

**BENNER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
January 22, 2015**

CALL TO ORDER

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

ATTENDANCE

Members present: Nate Campbell, Paul Kurtz, Jim Swartzell, Lee Copper, Willis Houser, Sherry Dawn Jackson, Greg Jeffries

Members absent:

Others present: Aaron Simpson, Nicole Simpson, John Marchek, Ellen Kline, Jeffery Lucas

MINUTES

The minutes from the January 8, 2015 meeting were presented for approval. Mrs. Jackson noticed an error on page 3, where "to make" needs changed to "made". Mrs. Schoch indicated she would make the change. With no further comments, Mr. Swartzell made a motion to approve the minutes. Mr. Kurtz seconded the motion.

Vote:	Mr. Kurtz-yes	Mr. Swartzell-yes	Mr. Copper-yes	Mr. Houser-yes
	Mr. Campbell-yes	Mrs. Jackson-yes	Mr. Jeffries-yes	

PERSONS TO ADDRESS THE BOARD: Aaron and Nicole Simpson were present to discuss allowing Farm Stands/Roadside Stands in the Highway Commercial Zoning District. The couple indicated they are trying to expand their business they currently operate in College Township, off of Shiloh Road, just across the Benner Township line.

Mr. Jeffries asked if they currently operate a farm in the Township, what type of structure they are proposing, and what type of signage they are proposing? They responded with no, they live in Patton Township, but are willing to move to find some ground they can do more with. The structure would not be permanent, but would fall within the regulations the state sets forth, which means all produce is to be covered, and the sign would be a temporary sign when he is open for business, about 6'.

Mr. Swartzell had a few comments regarding access and other locations that could be suitable for something like this along the Benner Pike.

Mr. Campbell also discussed places, for example, where the flea market currently operates.

Mr. Simpson said he is interested in the space where Your Furniture For Less is located, next to the Ford Dealership on the Benner Pike.

Mr. Campbell indicated the Planning Commission would look into it a little more and see what regulations would have be followed.

Mr. Jeffries noted the use could also be allowed in other districts, such as the Industrial Districts, and that he would like to see a plan for traffic flow.

NEW BUSINESS:

None

OLD BUSINESS:

1. Proposed Amendment: Townhomes to Manufactured Home Park, Agricultural Tourism, Convention Centers/Conference Centers, Roadside/Garden Stands, Section 107, Signs.

Mr. Kurtz gave an overview of what took place at the Nittany Valley Joint Planning Commission meeting, noting they first did not feel the amendment was regionally significant, but after further discussion regarding Mobile Home Parks and Benner's responsibility for having them in the Township per the Nittany Valley Joint Comprehensive Plan, the group decided to discuss further.

Overall, the major concerns were on-street parking, road standards, and off-street parking.

The group made a motion stating the Nittany Valley Joint Planning Commission concurred with the proposed amendment to the Manufactured Home Park Zoning District with the provision that new roads be constructed to township standards, that the overflow parking be increased to 0.5 spaces/townhouse unit, and that all interior streets be brought to township standards.

Mrs. Schoch referred to the email she received from the County Planning Director and his preliminary review of the amendment. His comment was that he felt rezoning the front area of The Village of Nittany Glen to R-2 would *not* be spot zoning and feels this is way the Township should move forward with the Amendment.

Mr. Houser indicated he would feel the most comfortable when the Township receives the official letter from the County Planning Office.

Mr. Jeffries made a motion to recommend R-2 Zoning Amendment, condition upon the County's official letter indicating this is not spot zoning.

Discussion was held and it was concluded the Planning Commission wants to see more information from PennTerra and The Village of Nittany Glen to ensure they are okay with this proposal and if it would work out for them.

Mrs. Schoch indicated they have proposed a draft plan to the Township showing they could get townhomes in the front of the parcel within the requirements of the R-2 Zoning District.

With no second, the motion died.

John Marchek and Jeff Lucas were present to discuss the Agricultural Tourism Amendment.

They felt the conditions the Planning Commission were proposing for the Use are not enough and compared to the other Conditional Uses within the Ordinance is very simple.

The Planning Commission explained that over the months, we have been trying to "simplify" our Zoning Ordinance, this is a step in the right direction and they felt the conditions were sufficient.

After more discussion, four more conditions were proposed:

1. Alcohol shall be prohibited
2. No farm provided transportation
3. No activities after 9:00 PM from Sunday to Thursday and 11:00 PM Friday and Saturday.
4. Applicant shall have a Specific Use/Operational Plan prior to any operation is approved by the Township.

Mr. Marchek and Mr. Lucas seemed to be satisfied with these conditions, but noted they will be following the process throughout to ensure nothing slips through the cracks.

The Planning Commission mentioned that they cannot be considering an amendment for just one specific operation in the Township and have to consider all uses that could fit under Agricultural Tourism, such a corn mazes, haunted trails, pumpkin patches, etc.

The Planning Commission then discussed the proposed use of Convention/Conference Centers as a permitted use within the Airport Industrial Zoning District.

This use was first proposed as a Conditional Use under Section 107. It was then identified that the proposed Catering use as well as Banquet Halls can fit under Convention/Conference Centers, therefore the Conditional Use will have to be withdrawn.

The Planning Commission indicated to Ms. Kline that since we are working on an amendment, they can include their amendment within the one they are working on for an April enactment, therefore will not be required to submit an application for an amendment request.

Mr. Campbell made a motion to recommend approval of Convention/Conference Centers as a permitted use by right within the I-3 Zoning District to the Board of Supervisors, Mr. Kurtz seconded the motion.

Vote:	Mr. Kurtz-yes	Mr. Swartzell-yes	Mr. Copper-yes	Mr. Houser-yes
	Mr. Campbell-yes	Mrs. Jackson-yes	Mr. Jeffries-yes	

Other items to include in the Amendment would be: language that the FAA preempts the Zoning Ordinance in the case of the airports in the Township. This would allow for less Variance requests for regulations that the Township, even if it wanted to enforce, would not be able to. And, the Spring Creek Canyon Conservation Overlay should have language stating that anything that does not flow into Spring Creek is exempted from the overlay zones, since it was prepared to include Spring Creek only.

2. Draft Meeting Minutes from the Nittany Valley Joint Planning Commission

Outlined in item Number 1 under Old Business

3. Preliminary Comments from the County Planning Office

Outlined in item Number 1 under Old Business

COMMITTEE REPORTS:

Mr. Campbell reported he will be attending the DEP Roundtable meeting on Monday, January 26.

Mr. Swartzell reported on the Centre County Airport Authority. He informed the Planning Commission that the University Park Airport has applied for a \$4,000,000 grant, but until an Memorandum of Understanding (MOU) is signed by both the Centre County Airport Authority and Penn State University setting forth that both parties must co-sign any application or financial decision document. The deadline for the grant is March 15, 2015. The University and CCAA are meeting on January 29 to get everything sorted out and in place to move forward.

CORRESPONDENCE:

1. Fred Gay, Professional Land Surveyor: RE: Conditional Use in I-3 Zone

The Planning Commission had not comments on the letter.

NOTES:

ADJOURN: Mr. Campbell made a motion to Adjourn the meeting at 9:00 PM

Respectfully submitted by:

Lindsay Schoch, Zoning Officer