

Benner Township Board of Supervisors
OVERLAY DISTRICT ORDINANCE HEARING
May 7, 2001

Mr. Lahr called to order the Overlay District Ordinance hearing the time being 7:30 p.m. with members Michael Kelleher and Dave Breon present. Also in attendance were John Maylie, Brian Witmer, Adam Scheidell, Nancy Swartzell, Gerte Albright, Bonnie Moerschbacher, Gerald Rogers, Jon Eich, Keith Bierly, Connie Lucas, Ed Knapp, Sally Knapp, Edward Galus, Dr. Anthony Marrara, and Renee McGowan.

Ms. McGowan noted that the Township received written comments back from Patton Township and the Centre County Planning Office.

Mr. Breon gave those in attendance an update on how the Overlay District Ordinance began and background on the review process it has taken to date.

Public Comment Period:

Gerald Rogers - 1511 Trout Road, State College, PA 16801:

Ordinance coverage distance: Mr. Rogers questioned the distance that this ordinance covers from each side of the interstate. Mr. Breon stated that the distance is ¼ mile on each side of the road. Mr. Rogers questioned why the township is using the ¼ mile when the other townships are using 1/8 mile.

Shiloh Road setbacks: It was noted that the 100' setback from the centerline of the right of way Shiloh Road is necessary because the road will have limited access.

Other roadway areas will have a 100' setback from the centerline. From I-99 the 100' setback starts at the edge of the right of way.

Bike racks: Mr. Rogers questioned the equation arrived at in the ordinance for the bike racks. Why 2½%? Mr. Rogers went on to say that he believes there will be very little, if any, bike traffic and feels that this section should be eliminated from the ordinance.

Mr. Breon noted that the Township wants to provide for alternate transportation methods.

John Maylie - 1315 Trout Road, State College (College Township Planning Commission Chairman):

Mr. Maylie reported some of the changes that College Township made to the Overlay District Ordinance.

- *College Township changed the offset from the interstate to 1/8 mile
- *Traffic study College Twp. went the developer's recommendation
- *Setbacks & Landscaping - accepted everything except for the parking lot landscaping section
- *Building & Site Design - didn't accept
- *Signs & lighting - used some of the requirements already had other standards in place
- *Environmentally Sensitive Areas - they removed the slope restrictions and kept the stream and wetland buffers and tree preservation sections.
- *Section 8 didn't apply to them

Sally Knapp - 484 Rock Road, State College, PA 16801: Ms. Knapp questioned if this ordinance is meant to be a short term or long term fix.

Mr. Breon explained that at the conclusion of the Vision 2020 study more regulations could be initiated.

Ms. Knapp questioned the lighting requirements of the ordinance. Will it help with the lighted night sky? Mr. Breon noted that the section concerning lighting should help with this effect.

Gerald Rogers: Mr. Rogers questioned the off premise signs. It was concluded that the sign type Mr. Rogers wanted to see allowed were directional signs, which are permitted in the ordinance.

Brian Witmer - Lemont, PA: Mr. Witmer questioned if a property owner wants to make an addition or change to his property or if the property was destroyed by fire would they be grand-fathered from this ordinance.

Ms. McGowan noted that they would be allowed to rebuild after a fire under the non-conforming section of the ordinance. For building additions or changes the current ordinance regulations would need to be met.

Mr. Witmer questioned the measurements for setbacks. Where do they start? Clarification was given.

Mr. Witmer stated the section of the ordinance that deals with the reduction of sign lighting by 75% when the business is closed is ridiculous.

Mr. Witmer also disagreed with the following other sections of the ordinance:

- *Bike parking requirements
- *Park & Ride requirements
- *Setbacks
- *Landscaping planting material
- *Building design standards
- *Display windows
- *Building tops
- *Unloading zone requirements
- *Slope restrictions
- *Tree preservation
- *Lot clear cutting requirement

Sally Knapp: Ms. Knapp thanked the board for working on these standards noting that there is only one chance to make it right after it's gone it's gone.

Adam Scheidell 321 Paradise Road, Bellefonte: Mr. Scheidell stated that he hopes that the Board keeps an open mind when listening to these comments and considers them before adopting this ordinance.

Mr. Kelleher moved to accepted these comments and forward them on to the township planning commission for their review and recommendations. Mr. Lahr seconded the motion.
Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

The public hearing for Ordinance 78 was closed the time being 9:05 p.m.

Sharon Royer, Sec.

**Benner Township Supervisors
May 7, 2001**

The Chairman, Richard Lahr with members Dave Breon and Michael Kelleher present, called the regularly scheduled meeting of the Benner Township Board of Supervisors to order at 9:15 p.m. Also in attendance were Bonnie Moerschbacher, Gerald Rogers, Jon Eich, Keith Bierly, Connie Lucas and Renee McGowan.

