant and convey unto the Grantee herein any and all of its right, title, and interest in and to the subject premises which it may have acquired by virtue of an unrecorded document between it and Mark Bookman.

AND the said Grantors will specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered in the presence of:

Clara E. Hasyha

Clara E. Hasyha

Mark Bookman

Mark Bookman

Marsha Bookman

Marsha Bookman

ATTEST:

THE RICHARD KING MELLON FOUNDATION:

Scott J. Jr.

By: Mann Wahlv

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF Allegheny : SS.

On this the 25<sup>th</sup> day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mark Bookman and Marsha Bookman, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Denise V. Allison  
Notary Public  
My Commission Expires:

Notarial Seal  
Denise V. Allison, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires May 17, 2001  
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF WESTMORELAND : SS.

On this the 26<sup>th</sup> day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mason Walsh, Jr., who acknowledged himself to be the Vice Chairman of the foregoing corporation, and that as such, he, being authorized by such corporation to do so, executed the foregoing deed for the purpose therein contained by signing his name thereon as such.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

Debra L. Morris  
Notary Public  
My Commission Expires: 7-12-03

Notarial Seal  
Debra L. Morris, Notary Public  
Ligonier Twp., Westmoreland County  
My Commission Expires July 12, 2003  
Member, Pennsylvania Association of Notaries



CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantee herein is as follows:

Facilities Resources and Planning  
168-D Physical Plant Building  
University Park, PA 16802-1118

  
\_\_\_\_\_  
Attorney for Grantee

COMMONWEALTH OF PENNSYLVANIA :  
                                                                              : SS:  
COUNTY OF Centre :

RECORDED in the office for Recording of Deeds, etc., in and for said  
County, in Record Book No. 1111, Page 1058.

WITNESS my hand and official seal this 31<sup>st</sup> day of  
August, 1999.

  
\_\_\_\_\_  
Recorder of Deeds

**THOMAS R. KNEPP, ESQUIRE**  
**110 REGENT COURT, SUITE 202**  
**STATE COLLEGE, PA 16801**

ENTERED FOR RECORD  
HAZEL M. PETERS  
RECORDER OF DEEDS  
CENTRE COUNTY  
'99 AUG 31 PM 12 07

BK 1111 PG 1063

24-4-76A

RB 1111 PG 1063

X  
5-11  
993.07  
993.07  
251.00

002140

**THIS DEED**

MADE the 25th day of August, in the year nineteen hundred and ninety-nine (1999) between

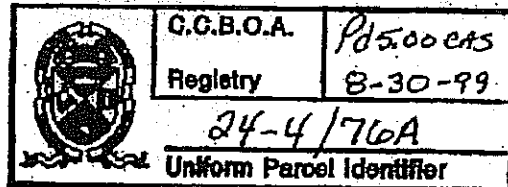
MARK BOOKMAN and MARSHA BOOKMAN, husband and wife, of Pittsburgh, Pennsylvania, and MASON WALSH, JR. AS AGENT FOR THE PARTICIPANTS IN THE REAL ESTATE ACCOUNT NO. 1 CREATED BY MEMORANDUM OF AGREEMENT DATED AS OF JUNE 1, 1988, parties of the first part, Grantors,

AND

THE PENNSYLVANIA STATE UNIVERSITY, a non-profit corporation and an instrumentality of the Commonwealth of Pennsylvania, having its principal place of business at University Park, Centre County, Pennsylvania, party of the second part, Grantee,

WITNESSETH, that the said Grantor, for and in consideration of the sum of Ninety-Nine Thousand Three Hundred Seven and 00/100 (\$99,307.00) Dollars, lawful money of the United States of America, paid by the said Grantee to the Grantors, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, conveyed, released, and confirmed and by these presents do hereby grant, bargain, sell, convey, release, and confirm to the said Grantee, its successors and assigns, a fifty (50%) percent undivided interest:

ALL that certain tract of land situated in Ferguson Township, Centre County, Pennsylvania; being Tax Parcel 24-4-76A as shown on the Perimeter Survey of Tax Parcel 24-4-76A for the Winston Corporation, dated April 23, 1990, by Uni-Tec, Inc., State College, Pennsylvania, being bounded and described as follows:



