

[by Smita Bharti · 2,240 supporters](#)

[Ferguson Township Board of Supervisors: Deny Toll Brothers development plan](#)

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Petition update

Suit to be filed this week; Sewage Planning Module on Dec. 14 FT agenda; other news



Smita Bharti
State College, PA

Dec 14, 2015 — 1. The Nittany Valley Water Coalition/CommunityWise lawsuit against the Ferguson Township Board of Supervisors for abuse of discretion in approving the Toll Brothers development plan will be filed in Centre County Court this week. Plaintiffs include farmers and homeowners. We'll post the documents at Steady State College when they're available.

2. We've put together a new PDF information sheet on the issues and the current status of the water protection fight.

<https://steadystatecollege.files.wordpress.com/2015/12/12-8-15-info-sheet.pdf>

3. That info sheet also includes updated information about how to donate to support the litigation. PayPal transactions may be directed to communitywisesc@gmail.com or checks mailed to CommunityWise at P.O. Box 1256, State College, PA 16804-1256.

4. As of December 9, donors have contributed \$5,715.90 and CommunityWise has paid the attorneys a \$5,000 deposit, out of which the attorneys have billed for roughly \$2,500 for their initial work the week before the November 16 Ferguson supervisors' vote.

5. Two State College residents went to the PA-Department of Environmental Protection offices in Williamsport on December 10 to find out the status of the sewage planning module application. The initial application, submitted by Landmark corporation (project investors) in roughly February/March of 2015, was not approved by DEP. Landmark subsequently dropped out of the project. As of December 10, DEP had not received any further applications related to the project.

6. A sewage planning module "public hearing" is on the Ferguson Township supervisors' agenda for Monday, December 14.

Full agenda:

https://imageserv11.team-logic.com/mediaLibrary/2032/12-14-15_BOS_AGENDA_December_14.pdf

Excerpt:

"III.6. - A PUBLIC HEARING ON A RESOLUTION ADOPTING A SEWAGE PLANNING MODULE FOR THE COTTAGES AT STATE COLLEGE AND THE WHITEHALL ROAD REGIONAL PARK...

Provided with the agenda is a copy of the sewage planning module resolution for The Cottages and the Whitehall Road Regional Park. This planning module was originally approved [by the Ferguson Township supervisors] by resolution on March 2, 2015. The North Central Office of the DEP declined to approve the planning module for two reasons, first a portion of the project had land located in State College Borough which would require the Borough to approve the planning module and second, the municipal boundary line between College Township and Ferguson Township was depicted on the county GIS data base differently than on the submitted plans and would require College Township to also approve the planning module.

Since that initial planning module approval there has been a conditionally approved subdivision and lot consolidation plan prepared to remove any land included in The Cottages at State College from being in State College Borough.

Second, a stipulation of the parties included in the municipal boundary line determination has been agreed to by the representatives of the parties. This will be presented to Judge Kistler with a draft Court Order establishing the municipal boundary between College Township and Ferguson Township along the common property line of Tusseyview Estates and the Penn State property (The Cottages at State College).

Submission of the planning module to DEP is the responsibility of the applicant..."

7. The two previous items (#5 and #6) are related to the end-run around the Borough of State College, covered in this November 23 citizens' letter to Mayor and Council:

<https://steadystatecollege.files.wordpress.com/2015/11/11-23-15-nvwc-letter-to-council-final-2.pdf>

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