Public Hearing Ordinance 129 December 7, 2015

The public hearing on Ordinance 129 was called to order at 7:00 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Kevin Abbey, Don Franson, Dennis O'Leary, Chris Anderson, Tom Yackley, Don Hohner, Edward Galus, Nikki Blake, Anne Robinson, Holly Hosterman, Paul Kurtz, Thomas Kupchinsky, Lou Brungard, Tom Moyer, Heidi Nicholas, John Sepp, Paul Silvis, Shirley Gryczuk, John Kostes, Chad Stafford, Jennifer McKee, Pamela Czapla, Kevin McLaughlin and Sharon Royer.

Kevin McLaughlin, representing the McKee Group, explained that they are requesting that the front-end of the property "Village of Nittany Glen" being approximately 35 acres in size be rezoned from MHP (Mobile Home Park) to R-2. He indicated that the homes being offered in the development are not selling as they had hoped and believe that by offering townhome type dwellings would be beneficial to everyone. It was noted that the density of the development would not be changing it would just be the dwelling type. The density would remain at 6 units per acre.

Mr. Anderson noted that this proposal has been presented to the surrounding townships, the Nittany Valley Joint Planning Commission and the County. Noting further that no comments have been received. He continued that this ordinance would only change the zoning district, and that the next step would be for the developer to prepare and submit plans to the county and the Township to work through the approval process.

Mr. Kupchinsky questioned - How many levels the townhomes would have? How many units per building? What will the structures look like? How would the street layout look like? He noted that he also has concerns that this new type of unit would adversely affect his property value.

Mr. McLaughlin noted that the number of levels of the townhomes has yet to be determined and feels that this proposed type of housing will compliment what is there and if anything enhance the property values. He continued, noting that they would not build something undesirable as they want this development to be successful.

Others present stated that they feel a separate entrance and clubhouse should be created for this section of housing. One audience member noted that she didn't want the development to grow from its current numbers. Mr. McLaughlin noted that this development was laid out and designed for over 400 homes.

Mr. Kupchinsky noted that they bought into a 55+ community and then that changed. He noted that there wasn't to be students living in the community and they are there. Noted that the work site isn't clean and looks like a pig pen. Mr. Kupchinsky questioned, "What will be next?"

With no new comments,	the public hearing was	s closed the time be	eing 7:31 p.m.

Sharon	Royer,	Secre	tary/Tr	easure	r

Benner Township Supervisors December 7, 2015

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:32 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Kevin Abbey, Don Franson, Dennis O'Leary, Chris Anderson, Tom Yackley, Don Hohner, Edward Galus, Nikki Blake, Anne Robinson, Holly Hosterman, Paul Kurtz, Thomas Kupchinsky, Lou Brungard, Tom Moyer, Heidi Nicholas, John Sepp, Paul Silvis, Shirley Gryczuk, John Kostes, Chad Stafford, Jennifer McKee, Pamela Czapla, Kevin McLaughlin and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Paul Silvis: Mr. Silvis and John Sepp were present to discuss the Benner Commerce Park development. Mr. Silvis noted that they would like to see some changes made to the development in order to create interest for companies to locate in the park. He noted that the KOEZ designation hasn't been enough to draw interest. They noted that they feel that it may be beneficial for the properties located near the loop that has good visibility from I-99 to be zoned Highway Commercial. Mr. Silvis noted that they have received interest from a car dealership to locate there, however currently that isn't a permitted use on the lot that they are interested in. Mr. Sepp suggested that perhaps combining uses allowed in the Campus Industrial District with the Highway Commercial District would be a way to address this issue or to merely add additional uses to the Campus Industrial District. Mr. Silvis also noted that they plan to re-subdivide some of the larger lots making some smaller lots available to those not needing so much space. Mr. Wise noted that the Township is currently looking at modifying the Zoning Ordinance and will take this into consideration during its review.

<u>Kevin Abbey:</u> Mr. Abbey was present to see how the Board feels about submitting an application to DCNR in the April 2016 funding application round for Phase II of the Spring Creek Canyon Trail. He noted that the construction of Phase I has not yet begun but will in 2016. It was stated that even though the application is due on April 15 that it will probably be December 2016 or January 2017 until word is received if the grant has been awarded or not. Mr. Abbey noted that ClearWater would complete the application and provide the match should the grant be awarded. The Board noted that they would be in favor for submitting a grant for Phase II if ClearWater is willing to do the paperwork and supply the matching funds.

Lou Brungard, Pleasant Gap Fire Chief: Mr. Brungard was present to give the Board of Supervisors a year-end report on the calls that the Pleasant Gap Fire Company responded to and the amount of training that the company under went. The Board questioned Mr. Burngard if they were having any issues with recruiting and retention of firemen. Mr. Brungard responded that it is a problem everywhere. He noted that a county wide grant is being applied for that, if awarded, will assist in creating a recruitment and retention program.

MINUTES

The minutes of November 2, 2015, were presented to the Board for their review and comments. Mr. Capriani moved to approve the minutes as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

BILLS

The bills of December 7, 2015, were presented to the Board for their review and approval. Mr. Wise moved to approve the bills as presented. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

ZONING OFFICER REPORT

Mr. Anderson noted that the Planning Commission met on November 12th. At that meeting, plans were presented by Cleveland Brothers and the Hartman Group for their building additions. Draft number 3 of the Zoning Ordinance was handed out to the Planning Commission members for them to start their review.

