

Ordinance 123
Public Hearing
March 2, 2015

The public hearing for Ordinance 123 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 Nate Campbell, Ed Galus, Ellen Kline, Kit Henshaw, Harrison Schailey, Dennis O'Leary, Lindsay Schoch, Paul Kurtz and Sharon Royer.

Proposed Ordinance 123 amends Ordinance Number 104 to include convention and/or conference centers in the Airport Industrial Zoning District (I-3) as a use by right. It was noted that the Planning Commission reviewed this change and recommends the change.

Mr. Wise asked if anyone from the public wished to comment on the proposed ordinance. No comments were received.

The hearing was adjourned the time being 7:04 p.m.

Sharon Royer, Secretary

Ordinance 124
Public Hearing
March 2, 2015

The public hearing for Ordinance 124 was called to order at 7:04 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Nate Campbell, Ed Galus, Ellen Kline, Kit Henshaw, Harrison Schailey, Dennis O'Leary, Lindsay Schoch, Paul Kurtz and Sharon Royer.

Proposed Ordinance 124 amends Ordinance Number 118 which regulates traffic upon the public streets and highways within the township including speed limits, weight limits, and restricted parking. The amendment also included the addition of tow away zones which would allow vehicles to be towed without prior notice should vehicles be found to be parked in those areas.

Mr. Wise asked if anyone from the public wished to comment on the proposed ordinance. No comments were received.

The hearing was adjourned the time being 7:10 p.m.

Sharon Royer, Secretary

**Benner Township Supervisors
March 2, 2015**

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:10 p.m. by the Chairman, David Wise with members Randy Moyer and Mark Capriani present. Also in attendance were Nate Campbell, Ed Galus, Ellen Kline, Kit Henshaw, Harrison Schailey, Dennis O'Leary, Lindsay Schoch, Paul Kurtz and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

No one was present.

MINUTES

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

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

BILLS

The bills of March 2, 2015, were presented to the Board for their view 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

ENGINEER'S REPORT

Mrs. Royer reported on Mr. Franson's behalf that the requests for proposals for the Phase 1 study pertaining to the trail project will be ready for consideration at the Board's next meeting.

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

- *Still snow plowing as needed.
- *Getting prices on the equipment additions and repairs that were included in the budget which include:
 - *a new bed for the pick-up truck
 - *a new bed for the older Ford dump truck
 - *a planer for the skid steer
 - *a new tow behind equipment trailer
- *Road projects for the year will include some pipe replacement, paving of a section of Purdue Mt. Road and tar & chipping. Mr. O'Leary noted that he is stilling looking into the possibility of applying for dirt and gravel road money for drainage work.

ZONING OFFICER'S REPORT

Mrs. Schoch reported on the following:

- *The Planning Commission met two times last month
- *The Benner Commerce Park is going to conduct a new traffic study to determine if a traffic light still needs to remain in their surety package for the development.
- *The trail project has been placed on hold until the Phase 1 study is completed.
- *The ZHB granted variances for both the Hartman Agency and the Centre County Airport Authority.
- *The Village of Nittany Glen will be attending the Planning Commission's March meeting to discuss the proposed zoning amendment being proposed.

*The Planning Commission has been reviewing the zoning ordinance amendment for the Ag Tourism definition. It was noted that Mr. Marchek has made some recommendations, some of which the Planning Commission didn't agree with.

*The Planning Commission also worked on the Economic Development Survey that was requested by the Nittany Valley Joint Planning Commission

*Investigated complaints by the neighbors of Tom Songer along Spring Creek regarding the new home that he is building and whether or not he is in violation of the Zoning Hearing Board's decision by elevating the topography of his lot.

*A copy of the Planning Commission's Annual Report was given to the Board as required by the Municipal Planning Code.

*Mrs. Schoch noted that she has been in contact with Chuck Herr at the beginning of last month regarding the proposed zoning ordinance that he is putting together and he informed her that it would be given to her only after the document is completed. She noted that she received her copy today and has started going through it. She noted that she hopes that his draft is consistent with the Township's Comprehensive Plan. Copies have also been made and distributed to the Planning Commission.

Mr. Campbell noted that the Planning Commission was very surprised to learn that Chuck Herr was working on a new zoning ordinance and questioned when this work was authorized as he reviewed the Supervisors' minutes and found no mention of it being discussed. He further questioned why the Planning Commission was kept in the dark about this. Mr. Campbell stated further that the Planning Commission has worked diligently on amending the Zoning Ordinance over the past year and doesn't understand why this new direction has been taken.

