

**Benner Township Supervisors
Public Hearing Ordinance 99
February 18, 2008**

The Public Hearing for Ordinance 99 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 William Spedding, Ann Stacey, Dave Wise, Paul Silvis, John Coleman, Charles Suhr, Dan Mattern, Brian McKinley, Rod Beard, Larry Jodon, Clint Frazier, James Ault, Rex Mattern, Susan McConnell, Stacy Longenberger, Erika Sweigard, Bryan Haimul, Brad Beichner, Chris Lykens, Warren Miller, Brian Book, Dennis O'Leary, Doug Weikel and Renee Swancer.

Attorney Charles Suhr was present to go over why his clients made the request for the zoning amendment. Mrs. Swancer noted that the Township's consultant, Harry Roth, prepared the regulations in proposed Ordinance 99. Ordinance 99 will amend the current General Commercial regulations using proposed Highway Commercial zoning regulations. Once the new zoning ordinance is adopted Ordinance 99 regulations will be included within it.

Mrs. Swancer went over the comments that were received by Penn Terra Engineering (William Spedding and John Sepp) and the Centre County Planning Commission.

William Spedding's letter dated January 23, 2008, basically questioned what some of the definitions would include. Mrs. Swancer responded in writing to Mr. Spedding who indicated that his questions were answered.

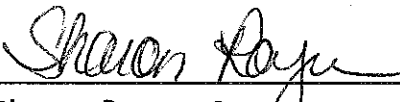
Mr. Sepp's letter asks for Section 2.2.48 Shopping Centers: that the Residential Zones be listed out as "AR-1, R-2", etc. Mrs. Swancer noted that this will be taken under consideration in the new zoning ordinance but for this amendment it is clear. His second comment deals with the allowable maximum impervious coverages for Shopping Centers and asks that this amount be changed to 70% with an architectural design bonus to 80%. The Ordinance as written is 60% to 70% with the architectural bonus. It was noted that this was previously discussed by the Board and that they were letting this standard remain at 60% and 70% with design bonus.

The County Planning Office comments noted that they felt that the proposed parking recommendations should be changed so that excessive parking won't be created causing more pavement and causing more stormwater. It was noted that this recommendation will be taken under advisement and be considered under the new zoning ordinance.

Mr. Spedding noted that his clients feel that the maximum impervious coverages should be higher than what is being proposed. He noted that in the old ordinance they were higher. Mr. Elnitski noted that due to stormwater best management practices they feel that the percentages are justified as currently proposed in this ordinance amendment and that this was previously explained to Mr. Sepp.

Mr. Jodon questioned how off street parking would be addressed for a mini storage unit facility. Mrs. Swancer noted the Planning Commission is currently reviewing off street parking requirements and that they will be addressed in the new zoning ordinance. Mr. Jodon questioned who came up with the uses and which ones were "Conditional Uses" and those that are "Permitted Uses". Mrs. Swancer noted that the consultant made this designation.

The hearing was closed the time being 7:55 p.m.


Sharon Royer, Sec.

**Benner Township Supervisors
February 18, 2008**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:57 p.m. by the Chairman, John Elnitski, Jr. with members James Swartzell and Dave Breon present. Also in attendance were William Spedding, Ann Stacey, Dave Wise, Paul Silvis, John Coleman, Charles Suhr, Dan Mattern, Brian McKinley, Rod Beard, Larry Jodon, Clint Frazier, James Ault, Rex Mattern, Susan McConnell, Stacy Longenberger, Erika Sweigard, Bryan Haimul, Brad Beichner, Chris Lykens, Warren Miller, Brian Book, Dennis O'Leary, Doug Weikel and Renee Swancer.

Ordinance 99: Ordinance 99 was presented to the Board for their consideration. Mr. Breon moved to adopt Ordinance 99 as presented. Mr. Swartzell seconded the motion.

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

PERSONS TO ADDRESS THE BOARD

Warren Miller: Mr. Miller was present to review the plans for the sewerline extension in the Township. Mr. Miller noted that some of the pipe extension would take place in the roadway. Discussion was held as to the ditch details and what type of repairs would be made to Raymond's Lane and Lower Gyp Road since both of these roads are not actually paved. Mr. Miller noted that they hope to advertise the project later this week and hope to be under construction around mid to late April. Mr. Miller noted that the project should be completed by November and then a 60 day connection notice will be issued. He noted that they would work with individuals should extreme weather conditions exist. Mr. Miller also noted that there is some financing options available for the tap on fees and that inquiries should be made at the Spring Benner Walker office. Mr. Miller noted that some of the piping alignment has changed from the original design to make connections easier. Mr. Miller noted that very little resistance was met at the public meeting that was held.

