

**Graystone Court
Conditional Use Hearing
November 21, 2011**

The Conditional Use Hearing for Graystone Court 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 Doug Weikel, Tim Schoonover, Warren Miller, Steve Lanich, Carol Walker, Ray Walker, Jr., Brian Walker, Tony Fruchtl, Renee Swancer and Sharon Royer.

Mr. Fruchtl presented the Board with the additional information regarding the parking study that was done. It was noted that this information was provided to the Township Engineer and the Planning Commission for their review. Both were satisfied with the information provided.

Mr. Breon moved to adjourn the hearing the time being 7:36 p.m. Mr. Elnitski seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski - yes


Sharon Royer, Sec.

**Benner Township Supervisors
November 21, 2011**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:37 p.m. by the Chairman, John Elnitski, Jr. with members Dave Breon and Randy Moyer present. Also in attendance were Doug Weikel, Tim Schoonover, Warren Miller, Steve Lanich, Carol Walker, Ray Walker, Jr., Brian Walker, Tony Fruchtl, Renee Swancer and Sharon Royer.

Graystone Court Conditional Use: Mr. Elnitski read the findings of fact and the proposed conditions aloud. Mr. Elnitski noted that Mr. Fruchtl should check with the FAA to make sure that the height of the building won't be a problem as it is located in the flight path of University Park Airport. Mr. Elnitski moved to approve the conditional use decision as read. Mr. Breon seconded the motion.

Vote: Mr. Moyer – yes

Mr. Breon – yes

Mr. Elnitski - yes

EXECUTIVE SESSION NOTICE

Mr. Elnitski noted that the Board held an executive session this evening from 7:00 p.m. to 7:30 p.m. to discuss litigation matters. All three board members were present.

PERSONS TO ADDRESS THE BOARD

Benner Township Water Authority: Warren Miller and Steve Lanich were present to discuss the Peru Water Upgrade project with the Board. Mr. Miller noted that the project was awarded \$100,000 in county CDBG funds last year. He noted further that the county would like to contribute left over 2008 CDBG funds in the amount of \$67,401 bringing the total of \$167,401 towards the project. Mr. Miller also noted that the attorney is looking to see if the approximately \$67,000 that was being held in escrow dealing with the LeVin/Rockview issue could be put towards this project. Three hydrants will be installed during construction. Mr. Miller noted that the project must begin by May 1, 2012 and must be completed no later than August 1st. Mr. Breon moved to approve the agreement for acceptance of the 2008 CDBG funds in the amount of \$67,401. Mr. Elnitski seconded the motion.

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

Mr. Elnitski moved to approve the Benner Township Water Authority to administer the CDBG funds. Mr. Breon seconded the motion.

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

Walkers: Mr. Elnitski noted that as he understands it that the Walker's are requesting that their property be rezoned to Light Industrial and would like the Board to consider amending that district to allow for private transfer stations as a use. It was further clarified that private transfer stations are not permitted in Benner Township, but they are however permitted in other Townships located under the Nittany Valley Joint Comprehensive Plan. Therefore, Benner Township is not required to allow for this use. Mr. Elnitski noted that he also understands that in order for a private transfer station to operate in the Township that the Centre County Solid Waste Authority along with DEP would need to approve the activity and issue permits. Mr. Elnitski noted that the Board is not against allowing this type of activity to take place in the Township but they are not sure that it is a use that they would want to see located in the Light Industrial District. Mr. Elnitski informed the Walkers that they will be receiving a cease and desist letter from the Township and that should after that notification activity is noticed that DEP will be notified. It was reaffirmed that no sorting of materials may take place on their property. The Board asked the Walkers to communicate with the Centre County Solid Waste Authority and DEP to see if they would be permitted to operate a private transfer station if they were zoned to do so and communicate back to the Township so that if it is a use that they won't permit that needless time is not expended looking further into it. The Board noted that in parallel that they would consider this use and see in what zoning district they feel would be the best fit and look at other example ordinances to see how the regulations would be worded. Discussion was held. Mr. Breon noted that the Board may very well conclude that a private transfer station not be permitted in the Light Industrial Zone but perhaps some other zoning district. Brian Walker

asked that their application be considered as submitted. Mr. Elnitski moved to forward the application on to the Planning Commission to begin the review process. Mr. Moyer seconded the motion.

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

MINUTES

The minutes of November 7, 2011, 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 21, 2011, were presented to the Board for their review and approval. Mr. Breon moved to approve the bills as presented. Mr. Moyer seconded the motion.

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

ENGINEER'S REPORT

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

Discussion was held concerning the Krout's Road Bridge. Mr. Moyer noted that he would contact Mr. Catherman; Mr. Elnitski is to contact the Fish & Boat Commission as well as Denny Krout and Mr. Schnoonover was to follow up on the Board of View.

Shiloh Road – Mr. Weikel noted that the Game Commission is seeking additional access to create more parking for the property. Mr. Weikel noted that he most likely will not be able to make the meeting put that sight distance will need to be confirmed and stormwater looked at.

ZONING OFFICER'S REPORT

Mrs. Swancer noted that she has received correspondence from Terry Williams who is representing the Tresslers that are seeking a rezoning of their property at the intersection of Rock and Fox Hill Roads. The Tressler's want their property rezoned to Airport Commercial. Mrs. Swancer noted that she hasn't received a completed application as of yet. The Tressler's submitted a concept plan that they would like to construct storage units on their property.

Mrs. Swancer also noted that Genny Robine questioned who would be representing the Township on the Spring Creek Watershed Commission after Mr. Breon retires from the Board in January. This item will need to be addressed at the re-organizational meeting.

COMMITTEE REPORTS

Fire Task Force: Mr. Elnitski noted that the group feels that it is necessary to have the facilitator back to a few more meetings. Mr. Elnitski moved to approve township funds for the Township’s share of the facilitator’s fees. Mr. Breon seconded the motion.

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

OLD BUSINESS

ROW Regulatory Ordinance: Continues to be tabled.

NEW BUSINESS

Ralph Houck Resignation: The Board was in receipt of a resignation letter from Ralph Houck as the Township’s SEO effective June 30, 2012.

Lion’s Gate Preliminary Plan: Mrs. Swancer noted that all comments have been addressed on the Lion’s Gate Preliminary Plan and therefore is ready for Board approval and signatures. Mr. Elnitski moved to approve the Lion’s Gate Preliminary Plan. Mr. Moyer seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Paul Hartle Subdivision Time Extension
2. Copy of letter from Spring Township RE: Kepler Pool 2012
3. State College Borough Water Authority – Alexander Well Field Report
4. SBWJA Minutes of October 24, 2011
5. Benner Township Water Authority Minutes of October 18, 2011

ADJOURNMENT

The meeting was adjourned the time being 8:34 p.m.



 Sharon Royer, Sec.