Benner Township Supervisors January 14, 2019

The Specially called meeting of the Benner Township Board of Supervisors was called to order at 2:00 p.m. by the Chairman, Randy Moyer with members Mark Capriani and David Wise present. Also in attendance were Larry Lingle, Mike Lesniak, Ed Galus, Shirley Gryczuk, John Kostes, Thomas Eby, Andy Johnson, Warren Miller, Rod Beard and Sharon Royer.

Shiloh Road/Walnut Grove Sewer Line Extension: Mr. Miller reported that in total 73 parcels are proposed to be connected to the sewerline extension, for a total of 80 EDUs. It was noted that some of these parcels have two addresses assigned to them so they must be duplexes. Of these, there are 12 undeveloped lots, 42% of the undeveloped lots are less than one acre in size. 18 of the 73 parcels have homes on them that were constructed prior to 1972 and are therefore considered potentially failing systems. 8 of the 73 parcels are less than one acre.

Mr. Miller noted that he did speak with DEP after the board's last meeting. DEP has said that they don't have an issue in not connecting the homes at this time but feels that it isn't a good idea and wants to see the piping sized for future connection of the homes because they feel that it is going to be necessary at some point down the road. Mr. Miller noted that it will be far more economical for the homeowners to connect now while the initial project is going on instead of having to install the gravity lines at a later date. Mr. Miller noted that a Special Purpose Tapping fee could be added at a later date if that route is chosen.

Mr. Moyer questioned if there was any window of time that this decision could be made in without stalling the project. It was discussed that 30 days would be acceptable. Discussion was held about notifying the homeowners of the potential project and holding a public informational meeting prior to the final decision being rendered as to which way to complete the project. Mr. Miller noted that he feels that the letter should inform the residents that at this time the tapping fee would be \$2,500, but that at a later time the price could be a five digit expense per home. Mr. Miller noted that at this time the Authority with the projected costs will have between \$40 and \$45,000 expense per home invested to hook up all of the existing parcels.

Mr. Moyer noted that a decision needs to be made in a relatively short period of time. Mr. Capriani noted that he feels that we should gather as much information as possible to inform the public.

Discussion was held as if this project could possibly be broken into two zones? Could the lines just be run to the pre 1972 homes? Mr. Miller noted that these homes are scattered throughout they aren't all located in one area.

Mr. Wise asked how much it would be to just hook up Shiloh Road? Mr. Miller noted that it would be estimated to be about 2.5 million for just Shiloh Road and to hook up everyone would be 3.5 million. Mr. Miller noted that that project would be paid for by loans and the tapping fees, it wouldn't be eligible for reimbursement. Mr. Miller noted that loans may not have to be obtained if only the Shiloh Road properties are connected, that the project may be paid out of Authority reserve funds. Mr. Wise noted that while this seems like a no brainer, he feels strongly that the people need to be made aware of this before it happens.

It was decided that SBWJA will send a letter to property owners who will be effected letting them know of the project and potential time lines.

Mr. Johnson noted that the project could be bid out this time in 2020 with an April construction start date. It is anticipated to be a 9 month construction period.

The Board decided that they would hold a public information meeting the middle of February and will make a decision at the Board's March 4th meeting.

Mr. Moyer noted that he feels that the Board should give the go ahead to the Shiloh Road project today to allow the engineering to begin. Mr. Wise noted that he doesn't see the urgency and feels that it makes more sense to decide all at once after the public meeting.

Mr. Capriani made a motion to approve and commence with the Shiloh Road sewer extension with the scope and the extent of the work to be decided upon at the March meeting after the public information meeting. Mr. Moyer seconded the motion.

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

<u>Ed Galus:</u> Mr. Galus questioned if this project has been bid out to other possible providers before this decision is made? It was noted that the Township's public sewer service is provided by Spring Benner Walker Joint Authority. Discussion was held on the Township's Act 537 Plan noting that this project has been on the books since 2001. Once the project is written up it will be bid out for construction.

