

Conditional Use Hearing

Hudson Corp.

June 6, 2016

The conditional use hearing for Hudson Corp. 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 Don Franson, Chris Anderson, Ed Galus, G.F. Clair, Sean Janoscrat, Brandy Urbanik, Melinda Conrad, Shirley Gryczuk, John Kostas, Wayne Engle, Ty Smalsty, Thomas Eby, Greg Jeffries, John Sepp and Sharon Royer.

Mr. Sepp was present representing the Hudson Corp. and noted that the Hudson Corp. is planning to construct the new Rockview State Police Barracks on Lot 10R in the Benner Commerce Park. It was noted that while this use is permitted by right, the Police requires a dedicated communication tower for their use which does require a conditional use approval, hence this application. The tower that is being proposed is approximately 85' feet in height. It will meet the 85' setback requirement. The area where the tower is being proposed will be fenced and screened. Mr. Sepp indicated that the tower will meet all FAA regulations.

Mr. Wise moved to approve the conditional use request of the Hudson Corp. to construct a dedicated tower pending approval of the Federal Aviation Administration. Mr. Capriani seconded the motion.

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

The hearing was adjourned the time being 7:11 p.m.

Sharon Royer, Secretary

Benner Township Supervisors

June 6, 2016

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:13 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Don Franson, Chris Anderson, Ed Galus, G.F. Clair, Sean Janoscrat, Brandy Urbanik, Melinda Conrad, Shirley Gryczuk, John Kostas, Wayne Engle, Ty Smalsty, Thomas Eby, Greg Jeffries, John Sepp and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Herbie's Home Town Loop: The Board was in receipt of a request once again this year from the organizers of Herbie's Home Town Loop to have their annual bike / hike on various township roads (Roopsburg Road, Fishburn Hill Road, Amberleigh Lane and Valentine Hill Road) on Saturday, August 13, 2016. Mr. Capriani moved to approve this request. Mr. Moyer seconded the motion.

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

Sullivan's Mini Storage Phase V Land Development: Wayne Engle from Nittany Engineering was present to present the final land development plan for Sullivan's Mini Storage Phase V. It was noted that there was a minor non-substantive change regarding where the fencing and gate location was moved slightly. It was noted that Mr. Franson attended the post construction walkthrough and approved the non-substantive change. Mr. Moyer moved to approve the Sullivan Mini-Storage Phase V Land Development Plan. Mr. Wise seconded the motion.

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

Memo of Understanding Sullivan Mini Storage Phase VI Land Development: Mr. Moyer moved to approve the Memo of Understanding for Phase VI of the Sullivan Mini Storage. Mr. Capriani seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

Dr. Gerald Clair RE: Shiloh Sewage Service: Dr. Clair was present to present the Board of Supervisors a conceptual drawing of a 9 acre parcel subdivision along Shiloh Road with a 30,000 square foot first phase building with the potential of a 70,000 square foot future expansion. Dr. Clair noted that this business would have 6 employees and would require 1 edu of sewer capacity. John Sepp noted that they are proposing a grinder pump and a 1” PVC force main 2,525 lineal feet long to tie into the UAJA existing pump station. The Board once again addressed the approval process that this request would need to go through to be approved. Mrs. Royer noted that if this is something that is relatively urgent; that DEP, in the past, has indicated that they would permit an onlot septic system pending that it passes a perc test. It was noted that as far as timeliness and cost effectiveness for only one EDU it could be the best way to move forward. The Board noted that they would write a letter of endorsement to Spring Benner Walker Joint Authority that this proposed one EDU lateral be transmitted to UAJA for treatment.

MINUTES

The minutes of May 2, 2016, 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 June 6, 2016, 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’S REPORT

Mr. Anderson reported the following:

- *8 permits were issued in May, two of which were for new homes.
- *The Planning Commission continues to make progress reviewing the Zoning Ordinance.
- *The Planning Commission also worked on drafting a Bio-Solid Ordinance
- *Dealt with several complaints. Ie: dogs/breeding kennels, not mowing of grass

Discussion was held concerning Benner Commerce Park and it’s zoning district and permitted uses. Questions were asked as to what specific changes are being requested as combining the Industrial District with the Commercial District would not seem to be putting compatible uses together. Mr. Anderson noted that the Planning Commission hasn’t gotten to specific uses in each district and suggested that the owners of Benner Commerce Park file an application for a zoning change.

