

BENNER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
July 23, 2015

CALL TO ORDER

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:00 PM by the Chairman, Nate Campbell who led the meeting with the Pledge of Allegiance.

ATTENDANCE

Members present: Paul Kurtz, Willis Houser, Nate Campbell, and Greg Jeffries.

Members absent: Sherry Dawn Jackson, Jim Swartzell, Lee Copper

Others present: Sign-in Sheet attached to minutes

MINUTES

The minutes from the July 9, 2015 meeting were presented for approval. Mr. Kurtz made a motion to approve the minutes. Mr. Houser seconded the motion. All voted in favor.

Vote: Mr. Kurtz-yes Mr. Jeffries-yes Mr. Campbell-yes
 Mr. Houser-yes

PERSONS TO ADDRESS THE BOARD: None

NEW BUSINESS:

1. Powell (hayride) agricultural Tourism conditional use application

Mr. Powell was not present at the beginning of the discussion (he arrived later). Those persons in attendance began discussing issues they have with the application and the applicant. Initial concerns were with the application itself, noting address discrepancies, activities and time limitations, and noise amplification. Michelle Marcheck presented and read a letter (see file). The Lucas' listed several concerns with the previous operations including impact to property values, enjoyment of their property, the noise, the number of events, that allowing Mr. Powell might set a precedent for future applications, the issue of whether the property is a farm, and the definition of Agricultural Tourism. It was also noted that Section 905.2 (B) and (C) address the Conditional Use process, and direct the Board of Supervisors not to approve things that "detract from the use and enjoyment of adjoining properties" and "not substantially change the character of surrounding properties."

Katy Lumly-Sapanski cited concerns with wildlife being driven away from the area, previous clients of the Powell's errantly coming to their address, and noting how sound travels and peaceful evenings have been disrupted.

Mr. Powell spoke to address the citizens. They have gathered better methods to control alcohol use, they are trying to eliminate problems and will continue to learn and address problems as they appear. He explained revisions to the letter that accompanied the application, reducing the number of uses to just a hayride. The hayride season is proposed to be 8-10 weeks in the fall, some groups up to 250 people, security is proposed to limit alcohol at the pick-up site and for transportation issues. The toilet

situation might not fly, the road access issues would be addressed as best as possible, and lighting would be removed.

Renee asked about the rules, especially those crafted in the Ordinance 125, outlining specific conditions which must be adhered to. Mr. Anderson discussed continuing negotiations with the Engineer and the Sewage Enforcement Officer.

Motion was made by Mr. Campbell, seconded by Mr. Houser to recommend denial of the application, based on the applicant not meeting all the conditions or presenting positive solutions, with all voting in favor.

CONDITIONS NOT YET FULLY REFINED

OLD BUSINESS: None

COMMITTEE REPORTS:

1. Zoning Ordinance Review Committee Report

Mr. Jefferies reported that the committee reviewed Articles 4 and 5, for Forested Conservation and Agricultural zoning districts. Most of the discussion centered around the table which includes area and design requirements. Comments were also added to the purpose statement, and how to address the Spring Creek Conservation Overlay within the Zoning Ordinance.

2. Zoning Officer report

Mr. Anderson reiterated the presentation before the Board of Supervisors, suggesting that the Ordinance should be reviewed and be ready for consideration by the Board before the end of the year. He also noted that we will request more direct input from the Board of Supervisors with a liaison or other input.

CORRESPONDENCE: None

NOTES: None

ADJOURN: The meeting adjourned at 8:36 PM

Respectfully submitted by:

Christopher Anderson, Zoning Officer
By listening to the tape of the recorded meeting.

Planning Commission
July 23, 2015
(Please print)

Name	Address
Patricia Erb	397 Armagast Rd
Rosent Lumley Szwanski	400 Raspberry Ln
Michelle Nicolas + John Mardak	163 Turtle Hill Ln
Robert Parete	132 Turtle Hill Ln
Andray Lumley-Szwanski	400 Raspberry Ln.
Kathy Lumley-Szwanski	400 Raspberry Ln.
Shirley GRYZUK	111 ASTER AVE, Bellefonte
Richard Lysle	323 Armagast Road
Juanita Lysle	323 Armagast Road
Jeffrey & Stephanie Lucas	138 STANFORD
Kurt Johnson & Heather Berg	355 Armagast
THOMAS EBY	232 ARMAGAST
Renee S	
B.B. Powell	66 Road house Rd heeols town Pa