The Board questioned what is going on with the Septic Management Program. The Board questioned when is this program going to start. Mr. Miller noted that he has a meeting scheduled with Walker Township on March 4 and that he hopes to have a better feel after that meeting as to when the program will get started.

MINUTES

The minutes of February 4, 2008, were presented to the Board for their review and comments. Mr. Swartzell moved to approve the minutes as presented. Mr. Breon seconded the motion.

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

BILLS

The bills of February 18, 2008, were presented to the Board for their review and approval. Mr. Swartzell moved to approve the bills as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Breon - yes

Mr. Swartzell - yes

Mr. Elnitski - yes

ENGINEER'S REPORT

Mr. Weikel was present and went over the plans that he has been reviewing on the Board's behalf.

ZONING OFFICER'S REPORT

Mrs. Swancer noted that they have received the rest of the Ordinance from Harry Roth. It is the Planning Commission's hope to complete the remainder of their review by the end of March.

Mrs. Swancer noted further that currently we are trying to schedule the joint meeting with College Township on March 6th for Shiloh Road zoning discussions.

OLD BUSINESS

Comcast Franchise Agreement: Tabled.

NVJPC Zoning/Zoning: Nothing new to report.

Nittany Valley Regional Recreation Authority: It was noted that the final report from the peer to peer grant should be completed within the month.

Canyon Property: It was noted that the Consultant interviews will be held on the 26th at the Penn Stater. Mr. Breon noted that he has received a commitment from Penn State that they will pay for one half of the DCNR matching portion of the grant.

Sewer Plant Issues: Mr. Elnitski noted that he has been informed that SBWJA representatives have been meeting with Bellefonte Borough representatives to try to work out an agreement regarding funding issues.

Zoning: Mr. Elnitski noted that Howard Grove called him to say that he was not pleased with the proposed zoning regulations and how they will effect him.

NEW BUSINESS

CDICC Rezoning request: The Board is in receipt of a request from CDICC to rezone their property and the Ault property to Campus Industrial. Potential time frames for this ordinance request was reviewed. Ms. Stacey went over various concerns that the Chamber has with this site. She noted that it is very important that the Chamber has shovel ready sites for their potential clients and has concerns that TDRs as being proposed in the new ordinance will hurt this process. She noted further that their engineer also has concerns with parking requirements and allowable coverage amounts. The Board asked that the Chamber give the township a condensed list of their concerns and a copy of their restrictive covenants for the Township to review. The Cleveland Brother rezoning process was discussed. It was clarified that what was done previously for that parcel has nothing to do with what is being done currently. Mr. Elnitski moved to accept this request and pass it on to the Planning Commission for their review and comments. Mr. Swartzell seconded the motion.

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

Ethel Ault Planning Waiver and Non-Building declaration: Mr. Elnitski moved to approve the Planning Waiver and Non-Building declaration for the Ethel Ault property. Mr. Breon seconded the motion.

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

Grove Park Phase 1 Surety Reduction: It was noted that Grove Park is requesting a reduction in surety for Phase 1 of Grove Park from \$249,128.03 to \$79,804.36. Mr. Swartzell moved to grant this surety reduction. Mr. Elnitski seconded the motion.

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

University Park Airport Conditional Use Application: The Board is in receipt of a conditional use application from University Park Airport seeking permission to expand their fuel system. Mr. Breon moved to accept and forward this application on to the Planning Commission for their review and comments. Mr. Elnitski seconded the motion.

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

Traffic Consultation Re: University Park Airport Vehicle Traffic: Mr. Swartzell asked fellow board members if they would be interested in

working in cooperation with the Centre County Airport Authority to hire a traffic consultant to look at signage at and near the University Park Airport. Discussion was held. Mr. Swartzell noted that he would re-approach the Board when cost estimates are available.

Teamsters Union MOU: The memorandum of understanding for the Teamsters Union Land Development plan was presented for approval. Mr. Elnitski moved to approve this memorandum. Mr. Breon seconded the motion. Vote: Mr. Breon - yes Mr. Swartzell - yes Mr. Elnitski - yes

Canyon Zoning: Discussion was held concerning creating a Riparian Zone or a Canyon Diversity Zone for the Canyon Property.

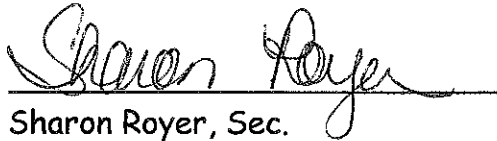
CORRESPONDENCE

The board acknowledged the following correspondence:

1. SBWJA Minutes January 14, 2008 and January 28, 2008
2. Gary Shultz Board member application - (Table until next meeting)
3. Paul & Ellen Subdivision Time Extension Request

ADJOURNMENT

The meeting was adjourned the time being 10:05 p.m.


Sharon Royer, Sec.