

**BENNER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
December 11, 2014**

CALL TO ORDER

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:05 PM by the Chairman, Nate Campbell who lead the meeting with the Pledge of Allegiance.

ATTENDANCE

Members present: Paul Kurtz, Jim Swartzell, Lee Copper, Willis Houser, Nate Campbell

Members absent: Genny Robine, Mike Anthony

Others present: Sara Songer, Tom Songer III, Chad Stafford, Ellen Kline, and Kit Heushaw

MINUTES

The minutes from the November 13, 2014 meeting were presented for approval. Mr. Campbell noted two corrections to be made: Page 2, paragraph 4; Mr. Swartzell did not contact the PLCB regarding a liquor license, he just knows that they are available in the Township. Page 3 Paragraph 7; changed the meeting to the word member. Mrs. Schoch indicated she would make these changes. Mr. Swartzell then made a motion to approve the minutes based upon the said changes. Mr. Copper seconded the motion.

Vote: Mr. Kurtz-yes Mr. Swartzell -yes Mr. Copper-yes Mr. Houser-yes
 Mr. Campbell-yes

PERSONS TO ADDRESS THE BOARD: None

NEW BUSINESS:

1. Floodplain Ordinance Requirement-Planning Commission Review of Songer Request to place a building within the Floodplain on his property along Spring Creek.

Tom Songer, III was present to discuss this project, indicating they will be placing a manufactured home on a "flow through" foundation in place of an existing home and garage. The home and garage will be torn down and replaced with the manufactured home which is farther away from Spring Creek.

Mrs. Schoch informed the Planning Commission that a variance was approved to build within the Riparian Buffer in October and review and approval of the Plan by the Planning Commission and County Conservation District are the final steps for the Floodplain Ordinance Review.

It was noted that the building would be set approximately 2.5' above ground and the required 1.5' above the 100 year floodplain. The building is 1,280 square feet and will be one story.

Mr. Swartzell made a motion to approve this request, Mr. Kurtz seconded the request.

Vote: Mr. Kurtz-yes Mr. Swartzell -yes Mr. Copper-yes Mr. Houser-yes
 Mr. Campbell-yes

2. Conditional Use Application-Alexander Property Ellen Kline and Kit Heushaw were present to discuss an application for a Conditional Use based upon Section 107 of the Zoning Ordinance to add a catering facility/banquet facility to the Zoning Ordinance. The application was accepted by the Benner Township Board of Supervisors and passed on to the Planning Commission for their review, comment, and recommendation.

Ellen Kline was representing both the buyer and the seller. The client is looking for an area to place a 5,000 square foot building for holding events such as weddings, receptions, etc. The property they are interested in has the right view, setting, etc. they are looking for.

Mr. Kurtz asked if this use could fall under restaurant/lodging facility.

It was noted that this would not, they do not intend to have a kitchen at this time and do not plan to have any lodging or any type of restaurant, they would be bringing the food into the facility from their existing facility at the Hilton in State College.

Mr. Campbell brought up the well fields that exist on the property.

Ellen Kline indicated they are working with Sweetland Engineers, who are familiar with the site and the well fields that exist on it.

Mr. Copper asked about the Access to the property. Ellen Kline indicated that at this time, they are looking to Filmore Road for access, but without actual engineering plans they cannot confirm that.

Mr. Kurtz asked if anything in the proposed operation will affect the well fields, and the client responded that no, they are not proposing anything that will harm the well fields.

Mr. Swartzell asked about parking on the site.

Ellen Kline indicated they would propose 50 impervious parking spaces and about 150 porous spaces.

Mr. Campbell indicated that this is a good fit and our area does not have many options for a unique place to have a wedding or wedding reception.

Mr. Kurtz made a motion to recommend approval of adding the conditional use to the Airport Industrial Zoning District without any further conditions. Mr. Swartzell seconded the motion.

Vote: Mr. Kurtz-yes Mr. Swartzell -yes Mr. Copper-yes Mr. Houser-yes
 Mr. Campbell-yes

3. Curative Amendment-Village of Nittany Glen: Chad Stafford was present to discuss the proposed Amendment to the Manufactured Home Park Section of the Zoning Ordinance.

