

**Confer TKJ Company – Benner Pike Mini Storage
Conditional Use Decision
November 1, 2010**

The meeting to render the conditional use decision for the Benner Pike Mini Storage was called to order at 7:30 p.m. by the Chairman, John Elnitski, Jr. with members Dave Breon and Randy Moyer present. Also in attendance were Joel Confer, Brian Miller, Gerald Rogers, Mark Torretti, David Wise, John Sepp, Jeff Long, Renee Swancer and Sharon Royer.

It was noted that the applicant was provided a copy of the draft decision for their review. Mr. Elnitski questioned if the applicant had any questions concerning the decision. Discussion was held concerning the mountable concrete median to be installed for the carwash. Mr. Torette noted that if painted lines aren't acceptable then they will plan on installing something that can be classified as a mountable curbing.

Mr. Elnitski moved to adopt the decision as presented. Mr. Moyer seconded the motion.

Vote: Mr. Moyer – yes Mr. Breon – yes Mr. Elnitski - yes

The meeting was adjourned the time being 7:35 p.m.

Sharon Royer, Sec.

**Benner Township Supervisors
November 1, 2010**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:36 p.m. by the Chairman, John Elnitski, Jr. with members Dave Breon and Randy Moyer present. Also in attendance were Gerald Rogers, Mark Torretti, David Wise, John Sepp, Jeff Long, Renee Swancer and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

John Sepp/Dave Wise Re: Benner Commerce Park: Mr. Sepp noted that the CCIDC is requesting three non-substantive changes to their plan for Benner Commerce Park which include:

- a. They are asking to keep the old Rockview Road which is a gravel roadway until the development of lots 1-3. The reasons that they are requesting keeping this road is that: 1. The road is in good stable condition. 2. This road provides access to utilities.

b. Want to keep the dirt stock pile located on lot 3. Mr. Sepp noted that it doesn't make sense to disburse the pile of dirt at this time, as projects in the development will need it as they are built.

c. PennTech Drive haul road. It was noted that they are requesting not to remove this gravel roadway as well. It was noted that this haul road is in stable condition and is being used by a farmer who is farming the project's residue. CCIDC noted that they are willing to construct a gate at this road so traffic can't access the remainder of the roadway.

Mrs. Swancer noted that these requests will need to be reviewed by the County Planning Office as well as the Township Engineer.

Discussion was held concerning the posting of surety for the development. Mr. Sepp noted that they would have a resolution for this issue at the Board's November 15th meeting.

John Sepp/Jeff Long/Bob Poole Re: Eagle Point Residential Community: Mr. Sepp provided the Board with a copy of an ordinance that was adopted by East Lampeter Township that he feels may assist the Board with zoning regulations for the remainder of the Eagle Point property. The Board noted that they would review the ordinance and discuss it with township counsel. Mr. Sepp also provided the Board with a conceptual sketch of how the remainder of the property could be developed to the front along the Benner Pike.

Gerald Rogers: Mr. Rogers noted that he was present to see if the Board had any new information concerning the sewer to his property. Mr. Breon noted that he has an appointment scheduled with Cory Miller of UAJA on November 8th. Mr. Rogers noted that he spoke with Mark Holdren of the Centre Region who told him that his property in College Township could be sewered by completing a sewage planning module to DEP for approval since his property was included in College Township's Act 537 Plan. Mr. Breon noted that he would give an update on his meeting with Mr. Miller at a future meeting.

MINUTES

The minutes of October 18, 2010, were presented to the Board for their review and comments. Mr. Elnitski moved to approve the minutes as presented. Mr. Breon seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

BILLS

The bills of November 1, 2010, were presented to the Board for their review and approval. Mr. Breon moved to approve bills as presented. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

ZONING OFFICER'S REPORT

Village of Nittany Glen Phase IIA Surety: It was noted that the McKee Group has presented the Township with a cashiers check in the amount of \$269,879.13 for the remainder of work that needs to be completed on the Phase IIA clubhouse plan. Mr. Elnitski moved to accept and approve the surety for Phase IIA as reviewed and recommended by the Township Engineer. Mr. Moyer seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

Village of Nittany Glen Phase IIA Plan: It was noted that now that surety has been posted that the Phase IIA Plan is ready for signatures. Mr. Elnitski moved to approve the Village of Nittany Glen Phase IIA plan. Mr. Breon seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

COMMITTEE REPORTS

Spring Creek Watershed: Mr. Breon noted that the Watershed is again asking for each participating municipality to contribute \$104.

Fire Task Force: Mr. Elnitski reported that the group drafted its mission statement at their last meeting.

Spring Creek Canyon: Mr. Elnitski noted that he anticipates that he will be participating in a conference call next week concerning the final agreement.

Bellefonte Borough Fire Budget: Mrs. Royer noted that Spring Township had the same questions on the proposed budget figures from Bellefonte Borough so we are waiting to hear back on those answers. Mr. Moyer noted that he spoke with officials from the Pleasant Gap Fire Company and found out that they do not require physicals. Officials there police themselves as who should be doing what types of activities. The Board asked that a list of the upcoming Fire Executive Committee meetings be requested.

OLD BUSINESS

Spring Creek Canyon: Overlay hearing is scheduled for November 15, 2010.

ROW Regulatory Ordinance: Tabled.

NEW BUSINESS

Pleasant Gap Fire Company Agreement: Mr. Elnitski moved to approve the agreement as proposed. Mr. Moyer seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

Nittany Valley Running Club: The Board is in receipt of a letter from the Nittany Valley Running Club requesting to use Rock Road for their road race on Sunday, December 5, 2010 from 10 am. to Noon. Mr. Elnitski moved to approve the request with the same requirements as in years past. Mr. Breon seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

Tree Ordinance: Discussion was held concerning trees that need to be removed due to potential roadway hazards that are out of the township's right of way. Mr. Breon noted that our current ordinance does not address this issue. However, there is mention to this in the Second Class Township Code that states that the township may adopt an ordinance dealing with this issue. The Board asked that this be forwarded on to the Township Solicitor.

Task Force/Petty Cash Funds: Mr. Elnitski moved to authorize Benner Township to keep track of the Petty Cash fund for the Fire Task Force. Mr. Breon seconded the motion.

Vote: Mr. Moyer –yes Mr. Breon – yes Mr. Elnitski – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Benner Township Water Authority Minutes – September 21, 2010
2. SBWJA Minutes – October 11, 2010
3. County Planning Office Correspondence
 - a. Fox Ridge Subdivision time extension
 - b. Glen @ Paradise Hills time extension
 - c. Hartle Subdivision & Lot Addition time extension
 - d. Final Plan Former Wolf's Furniture
4. PSATS Legal Defense Update

ADJOURNMENT

The meeting was adjourned the time being 8:32 p.m.

Sharon Royer, Sec.