

**Fastshoez Conditional Use Hearing
December 5, 2005**

The Conditional use hearing for Fastshoez was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and Dave Breon present. Also in attendance were Genevieve Robine, Pat Bernhard, Doug Weikel, Edward Galus, Jeff Haas, Wendy Haas, Matt Harlow, Ken Schaeffer and Renee Swancer.

Mr. Haas noted that the race track will now be in an enclosed, insulated building. The maximum size of the building will be 70,000 sq. feet. Parking spaces will remain at a minimum of 94 spaces. The draft copy of the decision was gone over with minor amendments being made.

Mr. Elnitski moved to conditionally approve the Fastshoez Conditional Use request pending the final draft of the decision to be considered at the Board's next meeting scheduled on December 19, 2005. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

The hearing was adjourned the time being 8:03 p.m.

**Cingular Wireless Conditional Use Hearing
December 5, 2005**

The Conditional use hearing for Cingular Wireless was called to order at 8:05 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and Dave Breon present. Also in attendance were Genevieve Robine, Pat Bernhard, Doug Weikel, Edward Galus, Matt Harlow, Ken Schaeffer and Renee Swancer.

It was noted that the applicant has requested a continuance for this hearing; therefore it will be continued at the Board's meeting scheduled for December 19, 2005.

The hearing was adjourned the time being 8:05 p.m.

**Benner Township Supervisors
December 5, 2005**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 8:05 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and Dave Breon present. Also in attendance were Genevieve Robine, Pat Bernhard, Doug Weikel, Edward Galus, Matt Harlow, Ken Schaeffer and Renee Swancer.

Executive Session Notice:

It was noted that the Board held an executive session on November 15, 2005 from 9:30 a.m. to 10:45 a.m. All three Board members were present.

PERSONS TO ADDRESS THE BOARD

Matt Harlow Re: Amberleigh Subdivision: Mr. Harlow noted that PennDot is requesting that the Supervisors sign the Highway Occupancy Permit application for the abandonment of Valentine Hill Road. PennDot is making this a condition of approving the Amberliegh Highway Occupancy Permit. Discussion was held. It was noted that a Right of Way will be provided so that Mr. Hartle can access his fields through the development. It was noted that the pavement will need to be removed and a cul-de-sac installed where Valentine Hill Road and the Benner Pike meets. Mr. Weikel noted that by the Board signing this application that it does not commit them into actually doing something. A formal hearing will need to be held in order to formally abandon the roadway. Mr. Elnitski moved to sign the application and to have the solicitor advertise for the abandonment proceedings. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Rockview Property: Mr. Elnitski noted that the Supervisors are interested in seeing a portion of the Rockview property being made into commercial/industry area since the township is losing more land that is currently zoned this way to the tax exempt Centre County Airport Authority. He noted further that this may be a way that water and sewage issues could be fixed. It was noted that the Canyon area will need further studies to see if the area should or should not be open to the public. The ag area that is to be turned over to PSU will have deed restrictions listed that the area will be made perpetual ag.

Genny Robine: Mrs. Robine noted that she has concerns regarding the Spring Creek area that is to be turned over to the Township. She noted that this is a lot of responsibility that is being placed on to the Board's shoulders. Mrs. Robine discussed the Board creating a management plan for the area that is being turned over. She noted that the Western Pennsylvania Conservancy could probably aid the Board with is plan. Mrs. Robine also mentioned that ClearWater currently has an agreement with Rockview as to the farming practices they will use on the land around Spring Creek and suggested that perhaps a similar agreement could be made with Penn State.

Ed Galas: Mr. Galas stated that he was seeking the Board's advice as to how Habitat for Humanity could acquire some of the property from Rockview for low income housing. Other possible areas were discussed. The Board noted that they would like to try to help but the property isn't under their control to give. Mr. Galas noted that he is aware that in some municipalities ordinances have been adopted that require a certain percentage of a property being developed to accommodate affordable housing. The Board asked Mr. Galas if he could locate one of these ordinances for them to review.

MINUTES

The minutes of November 7, 2005, were presented to the Board for their review and comments. Mr. Breon moved to approve the minutes as presented. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

BILLS

The bills of December 5, 2005, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

ENGINEER'S REPORT

Mr. Weikel went over the items that he is reviewing on the Board's behalf.

ZONING OFFICER'S REPORT

Mrs. Swancer went over the items that she has been dealing with.

It was noted that Mr. Kenneth Schaeffer had been present to note his concerns about the drain field on the King property which is located next to him.

OLD BUSINESS

Spring Township Agreement/Boundary Change: This item continues to be tabled.

Patton Township/Benner Township Boundary: This item continues to be tabled.

Beezer Hill Road Closure: This item continues to be tabled.

Adelphia Franchise Fee Agreement Renewal: Tabled.

Nittany Valley Joint Planning Commission: It was noted that Chris Price will be attending the next Planning Commission meeting to discuss the working draft copy of the new zoning ordinance.

2006 Budget: Mr. Elnitski moved to adopt the 2006 budget as prepared. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Patrick Bernhard: Mr. Bernhard updated the Board on the information regarding the specifications for the new township truck. Mr. Bernhard noted that initially he didn't intend to purchase a new plow, but after talking with a number of Penn Dot drivers and them indicating how much time they save using them he decided that it would be in the township's best interest to get one. Mr. Swartzell moved to order the new township truck from the Pennsylvania State Contract at the cost of \$125,019 for the truck and plow. Mr. Breon seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

NEW BUSINESS

Nittany Glen Phase 1 & 2 Surety Reduction: It was noted that Mr. Weikel has reviewed the surety reduction request of Nittany Glenn for Phase 1 and 2 and recommended approval. Mr. Elnitski moved to approve the surety reduction for Phase 1 and 2. Mr. Swartzell seconded the motion.

Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

County Subdivision Plan for Lot 5: Mrs. Swancer presented the plan for the Board to review. The Board noted that they would like to see the driveway for this lot to line up with the driveway for the prison.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. County Planning Office Comment Letters
 - a. Final Plan Opequon Hill Subdivision Phase 2 & 3
 - b. Time Extensions
 1. Graymont
 2. Benner Chiropractic Land Development
 3. Skipper Subdivision
 - c. Amberleigh Final Plan
 - d. Preliminary Plan Eagle Point Subdivision
 - e. Benner Chiropractic Land Development Plan
 - f. Nittany Express Land Development
2. Letter Re: Penns Valley Regional Comprehensive Plan
3. Letter from ISO Re: Building Code
4. Letter from PSU Re: Settlement Payment
5. HRG Comment Letters
 - a. Polymics Final Plan
 - b. Opequon Hill Inlet
 - c. Amberleigh Final Plan
 - d. Grove Park Preliminary Plan
6. People Protecting Communities Packet Re: Garbage Dump
7. Bridge Inspection report for Krout Road Bridge
8. SBWJA Minutes of October 24, 2005

ADJOURNMENT

The meeting was adjourned the time being 10:58 p.m.

Sharon Royer, Sec.