ENGINEER'S REPORT

Mr. Franson noted that he is working with DEP and the Conservation District to finalize the remaining necessary approvals to get the bids finalized and ready to advertise. It was noted that with the Phase I Study that was done, there will be a section of the trail that will not meet the grades to be ADA compliant. It was noted that signage will need to be installed stating the grades and the deration of the grade. Mr. Franson noted that he anticipates a middle of summer construction timeframe.

ROAD SUPERINTENDENT

Mr. O'Leary noted that John Claar Excavating plans to start the dirt and gravel road project next week.

COMMITTEE REPORTS

MPO: Mr. Wise noted that at the last MPO meeting that the Board adopted changes to the transportation plan.

CRS Program: Mrs. Royer noted that she has more information on the CRS program. It was noted that there is currently 14 residents that are participating in the National Flood Insurance Program. From those 14 policies, \$11,008 are paid in premiums. With the Township doing the minimum amount of work to receive a discount of 5%, each policy would receive on average a \$39.31 savings. The Board noted that they were not interested in participating in this program at this time for the amount of work involved and such little savings realized.

OLD BUSINESS

<u>2016 Budget</u>: The proposed 2016 Budget was presented to the Board for their final review and comment. It was noted at this time the line item for the CRMPO Budget is in the draft budget. Mr. Moyer noted that he was not in favor of continuing to be a paying participant. Mr. Wise noted that he feels that participation should continue. Mr. Capriani noted that after consideration that he doesn't see the value in what the township receives for the money that they pay.

Mr. Moyer moved to drop out of the CCMPO and relinquish being a voting member. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – No

Budget: Mr. Wise moved to amend the proposed 2016 budget by applying the funds that were designated for the CCMPO of \$8,100 to the Highway Construction category and then adopting the budget. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Ordinance 128: It was noted that the public hearing for Ordinance 128 (Sidewalk Ordinance) was conducted at the Board's November 2, 2016 meeting and is ready for the Board's adoption should they wish to do so. Mr. Moyer moved to adopt Ordinance 128. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

Graystone Court at Eagle Point: It was noted that when the conditional use approval for Graystone Court was granted, the Board required that additional parking concessions be available should parking become a problem. It was noted that out of the 138 apartments, 20 are still available, as well as 29% of the existing parking spaces. The developer is requesting that this requirement be removed so that they can proceed with the next phase of their development that encompasses the area designated for future parking. Mr. Capriani moved to release Graystone Court from the condition for planning for an additional parking area as was set forth in the Conditional Use Decision. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

New Municipal Building: The Board noted that they have reviewed preliminary cost estimates and funds that have been saved over many years for this project and feels that now is the time to construct a new municipal building. Mr. Wise noted that an "L" shaped building is being considered. Garage area would continue from the existing newer garages with a bump out that would house the meeting room, offices and storage/filing room. He continued that if anyone has any comments or suggestions that the Board welcomes them. Several comments were received that they believe that some additional lighting is necessary at the driveway entrance with Buffalo Run Road as they always miss it in the dark. The question was asked if it is anticipated if taxes will be raised for this. It was indicated that they would not. Mr. Wise moved to proceed with preparing a bid package for the new municipal building. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes Mr. Moyer – yes Mr. Wise – yes

NEW BUSINESS

Ordinance 129: Ordinance 129, in which the public hearing was held earlier this evening, Is before the Board for their consideration for adoption. This Ordinance would rezone the front-end of the Village of Nittany Glen property being approximately 35 acres in size from MHP (Mobile Home Park) to R-2

Mr. Moyer noted that he would be abstaining from voting on this Ordinance as he has a working relationship with the McKee Group.

Mr. Capriani moved to adopt Ordinance 129 as presented. Mr. Wise seconded the motion.

Vote: Mr. Capriani – yes Mr. Wise – no

Due to split vote, it is permitted by the State Ethics Code that the abstaining member is permitted to cast the deciding vote in a three member board.

Vote: Mr. Moyer – yes Ordinance 129 is approved.

<u>C-Net Proposal:</u> The Board is in receipt of a proposal from C-Net in the amount of \$7,900 for membership for the 2016 year. This proposal includes coverage by televising the Township meetings, the Channel 7 Bulletin Board, one DVD copy of each township meeting, a seat on the Board of Directors of C-Net and participation in candidate interviews for elections. The Board noted that they are not interested this year in membership.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

- 1. Graymont Permit Renewal
 - a. County comment letter on application

- 2. Notice from Bellefonte Borough Re: speading Biosolids on Spicer Family Farms
- 3. Notice from Nick Brooks RE: Footbridge installation over a drainage culvert near the Blue Bridge
- 4. PSATS News Bulletin
- 5. Engineering Comments RE: Hartman Group Final Land Development Plan
- 6. County Comment Letters
 - a. Lot Addition/Replot Davann Gordan/Robin Sidwell
- 7. County Conservation District Letters
 - a. Grove Park
- 8. SBWJA Minutes
 - a. October 26, 2015
 - b. November 9, 2015
- 9. BTWA Minutes of October 20, 2015
- 10. Copy of the 2014 Water Resources Monitoring Project Report
- 11. Board Membership Application for the Planning Commission from Gerald F. Clair, MD

ADJOURNMENT

The meeting	was ad	iourned	the time	heing	8:08	n.m.
THE HICCHING	s was au	journed	tile tillie	DCITIES	0.00	ρ

Sharon Royer, Secretary	_