

**Benner Township Supervisors  
Zoning Ordinance Hearing  
August 2, 2021**

The public hearing on the new zoning ordinance and map was called to order at 7:00 p.m. by the Chairman, Randy Moyer with members Tom Moyer present and Larry Lingle attending via phone. Also in attendance were those who signed the attendance sign in sheet attached.

Mr. Beard noted this hearing has to do with a new zoning ordinance that will govern the zoning regulations for the Township going forward. This ordinance has been prepared by the Planning Commission and Supervisors over the last several years. It was noted that draft versions of this ordinance has been distributed to the County, and surrounding Municipalities several times for comments. At the Board's meeting in June it was decided that this would be the last version distributed and action would be taken on it for potential adoption. Mr. Beard noted that the Pennsylvania Municipalities Code requires that municipalities that are adopting or amending a zoning ordinance have a public hearing to receive public comments prior to the ordinance being adopted. It was noted that notice of tonight's public hearing was advertised in the legal section of the Centre Daily Times on July 16, 2021. A full summary of the zoning ordinance was advertised in the Centre Daily Times on July 20, 2021.

Mr. Beard noted that this is a public hearing. Those who wish to comment must do so truthfully and be orderly. Mr. Beard asked if there were any objections to the manner of the notice of this public hearing. Gene Stocker noted that no one reads the Centre Daily Times and feels that the Township should have sent postcards to the residents. Mr. Beard noted that the Township must comply with the statutes established by law, the Pennsylvania Municipalities Planning Code, which is the legal advertising with a copy of the entire document forwarded to the newspaper and that is what was done.

David Schrader – Indicated that he didn't know what the new zoning ordinance was. Mr. Moyer noted that this document has been worked on for eight or nine years. The pending document has been in effect for approximately 2 1/2 years. The document has been posted on the Township's website. Mr. Beard noted that this zoning ordinance will replace the 2009 "Roth Plan" Zoning Ordinance that was about 500 pages long to a document that is about half that size in order to simplify the document.

Terry Cable – Mr. Cable questioned how many revisions to the Roth Plan has there been? Mr. Beard indicated that there has been two since he has become the solicitor and that he believed that there were several before that. It was noted that the Roth Zoning Ordinance is in effect, however there is a doctrine in Pennsylvania that once the Supervisors acknowledge their intent to adopt a new zoning ordinance that that document may also be followed. It was noted that the Planning Commission completed their final review of this document at their May 27, 2021 and the Supervisors on June 7, 2021. It was noted that the Township has had a pending ordinance since about November 2018. The June 2021 pending ordinance took the place of the November 2018 pending ordinance. Clarification on what ordinances can be used were discussed. Mr. Cable noted that feels that the densities in the zoning charts are intertwined. He noted that they were very similar across the districts. Comments were made concerning the Spring Creek Canyon overlay. Stormwater concerns due to the increased density that are going to be allowed were noted. Mr. R. Moyer pointed out that both public water and sewer are needed to make the lot sizes smaller than what had been permitted. It was noted that lot sizes are actually required to be larger than what was required in the Roth Plan on lands in the Forest Conservation District with on lot sewer and water.

John Elnitski – Mr. Elnitski questioned if the corrections to the page numbers have been corrected. Mr. Beard indicated that they have been corrected.

Being no further comments, the hearing was adjourned the time being 7:22 p.m.

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Sharon Royer, Secretary

**Benner Township Supervisors  
Conditional Use Hearing  
Chris Reese – Residential Pole Mounted Solar Array  
August 2, 2021**

The Conditional Use Hearing for Chris Reese who wishes to place a pole mounted solar array on his property located at 486 Seibert Road, Bellefonte was called to order at 7:24 p.m. by the Chairman, Randy Moyer with members Tom Moyer present and Larry Lingle attending via phone. Also in attendance were those who signed the attendance sign in sheet attached.

