

**Benner Township Supervisors
August 2, 2021**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 10:00 p.m. by the Chairman, Randy Moyer with member Tom Moyer present in person and Larry Lingle attending remotely via phone. Also in attendance were Jim Lanning, Rod Beard, Brian Witmer, Nancy Witmer, Witmer’s son, Trevia Deibler, Alan Strouse, Ariana Winder, Bandon Tarr, Ed Galus, Mike Lesniak, Matt Harlow and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Pat Ward: It was noted that Mr. Ward asked to be on the agenda but was not present.

Witmer Family: The Witmer family was present to discuss the possibility of having their property switched from Benner Township to Patton Township. Mrs. Witmer noted that they have had Ameron Construction survey their property two times and they believe that their home is located on the part of the lot that is located in Patton Township. She noted that she met with the school district and the county before they built their home and everyone she spoke with said that switching wouldn’t be an issue. Mr. R. Moyer noted that the Fillmore Road has been the Township Boundary line as long as he has been alive. When Mrs. Witmer was asked if she contacted the Township to inquire, she indicated that she had not. Mr. R. Moyer indicated that if the Township would have been contacted this information would have been relayed. Mrs. Royer noted that the subdivision plan that created their lot was done as a Benner Township subdivision. It was noted that there is also a plan specific to their lot that shows the centerline of Fillmore Road as being the Township Boundary line. It was, in fact, the same map that was presented to the Township Zoning Officer by Mr. Witmer to receive his zoning and building permits. The septic system was tested by the Benner Township SEO, permits were acquired by Benner Township and building inspections were conducted by a Benner Township Building Code Official. Mrs. Witmer explained that had she known this she never would have built on that lot. The Board explained that the road is the township dividing line and that they have no desire to change it.

MINUTES

The minutes of July 5, 2021, were presented to the Board for their review and comments. Mr. R. Moyer moved to approve the minutes as presented. Mr. Tom Moyer seconded the motion.

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

BILLS

The bills of August 2, 2021, were presented to the Board for their review and approval. Mr. R. Moyer moved to approve the bills as presented. Mr. T. Moyer seconded the motion.

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

OLD BUSINESS

Benner Township Zoning Ordinance: Mr. Beard presented the Board with the draft Ordinance 134 which if adopted would place the pending Zoning Ordinance as the Township’s new Zoning Ordinance and repeal the current Zoning Ordinance 104. Mr. R. Moyer noted that this ordinance has been worked on and tweaked long enough. Mr. R. Moyer moved to adopt Ordinance 134. Mr. Tom Moyer seconded the motion.

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

NEW BUSINESS

Excess Maintenance Agreement for Fox Hill Road: It was noted that the Board is in receipt of an Excess Maintenance Agreement from HRI, Inc. for Fox Hill Road relative to the work that they will be doing at the University Park Airport. Mr. R. Moyer moved to approve the excess maintenance agreement. Mr. T. Moyer seconded the motion.

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

Patton Township/Benner Township Boundary line: This was already discussed previously in the meeting.

Component 2 Sewage Planning Module/Moyer Subdivision: It was noted that Randy and Gina Moyer plan on creating 5 building lots from the 10.5 acres that they purchased from the Corl's along Barns Lane. Due to the fact that there will be in excess of 10 lots created from this parent tract of land since 1972, a component 2 sewage planning module is required. Each of these lots have been perked for two approved septic systems each. Part of this Component 2 is a resolution acknowledging this proposed subdivision to be sent on to DEP. Mr. Tom Moyer moved to approve Resolution 21-6 relative to the Moyer Component 2 Planning Module. Mr. Lingle seconded the motion.

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

Happy Valley Blended MOU: The Board was in receipt of the standard county memorandum of understanding for developer reimbursement of expenditures. Mr. R. Moyer moved to approve the memorandum. Mr. T. Moyer seconded the motion.