PERSONS TO ADDRESS THE BOARD

Connie Lucas, Keith Bierly, Jon Eich: Mr. Eich noted that the Commissioners have held 6 open houses to discuss the proposed jail project. If the jail were to be built on another site the project would probably cost an estimated 3 million more.

Currently negotiations are in the works for a 27.42-acre parcel. The parcel will front on to Rishel Hill Road. The Commissioners noted that they still need approval from General Services and Legislation will have to be passed.

The commissioners noted that the new facility will be built to hold 304 beds and designed for possible expansion to 600 beds. The approximate square footage of the building is 105,000. The kitchen and laundry facilities will be built to accommodate a 600-bed facility. Currently 180 to 200 beds will be needed. The facility will require 66 employees.

The Board requested a copy of the material that the Commissioners put together for the proposed project be sent to them for their review.

The fire training facility has been offered 7 acres and proposing to purchase an additional 7 acres.

MINUTES

The minutes of April 16, 2001, were presented to the Board for review and comments. Mr. Breon moved to approve the minutes with the following amendment "Brian" not "Brain" Auman. Mr. Kelleher seconded the motion with the amendment.

Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

BILLS

The bills of May 7, 2001, were presented to the Board for their review and approval. Mr. Kelleher moved to approve the bills as presented. Mr. Lahr seconded the motion.

Vote: Mr. Breon – yes Mr. Kelleher – yes Mr. Lahr – yes

ZONING OFFICER'S REPORT

Fullington Bus: Ms. McGowan noted that they have received word from Sweetland Engineering that Fullington may not meet their project deadline.

PSU Animal Management: It was noted that DEP is requiring Penn State to combine all of their farming activities together and prepare a nutrient management program for their farming land holdings.

Deb Harter: It was noted that Ms. Harter believes that the township, when widening Purdue Mt. Road over the years, removed one of her corner property pins and is asking if the township would pay to have it reset. Discussion was held. The Board noted that since there isn't any physical evidence that the township removed her pin, they would not set a precedent by surveying her property for her.

PSU Timbering: Ms. McGowan noted that Penn State has contacted the township about creating a forest management area on Barns Lane. It was noted that we are waiting to hear back from them with additional information.

Centre Communications Tower: It was noted that a permit was issued for Centre Communications some time ago to erect a tower as an accessory use to their business. SBA is now requesting permission to place an antenna on Centre Communication's tower. After Mr. French reviewed the ordinance it is his recommendation that with the current wording of the ordinance that a permit be issued.

Mr. Kelleher moved to have the Planning Commission review the current ordinance and begin to work on an amendment to it. Mr. Lahr seconded the motion.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

OLD BUSINESS

Spring Township Agreement/Boundary Change: Table.

Patton Township/Benner Township Boundary: Table.

Road Crew Position: Table until the interviews are concluded.

NEW BUSINESS

Robert Johnstonbaugh Minor Plan: Mr. Kelleher moved to approve the Robert Johnstonbaugh Plan with the Zoning Officer's comments. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

County Aid Application (Purdue Mt. Guiderail): Mr. Breon moved to sign the request for funds to the Commissioners for the Purdue Mt. Guiderail Project. Mr. Kelleher seconded the motion.

Vote: Mr. Breon - yes Mr. Kelleher - yes Mr. Lahr - yes

Purdue Mt. - It was noted that since more of Purdue Mt. is paved we are now receiving complaint calls about speeding. One resident has called the State Police who said that they couldn't enforce the speeding because the road isn't signed properly. The Board asked that this issue be checked into to see how many sign are needed and the total cost for the signs.

Big Hollow Roadway/Walnut Grove residents: Discussion was held regarding sending the residents a letter that signed a petition about the Big Hollow Road improvements about the cost estimate that we received from the Engineer. The Board agreed that a letter should be drafted and sent.

Larry Quay CATA Service: The Board asked that a letter be sent to Mr. Quay explaining that he should circulate a petition to his neighbors and give it to the Board should he wish to have CATA make bus stops in the Court.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Land Use Institute workshop
2. Centre Co. Comprehensive Plan Update 2001
3. SBWJA April 9, 2001 minutes
4. Copy of letter sent to B. Auman Re: Stream Restoration from Historic & Museum
5. Letter from HRG Re: Mather driveway
6. Letter from County Re: Accelerated Erosion and Minor Downstream Flooding
7. Letter from Emergency Communications Re: Benner Pike
8. Letter from B. LaParne to New Enterprise Stone & Lime
9. Rock Road Detour letter from B. LaParne
10. Copy of letter to Ralph Stewart from Centre Region COG
11. County Letters
 - a. Benner Chiropractic Land Development Plan
 - b. Penn State Test Track Land Development
12. Centre Co. Planning Commission's Year 2000 Report of the Planning Office Accomplishments

ADJOURNMENT

The meeting was adjourned the time being 11:20 p.m.

Sharon Royer, Sec.