

**BENNER TOWNSHIP PLANNING COMMISSION  
REGULAR MEETING MINUTES  
November 13, 2014**

**CALL TO ORDER**

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:00 PM by the Chairman, Nate Campbell who led the meeting with the Pledge of Allegiance.

**ATTENDANCE**

Members present: Paul Kurtz, Jim Swartzell, Lee Copper, Willis Houser, Nate Campbell, and Genny Robine, Mike Anthony

Members absent: Mrs. Schoch was not in attendance at the meeting

Others present: Sign-in Sheet attached to minutes

**MINUTES**

The minutes from the October 23, 2014 meeting were presented for approval. Mr. Swartzell made a motion to approve the minutes with the correction that the sign-in sheet was not attached to the minutes. Ms. Robine seconded the motion.

Vote:	Mr. Kurtz-yes	Mr. Swartzell-yes	Mr. Copper-yes	Mr. Houser-yes
	Mr. Campbell-yes	Ms. Robine-yes	Mr. Anthony-yes	

**PERSONS TO ADDRESS THE BOARD:** None

**NEW BUSINESS:**

**1. Chante Farms Component 1 Planning Module**

It was noted that Mrs. Schoch, who was not present at the meeting said everything has been taken care of and is complete. The Planning Commission reviewed the Planning Module and the letter Mr. Herr sent with his comments. Some discussion was held regarding the property, where it is located. The Planning Commission signing the Planning Module is just a formality.

Mr. Swartzell made a motion to recommend approval. Mr. Kurtz seconded the motion.

Vote:	Mr. Kurtz-yes	Mr. Swartzell-yes	Mr. Copper-yes	Mr. Houser-yes
	Mr. Campbell-yes	Ms. Robine-yes	Mr. Anthony-yes	

**OLD BUSINESS:**

**1. Hayrides/Business on Forest Pond Lane**

Mr. Campbell informed those present that a cease and desist order was sent to the Powell's.

This action, does not stop the clock on the Conditional Use, it just stops the business from being conducted on the property. More discussion will be held at the meeting on December 1, 2014.

The Planning Commission discussed Denying the Application as it stands and propose to amend the ordinance to allow agritourism as a Conditional Use . Noting that if the Supervisors make no decision, then it is deemed approved. In order for the Board to take into consideration the Planning Commission's recommendations, they must deny the application to stop the clock on the Conditional Use, or approve with conditions, otherwise the use will be deemed approved.

The Planning Commission indicated they should put into writing their recommendation for the Board meeting on December 1, 2014.

Public Comment: Alcohol has to stop at this property; agritourism is one thing if it is done correctly.

Mr. Swartzell noted that there is a liquor license available in Benner Township at the current time, he has approached the PLCB. The Township used to be "dry" but that has changed.

The overall feeling is the business got out of hand from what was initially discussed and proposed.

Could take a few months to prepare an amendment to the Ordinance, could take up to March for the Amendment Process to take place.

It was asked by a member of the public if the Planning Commission will recommend approval. The Planning Commission stated that they already have made that recommendation and is in their minutes from the October 23, 2014 meeting and was passed to the Supervisors for their meeting in November.

## **2. Zoning Ordinance Update: Comments on Maps from the County Planning Office.**

It was noted that the maps were interesting to review, but the Planning Commission will come up with comments for the next meeting.

## **3. Floodplain Management Ordinance:**

The Planning Commission was not prepared to make comments at the current time.

**COMMITTEE REPORTS:** None

**CORRESPONDENCE:**

**NOTES:**

Ms. Robine discussed the comments from Trout Unlimited and wants to see them put back into the Ordinance. She also feels changing the Zoning in the way we have been moving forward is not working and she is not in favor of it. Trout Unlimited is coming forward now, what other groups will be coming forward?

It was noted that Mrs. Schoch was taking out the items that are overlapped/covered by someone else who has control of it, such as DEP or the County Conservation District.

Mr. Swartzell brought up a request he made to Mr. Roth when the Planning Commission was preparing the Plan, was a search engine to search for specific items in the Plan. He wants reassurance that others are controlling issues that are being taken out of the Zoning Ordinance.

Mr. Kurtz indicated that when the Planning Commission had been going through the Ordinance over the past few months and Mrs. Schoch was explaining why some items are being removed from the Ordinance, they did not take note of why they were being removed and where these items are covered.

Overall the Ordinance that is in place is the one the Planning Commission prepared with Harry Roth.

The document does not necessarily have to be updated for another 5 years.

It was noted that Mrs. Schoch is currently working with the Solicitor on the ordinance, and pressure is being put on her to have the update complete by April.

Mr. Swartzell noted that 4 of the 7 members have terms ending this year, the Board of Supervisors have the power to decide who will be reappointed at the reorganization meeting in January.

Ms. Robine indicated she will not be at the December meeting, so this will be her last meeting, she is no longer interested in being a Planning Commission meeting and wants to move forward with other tasks she finds important to take on for the Township.

Ms. Robine would like another woman to be seated in her position on the Planning Commission.

**ADJOURN:** Mr. Copper made a motion to adjourn the meeting at 7:33 PM

Respectfully submitted by:

Lindsay Schoch, Zoning Officer  
By listening to the tape of the recorded meeting.