Mr. Moyer noted that the revisions were being piecemealed before and that a lot of time was being invested with little results. He stated that he feels that the Planning Commission now has something solid to look at and work on. Mr. Moyer noted further that the Planning Commission had proposed removing 180 pages from the Roth Plan but that with those revisions nothing with the actual zoning changed and that it was going nowhere. He encouraged the Planning Commission take Mr. Herr's version and review it.

Mr. Wise noted that he personally believes that even with this draft, that adopting a new zoning ordinance is a long time away. Noting further that careful consideration will need to be made to insure that the document remains consistent with the Nittany Valley Regional Comprehensive Plan.

Mr. Campbell questioned how Mr. Herr came up with this document, zoning districts, etc. as the normal process of creating such a document involves meetings and feedback from the Planning Commission which obviously hasn't happened.

Mr. Moyer noted that the document has been created after Mr. Herr reviewed the Township's previous and current zoning ordinances.

COMMITTEE REPORTS

Mr. Wise reported that he attended the MPO meeting this past month. Noting that nothing of great substance took place at the meeting.



OLD BUSINESS

Mammoth Construction Bond: This item remains tabled.

NEW BUSINESS

Ordinance 123: Mr. Moyer moved to adopt Ordinance 123 which amends Ordinance Number 104 to include convention and/or conference centers in the Airport Industrial Zoning District (I-3) as a use by right. Mr. Capriani seconded the motion.

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

Ordinance 124: Mr. Moyer moved to adopt Ordinance 124 which amends Ordinance Number 118 that regulates traffic upon the public streets and highways within the township including speed limits, weight limits, and restricted parking. The amendment also included the addition of tow away zones which would allow vehicles to be towed without prior notice should vehicles be found to be parked in those areas. Mr. Capriani seconded the motion.

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

Bids for Road materials: Sealed bids were received for the following materials:

	Glenn O. Hawbaker		Hanson		HRI, Inc.
	Plant	Delivered	Plant	Delivered	Plant
3,000 tons of 2A stone	7.20	11.41	7.15	10.90	
1,000 tons of 2RC stone	6.00	10.21	6.50	10.25	
500 tons #4 stone	9.20	13.41	9.00	12.25	
400 tons of 2Bs	9.20	13.41	9.00	12.25	
5,000 tons Washed 1Bs	10.95	15.16	15.00	18.75	
500 tons 1Bs stone	10.95	15.16	15.00	18.75	
400 tons Surge Stone	10.00	14.21	9.10	12.85	
300 tons Limestone Sand	9.20	13.41	8.95	12.70	
100 tons Cold patch	100.00				100.00
900 tons 9.5 mil wearing	69.00				68.00
600 tons 19 mil binder	59.00				60.00
500 tons 12 mil wearing					65.50
500 tons #3 stone	9.20	13.41	9.00	12.75	
500 tons 25 mil binder	54.00				54.00
2,000 tons DSA	10.50	14.71	10.50	14.25	
100 Tons UPM Cold patch	100.00				
500 tons 19 mil wearing	59.00				60.00

Mr. Wise moved to accept the low bidder for each category. Mr. Moyer seconded the motion.

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

Conditional Use Application TD2, LLC: A conditional use application was received from TD2, LLC seeking conditional use approval to place an automobile mechanic with 2 bays located in the former Center Peace building located at 3013 Benner Pike. The Board accepted the application and asked for it to be forwarded on to the Planning Commission for their review and comments.

YMCA/Happy Valley Sprint Triathlon: The Board is in receipt of a request from the YMCA to once again use Fox Hill Road for the Happy Valley Sprint Triathlon on Sunday, July 5, at 7:00 a.m. A copy of the race course and certificate of insurance were provided. Mr. Wise moved to grant permission for this event. Mr. Moyer seconded the motion.

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

MOU with ClearWater Conservancy for a Phase 1 Archaeological Investigation for the Spring Creek Canyon Trail Project: Copies of the proposed memorandum of understanding were provided to the Board for their review. The Board noted that they were uncertain why this study was being requested to be done when the township is exempt from doing it and it isn't a requirement of the grant. Mr. Wise noted that he will contact Kevin Abbey to discuss before this document is approved.

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. Centre County Planning
 - a. Chante Hill Farm Subdivision Comments
 - b. GM McCrossin – Ok for Commencement for Construction
2. Franson Review Letters
 - a. Comments on SCI Rockview Additions
 - b. Comments on Village of Nittany Glen Phase III-B.1
3. Bellefonte Fire Executive Committee Minutes January 22, 2015
4. Letter from SBWJA to Nittany Engineering RE: Bellefonte Treatment Plant upgrade
5. Letter from FEMA – approval of Floodplain Ordinance
6. SBWJA minutes January 12, 2015, February 9, 2015

ADJOURNEMENT

The meeting was adjourned the time being 7:47 p.m.

Sharon Royer, Secretary