

BENNER TOWNSHIP PLANNING COMMISSION

Benner Township, Centre County, PA

Regular Meeting – Minutes: *December 9, 1999* at 7:00 pm

CALL TO ORDER

Regular scheduled meeting of the Benner Township Planning Commission was called to order by Chairperson, Joe Shultz, at the Benner Township Municipal Building at 7:03 p.m.

ATTENDANCE

Members present: Joe Shultz, Dave Breon, Rob Fugate, Fred Gay, Tim Robinson and Steve Porter.

Also attending were: Renee McGowan, Zoning Officer; John Manos and Robert Davis of John Haas Associates; Ken Kemp of Penn Terra Engineering; Max Gill of State College Boro. Water Authority; Clair Emel. Audie Osgood, and Tracy Gardner of Sweetland Engineering; Donald Mohnkern of Real Time Devices USA, Inc., Scott Tudor of Ameron; and Larry Jodon. Absent: Chris Berenty.

MINUTES

Planning Commission received the minutes of *October 14, 1999*, for their review and comments. Mr. Gay moved the minutes be approved as presented. Mr. Robinson seconded the motion.

VOTE:

Mr. Berenty: absent	Mr. Fugate: yes	Mr. Porter: absent
Mr. Shultz: yes	Mr. Breon: yes	Mr. Gay: yes
Mr. Robinson – yes		

Mr. Porter arrives after the approval of the minutes.

PERSONS TO ADDRESS THE BOARD

- **Centre Communication land development/subdivision plan:** Scott Tudor of Ameron presented the plan for Centre Communication's new facility behind the Church on the Benner Pike. The property will be subdivided into two lots--one housing the communication's facility, and the other will remain vacant or will be sold. Proposed building will contain offices, a garage, and service installation facility. All the engineering comments are addressed. FAA approved to the tower location. Construction is anticipated to begin in the Spring. With all concerns being addressed, Mr. Gay moved to approve the plan. Mr. Fugate seconded the motion.

VOTE:

Mr. Berenty: absent	Mr. Fugate: yes	Mr. Porter: yes
Mr. Shultz: yes	Mr. Breon: yes	Mr. Gay: yes
Mr. Robinson – yes		

- **Real Time Devices USA, Inc. Conditional Use:** Donald Mohnkern gave a presentation about the company. The company wants to build on Lot 13 in Airport Park, Phase I. The Company designs and assembles single computer boards embedded in medical equipment, chromatography, robotics, etc. The Company began in 1985 and is located in the Penn State Research Park. The new location will be for light manufacturing, administration and corporate headquarters. The only chemicals used on the premises are completely enclosed within a "closed loop" system in a wash tub, and all residues are sent back to the manufacturer. No chemicals except for alcohol are used on the premises. The Company buys the circuit boards, expands and assembles the product on site. No etching or fabrication of computer chips will be done at the facility. Mr. Mohnkern stated last year when EPA inspected the facility that within five minutes EPA stated "no PCBs" were found. Sweetland Engineering is forwarding copies of the plans to both Benner Township and State College Boro Water Authorities for review and comment. Mr. Fugate noted this is the type of development the Township wants to see in Airport Park. Mr. Fugate moved to recommend approval of the Conditional Use to the Supervisors. Mr. Gay seconded the motion.

VOTE:

Mr. Berenty: absent	Mr. Fugate: yes	Mr. Porter: yes
Mr. Shultz: yes	Mr. Breon: yes	Mr. Gay: yes
Mr. Robinson – yes		

- **Larry Jodon Rezoning Request:** Larry Jodon explained he is requesting Spring Township rezone his property from I-2 to R-4 to match what is to be approved in Benner Township as R-3. The Commission believed the two zoning districts should match and supports this action. Ms. McGowan to follow up with written correspondence to Spring Township. Mr. Fugate moved to recommend supporting R-4 zoning request. Mr. Robinson seconded the motion.

VOTE:

Mr. Berenty: absent	Mr. Fugate: yes	Mr. Porter: yes
Mr. Shultz: yes	Mr. Breon: yes	Mr. Gay: yes
Mr. Robinson – yes		

- **Fillmore Farms Manufactured Home Park:** Ken Kemp from Penn Terra presented the preliminary plans for approval. The Commission discussed the layout, water, sewer, landscaping, and density issues on the plan. The landscape and widening plan for Fillmore Road were also discussed. All the engineering comments have been addressed. The Judge’s Order was also reviewed and appears to be addressed. With all appearing in order, Mr. Fugate moved to recommend approval of the plan to the Supervisors. Mr. Breon seconded the motion.