Mr. Beard noted that legal notice has been given per the requirements of the Municipalities Planning Code. The legal ad was placed in the Centre Daily Times on July 19 and 26, 2021. The property was posted with public notice and certified letters were mailed to the adjoining property owners. Mr. Beard asked if there was any objections to the public notice given. It was again commented that no one reads the Centre Daily Times. Mr. Beard again noted, that what was done was what was required by the Municipalities Planning Code.

Cam Wilson from Evinity Inc. was present to go over the proposed solar array project that is being proposed on 486 Seibert Road. A proposed screening plan sketch was provided to the Board of Supervisors for the solar project. Mr. Lesniak noted that had the solar panels been roof mounted, a hearing was not required.

It was noted that a letter was received from Ben Pelipesky who is an adjoining property owner questioning if there were any safety concerns with glare of the panels and rising heat temperatures of the area. It was noted that screening will be provided and no radiation will be omitted.

Shelly Spearly – questioned where the yard will be dug up for this project. It was noted that the array will be behind the garage and wires will go from the array to the garage and the panel boxes will be mounted to the garage. Mr. Wilson indicated that the solar panels are designed to attract the sun and not to reflect it.

Mr. Beard noted that once the Board closes the hearing, they will have 45 days to prepare and officially adopt the decision.

Mr. R. Moyer moved to close the hearing and approve the conditional use with the conditions as outlined in the zoning ordinance. Mr. T. Moyer seconded the motion.

Vote: Mr. T. Moyer – yes                      Mr. Lingle – yes                      Mr. R. Moyer – yes

The hearing was adjourned with the time being 7:42 p.m.

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Sharon Royer, Secretary

**Benner Township Supervisors  
Conditional Use Hearing  
Dubbs/Payne -Townhomes in the Commercial District  
August 2, 2021**

The Conditional Use Hearing for Dubbs/Payne to construct a Townhome cluster in the Commercial Zoning District along the Benner Pike in Benner Township was called to order at 7:43 p.m. by the Chairman, Randy Moyer with members Tom Moyer present and Larry Lingle attending via phone. Also in attendance were those who signed the attendance sign in sheet attached.

Mr. Beard noted that legal notice has been given per the requirements of the Municipalities Planning Code. The legal ad was placed in the Centre Daily Times on July 19 and 26, 2021. The property was posted and certified letters were mailed to the adjoining property owners.

It was noted that the applicant nor anyone representing the applicant was present. Therefore, the Supervisors stated that this hearing will have to be continued to September 2, 2021 at 7:00 p.m.

The hearing was adjourned the time being 7:45 p.m.

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Sharon Royer, Secretary

**Benner Township Supervisors  
Conditional Use Hearing  
Bellefonte Campground – Campground in the Agricultural Zoning District  
August 2, 2021**

The Conditional Use Hearing application from Maison Lodging, LLC to build a campground in the Agricultural Zoning District on the existing property of the Bellefonte Airport located at 225 Snowbird Lane, Bellefonte was called to order at 7:46 p.m. by the Chairman, Randy Moyer with members Tom Moyer present and Larry Lingle attending via phone. Also in attendance were those who signed the attendance sign in sheet attached.

Mr. Beard noted that legal notice has been given per the requirements of the Municipalities Planning Code. The legal ad was placed in the Centre Daily Times on July 19 and 26, 2021. The property was posted and certified letters were mailed to the adjoining property owners.

John Elnitski noted that he was heading up the project. The land is owned by his mother Marina Elnitski who owns the Bellefonte Airport and the tract of land where the campground is proposed. He noted at a complete build out there would be forty tiny houses and 60 RV slips. Mr. Elnitski noted that he believes that he has met all of the requirements of the ordinance. He noted that some type of fencing will be put up to keep people staying there from the aircraft. He also noted that they have come up with a plan should traffic back up on Buffalo Run Road from people waiting to park their rvs occur.