Mr. Jefferies noted that the Planning Commission is working vigilantly on the Ordinance noting that most months they have been meeting twice a month. Mr. Jefferies noted that the Planning Commission has asked that the Board of Supervisors to attend their meetings to address specific concerns that they have on the Zoning Ordinance draft but that to date no one has attended one of their meetings. Mr. Capriani noted that he appreciates the hard work that the Planning Commission has and is doing but feels that the process should move along more quickly. Shirley Gryczuk noted that she attends most of

the Planning Commission meetings and noted that she feels the Board works very hard at their meetings.

COMMITTEE REPORTS

Mr. Wise noted that there wasn't any MPO meetings in the month of May.

Mrs. Royer noted that she attended the Fire Executive Board meeting.

OLD BUSINESS

New Municipal Building: Mr. Wise reported that he and staff had an extensive meeting with the firm designing the Plumbing/Electrical/HVAC portion of the building. He noted that he felt it was a very productive meeting. The firm is proposing an all electric facility. It was noted that they stated that they hoped to have the drawings completed by the Board's July meeting.

Verizon Wireless: The Board noted that they were in favor of the idea of allowing Verizon Wireless to construct a cell tower on the Township's parcel "D" located along I-99 behind the Rockview Human Resource Building. It was noted that clarification would need to be received from DGS if this use fits under their definition of "public use". The other hurdle would be the height of the tower and if it would be a problem at all with the airports and their flight paths/zones. Mr. Wise noted that Verizon is talking about a long term lease with rent at \$1,000 + per month which the Township could earmark for park and recreational budget items.

NEW BUSINESS

Bio-Solid Ordinance: It was noted that the Planning Commission has prepared a draft bio-solid ordinance that is based on the Burnside Township Ordinance. Mr. Wise noted that it has come to his attention that the Burnside Ordinance is under review by the Attorney General's office regarding potential conflicts with Act 38 and the Right to Farm Act among others. Mr. Wise noted that it appears that the only way the law is going to change concerning bio solids is at the state level.

Mr. Wise noted that he finds some of the wording troubling. He pointed out the section that reads that DEP doesn't have the man power to monitor these applications.

Mr. Moyer noted that he feels that this should be tabled until a ruling is issued by the Attorney General. Noting that the Township shouldn't be adopting illegal ordinances that will end up in court fighting and spending money on.

Mr. Wise noted that he wouldn't object to a quick review of the Ordinance by the township's attorney but doesn't want to spend a lot of funds on this.

Mr. Capriani noted that the Board is expecting a cost analysis to be prepared by Bellefonte Borough showing what the fees could be if the bio solids would be land filled. The Township has not yet received this information.

Melinda Conrad questioned the Board how they now stand is on this topic. Mr. Capriani noted that the Board has agreed that they will adopt the Source Water Protection Plan once the Benner Township Water Authority has it completed. He noted further that Mike Hanna's office is looking to introduce legislature regulating bio solids further in Source Water Protection areas.

Melinda Conrad also suggested that the Township inform the public in some other way about the importance of testing their water and what they should be testing for. Mr. Capriani noted that he also feels that education is critical. Mr. Capriani noted that he wants to meet with Tom Eby and Andy Swales to put together some educational points that could be placed in an upcoming Township newsletter.

Sidewalk Issue Grove Park: The Board of Supervisors are in receipt of a letter from the Astares questioning the reasoning their sidewalk was installed the way it was and if it could be changed. Mr. Franson noted that he understands that Garen Smith is looking into this inquiry.

Byers Conditional Use Request: The Board was in receipt of a Conditional Use application to install storage units on their property off of High Tech Road as well as a RV storage area. Mr. Wise moved to accept the application and pass it on to the Planning Commission for their review and comments. Mr. Moyer seconded the motion.

Vote: Mr. Capriani – yes

Mr. Moyer – yes

Mr. Wise – yes

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning Letters
 - a. Cleveland Brothers – withdraw of plan
 - b. Yeagle’s Mini-Storage – time extension
 - c. Hartman Group – Time extension
2. Copy of letter sent to Spicer Family Farms from BTWA
3. SBWJA Minutes – April 25, 2016 and May 9, 2016
4. BTWA Minutes of April 19, 2016
5. Copy of Letter Walker Township sent to CCMPO Re: 64/550 intersection
6. Conservation District Letter RE; Restek
7. Notice of NPDES permit issuance University Park Airport
8. Letter from Conservation District to PSU Farms Re: Nutrient Management Compliance Check
9. Conservation District – Completeness letter NPDES for Columbia Gas line extension
10. Notice of SCBWA water allocation permit renewal for Roaring Run source

ADJOURNMENT

The meeting was adjourned the time being 8:04 p.m.

Sharon Royer, Secretary