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

Benner Township Veterans Park: Mrs. Royer noted that Debra Burger phoned to inquire when the new sign would be put up for the Veteran's Park. Ms. Burger had indicated that she thought that it was to be part of an Eagle Scout project and was to include the name of one of the Township's Vietnam Vets. Mrs. Royer noted that she remembered that it was decided that items like benches, trees and even perhaps a pavilion could be named specifically after someone but that the park would be generic to honor all veterans. Mr. R. Moyer noted that is what he recalled as well.

Village of Nittany Glen Revised Preliminary Plans: Mrs. Royer noted that the revised Preliminary Plans for the Village of Nittany Glen are before the Board. It was noted that several of the single family lots have been switched into duplex lots. Comments from the County, Township Engineer and Zoning Officer have been addressed. Mr. R. Moyer moved to approve the revised preliminary Plan for the Village of Nittany Glen. Mr. T. Moyer seconded the motion.

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

Harvest Meadows Street Standards Waiver requests: Matt Harlow from ELA was present to go over the street standards waivers that they are requesting for the Harvest Meadows Subdivision. The Board is also in receipt of Mr. Franson's letter dated July 31, 2021 in which he discusses the waivers that were requested and makes his recommendations on the requests.

1. Reduction of the centerline curve radius from 250' to 200'. Franson: No objections to the request but only for streets classified as local. Does not support that request for collector streets.
2. Waiver request to modify the sight distance triangle. No objections. Sight distance at each intersection must be calculated in accordance with PennDOT Pub 70 and shown on the plans. Sight distance for driveways on the interior of curves must also be shown.

3. Request for use of modified slant faced curb. Mr. Franson supported the use of the slant faced curb provided the detail is modified to show the reveal to be 1 ¼" to 1 ½" max.
4. Request to reduce the setback of driveways for Townhomes from 5' to 1'. Noted that he has no objections. Does not support shared driveways.
5. Request to modify the setback of driveways from street intersection. Currently the setback is 50' from the curb return of the intersecting street. Request is for the measurement to be from the edge of the intersecting street. He noted no objections to the waiver request, but does not support any further reductions to this measurement. Plans must show this dimension.
6. Request to eliminate the use of depressed curb. Noted that with the slant curb proposed there is no need for the depressed curb.

Mr. R. Moyer moved to approve the street standards waiver requests as recommended by Mr. Franson. Mr. Lingle seconded the motion.

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

Belle Rose Townhomes -Street Standards Waiver: It was noted that the developer for the Belle Rose Townhomes has asked for a waiver from the Street Standards Ordinance from the required 50' Right of way for the driveway access easement to 47' wide. It was noted that this request was forwarded to the Township's Engineer Donald Franson and that he recommended approval of the waiver. Mr. R. Moyer moved to grant the waiver request to 47'. Mr. T. Moyer seconded the motion.

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

CORRESPONDENCE

The Board acknowledged the following correspondence:

1. SBWJA Minutes June 28, 2021 & July 12, 2021
2. Benner Township Water Authority
 - a. Minutes of June 15, 2021
 - b. Key Points July 20, 2021 meeting
3. Centre County Planning Commission Letters
 - a. Review letter Revised Preliminary Land Development Plan Village of Nittany Glen
 - b. Time Extension University Park Airport Aircraft Rescue and Fire Fighting Building
 - c. Centre County Airport Authority Maintenance Building Plans
 - d. Minor Land Development plan for UAJA Ozone Building
 - e. Comments on Walker Township Zoning Amendment
 - f. Lot Addition/Replot Richard & Cynthia Lorenzo
4. PSATS News Bulletin
5. Conservation District Notices
 - a. ARL Building #3
 - b. Notice of Termination Columbia Gas
 - c. Village of Nittany Glen Phase IV
 - d. Village of Nittany Glen Phase V A.1 & A.2
 - e. Nittany Express
 - f. UAJA Entry Road Project
 - g. Rutter's NOT letter
6. Bellefonte EMS Annual Meeting information
7. McCormick Taylor Traffic Review Comments Re: Benner Pike Retail Development
8. Letter from Cynthia Spangler Re: Fireworks
9. Notice of SCI Rockview Water Tank Replacement
10. ISO Scoring Determination letter

ADJOURNMENT

The meeting was adjourned the time being 10:23 p.m.

Sharon Royer, Secretary