

Benner Township Supervisors
March 3, 2014

The regularly scheduled meeting of the Benner Township Board of Supervisors was called to order at 7:00 p.m. by the Chairman, David Wise with member Mark Capriani present. Mr. Moyer was absent. Also in attendance were Wayne Engle, Mike Sullivan, Kevin Abbey, Ed Galus, Tim Muller, Dennis O'Leary, Lindsay Schoch and Sharon Royer.

PERSONS TO ADDRESS THE BOARD

Wayne Engle and Michael Sullivan: Were present to see if the Board had any questions regarding Mr. Sullivan's Conditional Use application. Mr. Sullivan is interested in constructing an additional storage building at his existing storage facility in Penn Eagle Industrial Park. It was noted that the Conditional Use hearing will be scheduled for the Board's April 7th meeting.

Memo of Understanding: Mr. Engle noted that he would like to present the County's standard memorandum of understanding for the Board's approval so that it can be submitted with the land development plan.

Mr. Wise moved to pass the Conditional Use application on to the Planning Commission for their review and comments and to approve the memorandum of understanding for the Sullivan Storage Facility. Mr. Capriani seconded the motion.

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

MINUTES

The minutes of February 3, 2014, were presented to the Board for their review and comments. Mr. Wise moved to approve the minutes as presented. Mr. Capriani seconded the motion.

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

BILLS

The bills of March 3, 2014, were presented to the Board for their review and approval. Mr. Capriani moved to approve the bills as presented. Mr. Wise seconded the motion.

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

ROAD SUPERINTENDENT'S REPORT

Mr. O'Leary reported on the following:

*Still going through a lot of road salt.

*Received word from the County that we didn't receive any county aid money that was requested for Purdue Mt. Road therefore the proposed road project will need to be cut back.

Mr. Wise moved to advertise to open bids at the Board's April 7th meeting for the Purdue Mt. Road paving project. Mr. Capriani seconded the motion.

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

*It was noted that the new truck has been ordered.

*Amberleigh Development – It was noted that the township has been receiving several parking complaints from the residents of the Amberleigh Development even though we haven't taken the roads over yet. Mr. O'Leary shared pictures that he took in the development during recent snow storms showing that parking on the roads is too hazardous to allow. Mr. Capriani noted

that the residents have indicated to him that they would like to schedule a meeting to see if there are any other possible options for the parking in the development.

ZONING OFFICER'S REPORT

*Septic Management Ordinance – Mrs. Schoch suggested that if any Board members has any comments to forward them to her so that they can be given to Mr. Herr all at the same time. Mr. Herr also asked that if there were any comments on the letter that was prepared to have that for him at the April meeting as well.

*The Planning Commission completed their review of the zoning amendment that was requested by Graystone Courts to include assisted living facilities in their zoning district. Mrs. Schoch noted that the Planning Commission came up with the calculation of 1.25 beds of assisted living for every one apartment. The public hearing is scheduled for the Board's April meeting.

*The Planning Commission has also begun the process of going through the Zoning Ordinance and making amendments to it. Cleaning up text making it easier to understand and removing duplicate information. Mrs. Schoch noted that they will be working on a couple Articles at each meeting.

*The Planning Commission also has expressed that they feel that the playground equipment at the Buffalo Run Community Park should be updated and perhaps an enhanced walking trail.

*The next Nittany Valley Joint Planning Commission meeting will be on March 20th at the Spring Township Building.

*Benner Chiropractic Land Development Plan – Mrs. Schoch noted that Benner Chiropractic's surety will expire on March 20th. Because this surety has never been increased since originally approved, Mr. Franson is suggesting that the surety amount should be increased by 25% to reflect today's current rates.

*Zoning Hearing Board – Mrs. Schoch reported that the Zoning Hearing Board held hearing on February 11 and 17th for the Moyers located on Purdue Mt. Road. She noted that the Board granted them a 3.2' variance on the height of the structure with the following stipulations:

- a) septic system must be enlarged as per the Sewage Enforcement Officer
- b) the addition shall not be wired for 220 service
- c) there shall not be any cooking facilities in the addition
- d) the owners grant permission for periodic inspections
- e) notices will be sent to all adjoining property owners on the decision

COMMITTEE REPORTS

MPO- Mr. Wise noted that the MPO is working on re-numbering the current Transportation project list.