Mr. Miller noted that in almost all sewer line extension projects not everyone that will be connecting has a failing septic system.

Mr. Wise noted that this project will not affect township tax payers, it will affect those that have septic systems in this service area.

ZONING ORDINANCE AMENDMENTS

Mrs. Royer noted that the handout shows Mr. Moyer's recommendations to the Developmental Regulations in the Forest Conservation, Ag District and Rural Residential Districts printed in white. The notations highlighted in yellow represent what the Planning Commission believes the regulations should be.

Mr. Lesniak provided the board with draft language on alternative energy regulations. It was noted that these regulations deal with accessory use units. It was noted that accessory use of solar panels would be roof mounted only. Anything on the ground will fall under conditional use. The Board noted that they would review this draft further to see if any other notes need to be added or deleted.

Impervious Coverage: Mr. Moyer noted that 80% maximum impervious coverage is listed in the draft. Mrs. Royer noted that the Planning Commission would like to see it written at 70% with the option to get to 80% if Best Management Practices are used. Mr. Moyer indicated that Best Management Practices are a given and it will be up to the Township Engineer to whether or not a developer will be able to have the 80% noting that the majority of the property owners will never want or need this much but it is there if they need it. Mr. Beard noted that he has heard Engineers and Developers argue amongst themselves as to what Best Management Practices are.

It was noted that the Planning Commission would like to see deed restrictions for further development placed on the open space area designations for 30 years. Mr. Moyer noted that he disagreed with this.

The Planning Commission also would like to see that all new development being designed with "public" water systems if not connecting to an existing Water Authority system must be constructed and inspected to the Benner Township Water Authority specifications. The Board noted that they agreed with this suggestion.

Discussion was held on the Public Sewer Only - 1 acre - 20% open space suggestion by the Planning Commission for the Ag District and Rural Residential District. Mr. Moyer indicated that he didn't feel that this was necessary as ¾ acre was the minimum lot size and it could be any size above that, that they wished. The Board asked Mr. Lesniak to check the minimum lot sizes for buildings to make sure that the impervious coverage amounts make sense.

*Notes: Mr. Lesniak noted that no further permits can be issued to the Village of Nittany Glen because the sewerlines have not been dedicated to SBWJA and they will not issue any sewer permits until this happens. He noted further that he spoke with Rob Everett from DEP on this and he indicated this as well.

Mr. Capriani asked Mr. Beard what happens next as far as the Zoning Ordinance being adopted.

Mr. Beard noted that a clean document should be created and then he believes that two public hearings should be held before the document is adopted. With the changes being proposed it will require a resubmission to the Nittany Valley Municipalities and the County for the 45 day comment period.

The Board was going to attempt to have the clean document for the February meeting. At the February meeting should then start the 45 day clock and the board at that time could schedule the hearing dates.

<u>John Kostes:</u> Mr. Kostes questioned what makes a subdivision? It was noted that any property being divided, if even once, is considered a subdivision. Some are considered minor subdivisions. At this current time it is decided by the County's Subdivision Land Development Ordinance what is a minor subdivision verses a major subdivision.

<u>PennDot Salt/Maintenance Building Shiloh Road:</u> It was noted that the request has been made that the Board send a letter to Jake Corman stating that the Supervisors are supportive of PennDot relocating their Salt and equipment storage lot off of Shiloh Road exit of I-99 to another location. Mrs. Royer read the draft letter. Mr. Capriani moved to approve the letter and send to Mr. Corman and PennDot. Mr. Moyer seconded the motion.

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

<u>Community Easter Skating Event:</u> Mrs. Royer noted that she has been contacted to see if the Township would once again participate in funding the public skating event at Penn Skates that is co-sponsored by the Greater Buffalo Run Valley Charge. Mr. Capriani moved to contribute \$400 towards this event. Mr. Moyer seconded the motion.

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

ADJOURNMENT

The meeting was adjourned the time being 3:35 p.m.

Sharon Royer, Secretary