The Village of Nittany Glen now wants to have townhomes located at the front of the property, closer to Filmore Road. They have come to the conclusion that not many people are looking for manufactured

homes, but something more affordable and convenient like townhomes.

As a result of the Zoning Ordinance update in 2009, Nittany Glen lost its original density requirement, increasing the lot size by 1/3, ultimately, losing 63 lots.

He also noted that the banks are not providing loans for Manufactured Homes.

They plan to keep the same master plan that has been in effect, but just wants to now change what was proposed for the front of the property (manufactured homes), to townhomes.

The Township Solicitor, at the beginning of the process indicated this should be a Curative Amendment, therefore the Township has 60 days to hold a public hearing to approve or deny the application. The Planning Commission's concern with that timeline is that this proposed amendment is considered "Regionally Significant", therefore the Nittany Valley Joint Planning Commission is required 45 days to review, they only meet every other month, and the Planning Commission, now just seeing this proposed Amendment would like another meeting, or even two to review and discuss, taking into consideration the entire Manufactured Home Park Zoning District, since any change will affect the entire district.

Chad Stafford indicated the price point of the townhomes would be in the \$170,000 range, whereas the Manufactured homes are between \$200,000-\$240,000.

The Planning Commission briefly reviewed Chuck Herr's comments which he submitted as the "back up zoning officer". A copy of his comments were also given to Mr. Stafford. Mr. Stafford indicated a lot of the information they have in the proposed Ordinance came from our existing Ordinance.

The Planning Commission feels parking needs to be looked at and overflow parking is a necessity so we do not have the issues of safety if cars are parking along the streets in case of an emergency and an emergency vehicle could not get through the development.

Mr. Houser commented, what if the townhomes were modular themselves, not stick built, but just brought in and set on a foundation, would the amendment then go away and these would be a permitted use?

Mrs. Schoch indicated that was an excellent question and something to consider.

Mr. Campbell noted that it was a density issue and allowing the use would then open up anything we do for the Village of Nittany Glen to Continental Courts.

With no further discussion, Mr. Campbell made a motion to request a 60 day time extension, then in 30 day increments as needed after that so that all parties involved (Benner Township Planning Commission, Nittany Valley Joint Planning Commission, and County Planning Office) have the required opportunity to review and comment. Mr. Swartzell seconded the motion.

Vote: Mr. Kurtz-yes Mr. Swartzell-yes Mr. Copper-yes Mr. Houser-yes
 Mr. Campbell-yes

OLD BUSINESS:

1. Powell Conditional Use The Planning Commission was provided a letter dated December 8, 2014 from RB Powell, George T. Powell, and Veronica Powell outlining some issues, comments, concerns and their overall opinion of what has been ongoing with their operation on Forest Pond Lane.

Mrs. Schoch then indicated to the Planning Commission that after speaking to Mr. Powell earlier that day, he intends to withdraw his application and take the appropriate steps to allowing this type of use in the Agricultural Zoning District.

The Planning Commission felt that they can include the change to the Zoning Ordinance along with the Village of Nittany Glen Ordinance and will continue to work on a definition to this at the meetings coming up in January.

2. Zoning Ordinance Update: Mrs. Schoch indicated that Chuck Herr, the Township SEO will now be acting as the back-up zoning officer. His role will be to take action on items as necessary when the Zoning Officer is out of town and also work with the Zoning Officer in the preparation of the Zoning Amendment, getting input/guidance from him rather than the Township Solicitor.

3. Comments on Floodplain Ordinance: The Planning Commission has no comments on the Floodplain Ordinance.

COMMITTEE REPORTS: None

CORRESPONDENCE: Letter from the Powell Family

NOTES: Mr. Kurtz brought up the discussion and presentation that Trout Unlimited made a few meetings ago and asked how we are moving forward with their comments.

Mrs. Schoch indicated that their comments have been forwarded on to the Board of Supervisors and they are in the file for the updating of the Zoning Ordinance. At this time, since the Ordinance is being drafted, we will keep the considerations on file and include them in the new environmental section of the Ordinance.

ADJOURN: Mr. Campbell made a motion to Adjourn the meeting at 8:30 PM

Respectfully submitted by:

Lindsay Schoch, Zoning Officer