TAG – meet to discuss the Spring Creek Canyon Easement

Spring Creek Watershed – the upcoming meeting will be to discuss stormwater approaches

OLD BUSINESS

Amberleigh Development Street Dedication – Nothing new to report.

Spring Creek Canyon: Mr. Wise reported that it appears that the Game Commission is willing to take parcel "C" that includes a small parking area and the bridge installed by the Game Commission. And that the PA Fish & Boat Commission is willing to take ownership of parcel "B" that is Shiloh Road. It was also noted that Clearwater has agreed that wording could be added to the easement for Parcel "D" that could allow the parcel to be used for public purpose after a

legislative amendment. Mr. Abbey noted that the cost of the Conservation Easement work has been reduced down to around \$6,300 since only Parcels "A" and "D" are being addressed. Mr. Abbey noted that after further research, the Township will not be required to have title insurance and won't have to deal with the Hazardous Material clause. Mr. Abbey stated that with the time frame for review of the conservation easement documents that DCNR is requiring, he must know from the Board this evening if they plan on pursuing ownership of these parcels which would include the completion of the Conservation Easement documents. Mr. Abbey stated that prior to the transfer of parcels "C" and "B" the cost of the Conservation Easements was \$8,675. That number has now been reduced down to \$6,300 with the two parcel transfers. Mr. Capriani noted that he has concerns about the township continuing to contribute funds into the road maintenance agreement for Shiloh Road. Upon reviewing the maintenance agreement, Mr. Wise questioned if the Township would still even be responsible for a contribution upon relinquishing Parcels "C" and "B" since the contribution formula was based on use of the road. Once the parcels are turned back, the Township won't need use of the road to access its remaining parcels. Mr. Abbey noted that they Board will have to officially vote and approve the Conservation Easement at its June meeting. Mr. Capriani noted that he didn't want to hold up Mr. Abbey from continuing his work, but that he was going to need more time to think about how these decisions will affect the township in years to come. It was noted that if the conservation easements are not completed that the DCNR grant for the trail will more than likely need to be relinquished back to DCNR.

Shiloh Road Sewage: The Board held discussions with Mr. Tim Miller regarding SBWJA and their position on sewerage the Shiloh Road area of the Township. Mr. Miller suggested that perhaps a subcommittee could be established to work on this.

Opequon Hill Street Dedications: This item remains tabled until the Board's May meeting.

NEW BUSINESS

Hartman Group Happy Valley Sprint Triathlon: It was noted that this group is seeking permission to use Fox Hill Road on Sunday July 6th as part of the groups triathlon. The Board noted that they were fine with this as long as all of the standard conditions are met.

Benner Chiropractic Surety: Mr. Wise moved to conditionally approve Benner Chiropractic's surety renewal and increased amount as approved by Don Franson, Township Engineer. Mr. Capriani seconded the motion.

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

Proposed Ordinance 116: Mr. Wise moved to advertise proposed Ordinance 116 to be considered at the Board's April meeting. This Ordinance sets forth the regulations regarding assisted living facilities as an accessory use to age qualified housing facilities. Mr. Capriani seconded the motion.

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

CORRESPONDENCE

The Board acknowledged receipt of the following correspondence:

1. SBWJA Minutes
 - a. January 27, 2014
 - b. February 10, 2014

2. Conservation District Notices
 - a. SCI Benner – expiration of NPDES permit notice
 - b. Eagle Point – expiration of NPDES permit notice and Renewal
 - c. Lyn Lee Farms Phse V & VI NPDES permit
3. Centre County Planning Time Extensions
 - a. Mammoth Construction
 - b. Lions Gate Self Storage
 - c. Remodelers Workshop Building Addition
 - d. Graystone Court
4. McCormick Taylor review letter for Long-Term Parking Lot CCAA

ADJOURNMENT

The meeting was adjourned the time being 8:55 p.m.



Sharon Royer, Secretary