

BENNER TOWNSHIP PLANNING COMMISSION
REGULAR MEETING MINUTES
June 27, 2013

CALL TO ORDER

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:00 p.m. by Genevieve Robine, Secretary, at the Benner Township Municipal Building.

ATTENDANCE

Members present: Genevieve Robine, Paul Kurtz, Lee Copper, Jim Swartzell

MINUTES

The minutes from the May 9, 2013 meeting were presented for approval. Mr. Swartzell moved to approve the minutes Mr. Copper seconded the motion.

Vote:	Mr. Swartzell-Yes	Mrs. Robine-Yes
	Mr. Kurtz-Yes	Mr. Copper-Yes

PERSONS TO ADDRESS THE BOARD:

No persons were present to address the Planning Commission

COMMITTEE REPORTS:

It was noted that the next meeting of the Nittany Valley Joint Planning Commission will be Thursday, July 18, 2013 at 6:00 PM at the Benner Township Building.

NEW BUSINESS

1. Conditional Use Review of Airport Parking Lot

Jim Meyer, Centre County Airport Authority and Michael Pratt, Keller Engineers were present to discuss the Plans for the Airport Parking Lot. Airport use is a Conditional Use in the Airport Industrial Zone, a parking lot is an accessory to the airport, therefore is a conditional use as well. Mr. Pratt discussed the Traffic Study which was completed and the lot will increase traffic by 41 cars in the morning and 113 increase in the evening, traffic engineers concluded that the surrounding highway facilities are sufficient for this modest increase. Mr. Pratt pointed out that one major change made to the Proposed Parking Lot is that they have eliminated access to Fox Hill Road and the proposed long-term parking lot will be served by a shuttle and users of the lot will not be able to cross Fox Hill Road.

Mr. Pratt read through all of the required conditions of the Airport Use for the Planning Commission, indicating that they also were granted a variance for an increase in coverage

Mrs. Robine asked about the solar plan which was proposed at one point in time.

Mr. Meyer said that project is losing speed at this point.

Mr. Kurtz asked about impact of lighting.

Mr. Pratt indicated that they will use down-lights since it is located in the Airport Overlay Zone. He

also indicated that they are dealing with the wildlife at the site and plan to manage the storm water to avoid waterfowl coming on to the site, which are dangerous for airplanes flying in and out.

The Parking does not generate traffic, the airport and flights generates traffic, the parking area reduces the trips to the airport since people are not being picked up and dropped off, they are bringing one car, parking it, and taking that same car home.

The airport authority only has 36 days warning before a new service is coming.

With no other comments from the Planning Commission or discussion from the Engineer, Mr. Kurtz moved to recommend to the Board of Supervisors that they approve the proposed Plan, Mr. Swartzell seconded the motion.

Vote: Mr. Swartzell-Yes Mrs. Robine-Yes
 Mr. Kurtz-Yes Mr. Copper-Yes

2. Final Land Development Plan-Mammoth Construction

Michael Misselutz was present to discuss the Final Land Development Plan for Mammoth Construction, proposed in the Benner Commerce Park.

A waiver request for a driveway was approved by the Board of Supervisors at their May 4 meeting.

All comments from the County and Engineer have been addressed and a Zoning Letter was prepared indicating they are in compliance with the Zoning Ordinance.

With no other comments from the Planning Commission or discussion from the Engineer, Mr. Swartzell moved to recommend to the Board of Supervisors that they approve the proposed Plan, Mr. Copper seconded the motion.

Vote: Mr. Swartzell-Yes Mrs. Robine-Yes
 Mr. Kurtz-Yes Mr. Copper-Yes

3. Review/Discussion/Consideration of Mobile Home Placement in the Floodplain as per the Flood Plain Management Plan.

Mr. Burk and Mr. Fye were present to discuss the placement of a Mobile Home on the property along Axeman Road.

Mrs. Schoch informed the Planning Commission that Mr. Fye and Mr. Burk have taken care of all requirements of the Floodplain Management Ordinance; the Planning Commission's review is the final step in the process.

It was raining very hard the evening of June 26, the Planning Commission asked Mr. Fye if he had been on the property that day to see if it had flooded, he had not been, but Mr. Burk informed the Planning Commission that he was on the property during the storm of 1972 and no water was on the property at all. There is a railroad bridge that acts as a dam and only allows so much water get though.

With no other comments from the Planning Commission or discussion from the Engineer, Mr. Swartzell moved to recommend that the zoning and building permits be issued to Mr. Fye. Mr. Kurtz seconded the motion.

Vote: Mr. Swartzell-Yes Mrs. Robine-Yes
 Mr. Kurtz-Yes Mr. Copper-Yes

4. Chuck Herr, Sewage Enforcement Officer (SEO), Benner Township Sewage Enforcement Officer to Discuss Septic Management Plan and New DEP Regulations.

Mr. Herr and Ms. Pamela Winter were present to discuss the changes to DEP Regulations and a potential Septic Management Plan.

He first told the Planning Commission and everyone present that as of that day, the Governor has struck the first 19 pages of the new DEP Regulations, which eliminate all buffer requirements, nitrate abatement, zoning changes, etc, which could be a relief to any landowners who want to subdivide their land.