Residents/Neighbors present had the following thoughts, questions, concerns:

Kathy Evey: Noted concerns of increased traffic, noise, safety of those that live there and those that are staying there, stormwater management, legality of parcels and expansions of/limitations of uses both existing and being proposed, setback issues, roadway classification of entrance.

Mr. Schrader: Size of aircraft that may come, increased aircraft traffic, increased noise, availability of police, questioned the possibility of the airport being sold.

Brian Lehw: Concerns with the proximity of the campground to the equestrian facility that exists, how will campers be kept away from the horses (feeding them, spooking them, getting too close)

T. Lehw: excess of celebration, great amounts of intoxication, concerns of what could happen with the horses

Irene Gerber: construction noise and effect that it may have on the horses, campground quiet hours, concerns for those training on the horses/noise

Al Leonori: Needs additional meeting time for residents to express themselves

Amy Freeman: Camping guests kept under control, safety for current residents, property values and aesthetics

Savannah Rowe: construction time frame, noise from construction, effects on the equestrian facility

Abbey Lehw: Security for the community

Dawn Daugherty: Security for the community

Joyce Smith: Lack of police protection especially during PSU football games, EMS response during football games, type of fence that is being installed

Jim Frabrizi: Questions on the construction of the “tiny homes”, questions on the clubhouse proposal, questions on where the water and sewer will come from

Gregory Thomas: concerns about occupants, vehicles, pets, light, safety and security involving additional planes at the airport, aircraft safety

Theran Cripe: Housing prices, views

Bill Hughes: Wanted to know what FAA thought of this proposal, have they been notified

Dan Swarm: concerns on the water table and where the water for the campground is coming from

Brain Book: What can the Supervisors really say about this request what type of restrictions can be levied

Alex Shvenke: Traffic studies, traffic patterns, pedestrian safety, intoxicated individuals

Andrew Hillegass: Damage to roads from overweight vehicles, light pollution, noise pollution

James Kustanbauter: security, fencing, current long term lack of fence maintenance

Linda Frantz: Questions on the length of time that people will be staying in the tiny homes

Don Nagel: Questioned decibel level readings, an environmental impact study

Susan Murrell: Asked if a show of hands could be shown by those in attendance of who is for and who is against this proposal.

Mark Repka: Questions on what burden will be put on the sewer, water and electricity if this goes through. Traffic studies/traffic control devices? Trash and litter generated from the proposed facility.

Christy Smith: Noted the definition of welfare and how it could relate to this project.

Dan Richner: Distances between the airport and the elementary school.

John Wincek: Definition of welfare. Concerns of noise, property values, limitations of allowing alcohol

Val Shvenke: Questioned what needs to be shown to be approved. Any limits on the amount of people per site.

Sara Nagel: Concerns with traffic near the school zone when school is dismissing.

Deena Hubert: Concerns with traffic being a school bus driver

Brooks Fost: Questioned if there was a similar development with similar conditions that they could compare this to.

Robert Wilder: If cliental would be vetted?

Dennis Jaworski: What is this campground going to do for the Township? Property values?

Christy Smith: If those present would have an additional opportunity to ask questions/present information.

Dave Schrader: When will the next hearing be? How can they be notified?

Joyce Smith: Bussing schedule, air traffic timing, will there be helicopters

Don Nagel: Is there other investors? Feels that if there are other investors that they be vetted.

Mark Repka: What is the proper channel to either support or object this proposal.

Cheryl Gardner: When is the last time that the public can comment?

Tracey Lehew: Can this be continued?

Kathy Evey: Who is going to maintain the road?

Rodney Beard, the Township's solicitor submitted the exhibits into the record.

It was determined that the hearing would be continued to Thursday, September 2<sup>nd</sup> at 7:00 p.m.

The hearing was adjourned the time being 9:55 p.m.

It is noted that a transcript of this hearing will be prepared for the hearing file.

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Sharon Royer, Secretary