VOTE:

Mr. Berenty: absent	Mr. Fugate: yes	Mr. Porter: yes
Mr. Shultz: yes	Mr. Breon: yes	Mr. Gay: yes
Mr. Robinson – yes		

- **Fullington Bus Fuel Facility.** Sweetland Engineering and John Haas Associates presented the revised site plan for review and comment. The fuel facility containment bay has: water stops, tapered joints, and extra reinforced concrete to reduce stress cracks. The fuel tank is double-walled, and has a metered device which alarms if any overflow of the tank occurs. The bay is designed to contain tank and fuel truck capacity in the event of an emergency. Mr. Fugate raised concerns over Fullington’s failure to comply with regulations and wonders if Fullington is committed to properly maintaining the fueling facility. Questions were raised as to what does the water authorities think of the revised plans. Max Gill stated the plan has significantly improved. He forwarded the plan to Nittany Geosciences for review and comment. He expects a response for the Supervisor’s December 20th Public hearing on this matter. Mr. Gill also questioned whether Fullington’s should supply a Maintenance Bond in case the Township needs to act immediately to resolve a problem caused by Fullington. Mr. Porter questioned the construction standards of the facility. Is it designed to some federal or state standards? Sweetland responded that it is not. Only the tank is built to federal and state regulations. There are no standards for its construction.

Mr. Davis stated National Car and Air National Guard are fueling without containment. He also believes the airport is not fueling without containment either. Mr. Davis believes the Township should adopt a well-head protection or watershed protection ordinance. Mr. Breon stated the Township has a right to attach “conditions” to protect the watershed area. Mr. Davis stated Labor and Industry will allow Fullington’s to place the fuel tank within its existing building, and Mr. Davis believes the Fullington’s are trying to be environmentally conscious.

Max Gill stressed concerns about disposal of rain water or diesel fuel that collects in the sump pit. Fullington’s propose to prepare a maintenance program to properly dispose of the contaminated water.

The Planning Commission acknowledged receipt of Doug Deibler’s, Chairman of the Benner Township Water Authority, comments regarding this proposal. His concerns were as follows:

1. What is the gallon capacity of the containment area?
2. How is the containment area going to be emptied if there is a problem?
3. Is the containment area covered?
4. Are the sidewalls of the containment area going to be enclosed?
5. When surface water or melting snow and ice off of the buses is in the containment area where does it go?
6. Is there a fuel/water separator?
7. Is the containment area large enough to hold the capacity of the fuel tanks, the truck delivering fuel and an amount of surface water that maybe in the containment area?

8. Is there an alarm system to warn of a problem?
9. Does the request have the approval of the Fire Marshall and/or the local fire company?

The Planning Commission recommends to the Supervisors the following conditions for plan approval:

1. Letters of approval from State College Borough Water Authority and Benner Township Water Authority.
2. Inspections of the facility, by the Township, and water authorities or its agents, at a time determined by the Township to ensure compliance.
3. Fullington prepare and implement a Maintenance, Training, Emergency, and Safety Plan for the fueling facility.

Mr. Gill supported the Commission's recommendation.

Enclosure of the fueling facility was discussed. Questions were raised if it had to be enclosed now, or could it be done at a later date. Sweetland to look into the details with the County Planning Office. The Planning Commission made no recommendation at this point about the enclosure. The Commission decided to leave this decision up to the Supervisors.

VOTE:

Mr. Berenty: absent
 Mr. Shultz: yes
 Mr. Robinson – yes

Mr. Fugate: yes
 Mr. Breon: yes

Mr. Porter: yes
 Mr. Gay: yes

OLD BUSINESS:

Zoning Amendment: The Zoning Ordinance amendments were adopted by the Supervisors on November 15th.

CORRESPONDENCE

NOTES

The next meeting for December 23, has been cancelled unless it becomes necessary to meet.

ADJOURN: With all business complete the meeting was adjourned.

Respectfully submitted by,
 Renee McGowan
 Zoning Officer