BEGINNING at an iron pin, being a northerly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous Book 207, Page 615) and lying in an easterly right of way line of State Route 3018, Whitehall Road (33-foot right of way); thence along the Whitehall Road right of way, North 53 degrees 39 minutes 00 seconds East, 68.43 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 15 minutes 20 seconds East, 405.48 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 54 degrees 31 minutes 55 seconds East, 433.02 feet to an iron pin lying in said right of way; thence continuing along said right of way, North 53 degrees 53 minutes 10 seconds East, 168.04 feet to an iron pin lying in said right of way; thence continuing along said right of way and other lands owned now or formerly by Winston Corporation (Deed Book 354, Page 120), South 35 degrees 37 minutes 21 seconds East, 177.86 feet to an iron pin, being a southerly corner of the Winston Corporation lands and being a westerly corner of lands owned now or formerly by Whitehall Associates (Deed Book 437, Page 487); thence along the Whitehall Associates' lands, South 39 degrees 45 minutes 44 seconds East, 592.67 feet to an iron pin, being a southerly corner of said lands and being a westerly corner of lands owned now or formerly by Mildred I. Witmer (Deed Book 272, Page 180); thence along the Witmer lands, South 38 degrees 40 minutes 33 seconds East, 820.55 feet to an iron pin lying in a southerly line of the Witmer lands and being a northerly corner of other lands owned now or formerly by Winston Corporation (Deed Book 279, Page 876); thence along the other lands of Winston Corporation, South 53 degrees 35 minutes 33 seconds West, 1,099.36 feet to an iron pin, being a westerly corner of said lands and lying in a northerly line of other lands owned now or formerly by Winston Corporation (Deed Book 283, page 727); thence along the Winston Corporation lands North 37 degrees 51 minutes 41 seconds West, 1,303.36 feet to an iron pin, being a northerly corner of said lands and being an easterly corner of lands owned now or formerly by Stephen J. and Paula V. P. White (Miscellaneous Book 207, Page 615); thence along the White lands, North 37 degrees 46 minutes 50 seconds West, 299.27 feet to an iron pin, being the place of beginning; containing 39.757 acres.

BEING a fifty (50%) percent undivided interest in a portion of the same premises which were granted and conveyed unto Mark Bookman, one of the Grantors herein, by deed of Winston Corporation, a Pennsylvania business corporation, dated October 9, 1990, and recorded in Centre County Record Book 545, Page 1094.

TOGETHER with all and singular the tenements, hereditaments, and appurtenances to the same belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents,

issues, and profits thereof, and ALSO all the estate, right, title, interest, property, claim, and demand whatsoever, both in law and equity, of the said Grantor, of, in, to, or out of the said premises, and every part and parcel thereof.

TO HAVE AND TO HOLD the same premises, with all and singular the appurtenances, unto the said Grantee, its successors and assigns, to and for the only proper use and behoof of said Grantee, its successors and assigns forever.

Grantors certify that no hazardous waste, within the meaning of the Solid Waste Management Act of 1980, is presently being disposed of or has ever been disposed of by the Grantors or to the Grantors' actual knowledge in or upon the above-described premises.

UNDER AND SUBJECT, NEVERTHELESS, to all existing easements, covenants, conditions, and restrictions of record.

Mason Walsh, Jr., Agent, joins in this Deed to grant and convey unto the Grantee herein any and all of his right, title, and interest in and to the subject premises which he may have acquired by virtue of an unrecorded document between him as agent and Mark Bookman.

AND the said Grantors will specially WARRANT AND FOREVER DEFEND the property hereby conveyed.

IN WITNESS WHEREOF, said Grantors have hereunto set their hands and seals, the day and year first above written.

Sealed and delivered  
in the presence of:

Clara E. Gaspari

Clara E. Gaspari

Diane A. Davis

Mark Bookman  
Mark Bookman

Marsha Bookman  
Marsha Bookman

Mason Walsh  
Mason Walsh, Jr., Agent

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF *Allegheny* : SS.

On this the 25<sup>th</sup> day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mark Bookman and Marsha Bookman, husband and wife, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

*Denise V. Allison*  
Notary Public  
My Commission Expires:

Notarial Seal  
Denise V. Allison, Notary Public  
Pittsburgh, Allegheny County  
My Commission Expires May 17, 2001  
Member, Pennsylvania Association of Notaries

COMMONWEALTH OF PENNSYLVANIA :  
COUNTY OF *WESTMORELAND* : SS.

On this the 26<sup>th</sup> day of August, 1999, before me, a notary public, the undersigned officer, personally appeared Mason Walsh, Jr., Agent for the participants in the Real Estate Account No. 1 created by Memorandum of Agreement dated as of June 1, 1998 to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal.

*Debra L. Morris*  
Notary Public

My Commission Expires: 7-13-03

Notarial Seal  
Debra L. Morris, Notary Public  
Ligonier Twp., Westmoreland County  
My Commission Expires July 12, 2003  
Member, Pennsylvania Association of Notaries

CERTIFICATE OF RESIDENCE

I hereby certify, that the precise residence of the Grantee herein is as follows:

Facilities Resources and Planning  
168-D Physical Plant Building  
University Park, PA 16802-1118

*Thomas R. Knepp*  
Attorney for Grantee

COMMONWEALTH OF PENNSYLVANIA :  
                                              : SS:  
COUNTY OF Centre                  :

RECORDED in the office for Recording of Deeds, etc., in and for said County, in Record Book No. 1111, Page 1063.

WITNESS my hand and official seal this 31<sup>st</sup> day of August, 1999.

*Hazel M. Peters*  
Recorder of Deeds

ENTERED FOR RECORD  
HAZEL M PETERS  
RECORDER OF DEEDS  
CENTRE COUNTY  
99 AUG 31 PM 12 07

THOMAS R. KNEPP, ESQUIRE  
110 REGENT COURT, SUITE 202  
STATE COLLEGE, PA 16801