

**BENNER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
November 4, 2010**

CALL TO ORDER

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:00 p.m. by Nate Campbell, Chair, at the Benner Township Municipal Building.

ATTENDANCE

Members present: Dave Jackson, Nate Campbell, Jim Swartzell and Genny Robine. Member absent was Rob Fugate. Also attending was Renee Swancer, Zoning Officer; Dan Sieminski, Jim Meyers, and Bryan Rodgers.

MINUTES

The minutes from the September 23, 2010 regular meeting minutes were presented for approval. Mrs. Robine moved the approval of the minutes. Mr. Jackson seconded the motion.

Vote: Mr. Swartzell - yes Mr. Fugate - absent Mrs. Robine - yes
 Mr. Jackson -yes Mr. Campbell - yes

PERSONS TO ADDRESS THE BOARD

Spring Creek Overlay Ordinance: Mr. Swartzell opened the discussion regarding his email expressing his concerns with the overlay ordinance. Particularly as to how the "primary" and "secondary" zones were laid out. Ms. Swancer explained the zones were described based on both property lines and watershed boundaries. Since in some areas watershed boundaries may be hard to interpret, property lines were used. Mr. Swartzell also discussed concerns regarding the requirements of lighting, parking criteria and the effects this would have on the FAA requirements as well as the airport in whole. The impacts to the Centre County Airport Authority are great. Questions were raised as to the effectiveness of this ordinance since this ordinance will only apply to Benner Township and Penn State and not to the Game Commission or the Fish and Boat Commission. Mr. Swartzell also asked if the secondary zone should be eliminated altogether since the master plan only studied the primary canyon area and not the secondary zone.

Ms. Robine was concerned if we eliminate the secondary zone we lose the protection of the canyon and Spring Creek which is what this ordinance was intended to protect. Ms. Robine went on to say that when this ordinance was first drafted, ownership was not a factor. Ownership was not defined then. Land and water protection was the primary goal.

A question was asked as to why "single family" homes were exempted from the ordinance. Ms. Swancer explained that the ordinance would be too cumbersome on individual home owners applying for conditional use applications every time a shed or residential addition was added to the home; however, the ordinance still regulates land development and subdivision activity on these residential parcels. A question was asked if the airport could also be exempted from this ordinance.

Another question was asked if the majority of the lands are exempted from this ordinance, then why have the ordinance? Mr. Campbell stated that these lands may not always be held in exempt status.

Concerns were raised that the ordinance would conflict with the requirements of the FAA and the Federal Grant Requirements for improvements at the Airport.

Mr. Sieminski added the University is supportive of the primary zone of the ordinance; however, either the secondary zone needs reduced or eliminated since the master plan did not study the area within the secondary zone. There is no logical basis beyond the primary zone.

Mr. Campbell stated that discussion regarding the ordinance needs to be addressed at the public hearing of the Board of Supervisors on November 15th. Mr. Campbell noted the Planning Commission is only a recommendatory board and these types of comments needs presented at the public hearing. If the Supervisors decide at the hearing to further discuss the comments, he said the Planning Commission will then be given the comments and discussion can continue. Mr. Campbell encouraged Penn State, the Centre County Airport Authority and University Park Airport to attend the public hearing.

NEW BUSINESS

Paul Hartle Subdivision Plan: The Commission reviewed the plans for the Hartle subdivision on Barns Lane. Several lots are proposed onto a private road. The lots will be served by private wells and septic systems. The plan meets all the requirements from the County and the Township. With no other comments, Mr. Swartzell moved to approve the module. Ms. Robine seconded the motion.

Vote: Mr. Swartzell - yes Mr. Fugate - absent Mrs. Robine - yes
 Mr. Jackson -yes Mr. Campbell - yes

Village of Nittany Glen, 2A: Ms. Swancer explained the Commission previously approved this plan, but several non-substantive changes were made to the plan thus requiring the signatures of the plan again. Mr. Swartzell moved to resign the plan. Ms. Robine seconded the motion.

Vote: Mr. Swartzell - yes Mr. Fugate - absent Mrs. Robine - yes
 Mr. Jackson -yes Mr. Campbell - yes

OLD BUSINESS

CORRESPONDENCE

- 1. Centre County Airport Authority, letter dated 10-27-2010

NOTES

ADJOURN

With all business complete, the meeting adjourned.

Respectfully submitted by:
Renee Swancer, Zoning Officer