Municipalities are required to establish and implement a sewage management program for on-lot sewage disposal systems and the SEO's job is to enforce Code Title 25, Chapters 71, 72, and 73. Right now, DEP acknowledges the fact they have not been enforcing sewage management plans. Therefore, a citizen of the Township can make a Private Request, indicating that the township is not implementing the Act 537, to protect the waterways. In this case, DEP could mandate the Township to update the Act 537 Plan, which could be very timely and expensive, including well samples, etc. Right now, DEP is going to encourage the Townships to adopt Sewage Management Programs. DEP has prepared a form similar to a Planning Module, which the Township can use to amend the Act 537 Plan with a Sewage Management Program.

Mr. Herr and Ms. Winter have prepared the Sewage Management Program for both Potter Township and for Spring Township. Walker Township has been talking about it. He encourages us to look into it.

In order for a Septic Management Program to be in place, two factions are necessary: Interior (Administrator) and Site Inspector (SEO), plus the Board of Supervisors. The Township would be divided into six sections; each section should have an equal number of on-lot sewage systems (lots that are not served by municipal sewer). People are to pump their tanks every 3 years and have them inspected every 6 years.

One of the benefits of a Septic Management Program is if a municipality has a problem area (steep slopes, poor soil, etc) those areas can be designated as Study Areas. When all data is gathered, the SEO comes back to the Board of Supervisors and recommends that area be considered for municipal sewer lines to be in place in the future.

Mrs. Robine asked who establishes the three year pumping schedule?

Mr. Herr indicated that Code Title 25, Chapters 71, 72, and 73, but there is an opportunity for a waiver,

which some residents can apply for and the SEO will determine if they are eligible.

Mr. Swartzell asked if the Township has an idea of how many residents have on-lot systems in the Township.

Mr. Herr believes it is around 800, this number includes Continental Courts and vacant lots which show no activity.

Mr. Herr and Ms. Winter cover 350 square miles and have two septic management programs in effect. If the Board wants Mr. Herr and Ms. Winter to take on the Township and administering the Septic Management Program, then they will have to possibly eliminate one of their other municipalities. This decision is ultimately up to the Board of Supervisors.

Ms. Winter said that the Township could look at the other plans from other municipalities (Potter and Spring Townships)

Mrs. Schoch said she is on the Spring Township Planning Commission and is familiar with the Plan and can review with the Planning Commission at the next meeting.

Mr. Wise asked, if Potter is already 4 years in, and Spring Township passes on Monday, how long will DEP allow a Township to be an island and not take any steps?

Mr. Herr said it is coming down the line, especially with other Townships and bigger "hubs" around us have Plans and Programs in place, but if DEP knows that Benner Township is ready to start this process in January of 2014, then that could be sufficient for them to not mandate an Act 537 update.

Mrs. Schoch indicated that the Spring Benner Walker Joint Authority has taken all tax duplicates and placed into a database, this database includes only residents in the Township that are on septic.

Mrs. Winter started the other programs from scratch with both Potter and Spring Townships, if the information in the database is the same, then the information compiled by Spring Benner Walker Joint Authority could be useful.

Mr. Herr said until they see it, they do not know if it could be useful to them.

The worst case scenario is if the SEO has to mandate a holding tank, which can be devastating to a homeowner, this is his last resort. People with holding tanks usually use the Laundromat, do not take baths, and follow the saying "If its yellow let it mellow, if it's brown flush it down".

The Township would be divided into six sections (see table)

P (Pump) tank

PTW (Pumping, checking tank, walk over system)

P	PTW
PTW	P
P	PTW

Mrs. Schoch asked about doggie septic systems, which was an issue brought up by one of our Township residents.

Mr. Herr does not handle dog waste, only human waste. He says dog waste enzymes break down differently than human waste and can react differently in septic tanks.

It was asked what impact the doggie septic tank has. It was indicated that it goes a few ways. Cows go in the fields, bears go in the woods, and so do deer. Would we rather have our landfills filled with bags of dog doo or would we want to have it going into the ground like the other animals.

In December, Mr. Herr will send a letter to the Township letting us know his availability. Ultimately Mr. Herr and Ms. Winter will have to know what the municipality expects of them, what information is available and what they have to do. A Zoning Officer on staff can do a lot of the leg work (administration) which is a plus for him. The Ordinance is already DEP legal.

It was agreed that Mrs. Schoch would look into this more and let the Planning Commission know more information at the next Planning Commission meeting, including the information from Spring Benner Walker Joint Authority.

OLD BUSINESS: None

CORRESPONDENCE

The rezoning is not consistent with the Future Land Use Map, but since we are in the process of updating the Regional Comprehensive Plan, the map can be changed to show that area is being rezoned.

Mr. Kurtz felt that rezoning this property is not going to have any impacts that spread since the property is surrounded by a Test Track (owned by Penn State) and farms also owned by Penn State.

Mrs. Schoch will give the Planning Commission an update on this at the July meeting after the Nittany Valley Regional Planning Commission meets.

We have an opening on the Planning Commission. Mr. Jackson resigned because he had a conflict with his work schedule. Two interested persons were in attendance at the meeting to get an idea of what the Planning Commission does. The Board of Supervisors will choose the candidate at their meeting in July.

NOTES: None

ADJOURN

With all business complete, Mr. Swartzell made a motion to adjourn the meeting at 9:00 pm

Respectfully submitted by:
Lindsay Schoch, Zoning Officer