

**Benner Township Planning Commission  
December 13, 2018**

The regularly scheduled meeting of the Benner Township Planning Commission was called to order at 7:00 p.m. by the Chairman, Nate Campbell with the following board members present: Lee Copper, Sherry Dawn Jackson, Jim Swartzell, Anthony Gallucci, Willis Houser, and Paul Kurtz present. Also in attendance were Mark Torretti, John Bonislawshi, Mike Lesniak, David Wise, Randy Moyer, Rod Beard, John Kostas, Thomas Eby, Renee Swancer, Shirley Gryczuk, Tony Fruchtl and Sharon Royer.

The Pledge of Allegiance was recited.

**MINUTES**

The minutes of October 11, 2018, were presented to the Board for their review and comments. Mr. Houser moved that the minutes be approved as presented. Mr. Kurtz seconded the motion.

Vote: Mr. Copper – yes                      Mrs. Jackson – yes                      Mr. Swartzell – yes                      Mr. Gallucci – yes  
Mr. Houser – yes                              Mr. Kurtz – yes                              Mr. Campbell – yes

**PERSONS TO ADDRESS THE BOARD**

Tony Fruchtl – Homeland Manufacturing: Tony Fruchtl of Penn Terra Engineering was present to go over the land development plans for Homeland Manufacturing. It was noted that this business will be located along Penn Tech Drive in Benner Commerce Park and will consist of a 12,000 sq. ft. building with a 24' X 24' maintenance building. It was noted that the stormwater will be handled by the basin located to the south of the property. Mr. Fruchtl noted that they are waiting for the final NPDES approval, the township to issue the Highway Occupancy Permit and the zoning letter as well as a few other minor items. Mr. Bonislawshi noted that his company makes electronic and circuit cards for various applications for the defense and medical industries. A question was raised as to what the company does with its waste. Mr. Bonislawshi explained that there is very little production waste, what little waste that they do have is recycled. No hazardous chemicals are used in their manufacturing process. Mr. Campbell moved to approve the Homeland Manufacturing Land Development Plan upon completion of the outstanding items. Mr. Gallucci seconded the motion.

Vote: Mr. Copper – yes                      Mrs. Jackson – yes                      Mr. Swartzell – yes                      Mr. Gallucci – yes  
Mr. Houser – yes                              Mr. Kurtz – yes                              Mr. Campbell – yes

Mark Torretti – ARL Building #3: Mr. Torretti noted that Penn State wishes to relocate some of their offices from campus out to the location of the other ARL facilities are located off of Rock Road. The building will be construction in the middle of the test track and will be a 20,000 sq. ft. two story building. Both offices and lab facilities will be located in the building. 9,600 sq. feet of the building will be used for testing facilities. The gravel roadway will be paved along with parking areas. The entrance will be gated only allowing authorized personnel to enter. It was noted that a very small amount of hazardous/explosive materials will be stored on site that is used in the testing and that this is done with required licenses that are obtained by the state and federal governments. Mr. Torretti explained to the Board how the stormwater on the property will be handled. Mr. Gallucci moved to approve the land development plan of ARL Building #3 upon all of the outstanding comments of the Centre County Planning Commission. Mr. Kurtz seconded the motion.

Vote: Mr. Copper – yes                      Mrs. Jackson – yes                      Mr. Swartzell – yes                      Mr. Gallucci – yes  
Mr. Houser – yes                              Mr. Kurtz – yes                              Mr. Campbell – yes

ARL Building #3 Sewage Planning Module: Mr. Torretti noted that a sewage planning module is required for this project. Mr. Herr, Sewage Officer, completed the required on lot sewage testing necessary to

obtain approval from DEP. Mr. Kurtz moved to approve the Sewage Planning Module for the ARL Building #3. Mr. Gallucci seconded the motion.

Vote: Mr. Copper – yes                      Mrs. Jackson – yes                      Mr. Swartzell – yes                      Mr. Gallucci – yes  
Mr. Houser – yes                              Mr. Kurtz – yes                              Mr. Campbell – yes

## **OLD BUSINESS**

Zoning Ordinance: Discussion was held as to how the Planning Commission would like to discuss the comments received on the draft Zoning Ordinance. It was noted that the Township’s newly appointed alternate Solicitor, Rod Beard is present. Mr. Beard noted that he received a copy of the comments that were received and reviewed all of them. It was decided that Mr. Beard would review each of the letters and give his take on the comments.

\*Barley Snyder – They would like the density changed in the R-3 District – This would be the preference of the Township as there is nothing requiring what they are asking for.

\*Andrea Murrell – Concerns about the environmentals not being included in the draft document specifically the Flood Plain regulations. Mr. Beard noted that this would require to be looked into more carefully. Mrs. Royer noted that the Floodplain Ordinance is a stand alone ordinance that was adopted as per FEMA/PEMA requirements.

\*Mark Torretti – Concerns on uses and parking. Notes that it appears that his concerns have been answered. Mr. Moyer noted that he has a draft of a revised parking requirement section for everyone to take a look at.

\*Spring Township – Mr. MacMath’s comments most of which state that he feels that we have too many conditional uses. Mr. Beard noted that he is ok with conditional uses and that they can protect the Township and feels that this is a preference left up to the individual townships to decide.

\*Planning Commission Members (Nate Campbell and Paul Kurtz) These comment letters focus on the lack of environmentals being included in the ordinance as well as the development ratios in the Ag and Forest Zones. Mr. Beard noted that again the environmentals should be looked at and as far as the ratios it needs to be looked at as to what is appropriate. Another concern that was mentioned was the allowable impervious coverages in the commercial and industrial zones. Mr. Beard noted that this should be looked at with the Township Engineer.

\*Scott Brumbaugh – Comments on the ratios for development in Ag and Forest Conservation Districts also has concerns with the lack of environmentals.

\*Spring Creek Chapter of Trout Unlimited – Concerns regarding the lack of environmental regulations being included.

\*Pleasant Valley Aviation, Inc. – concerns regarding the requirements, specifically lot size, to allow an airport. Mrs. Royer noted that she has sent the proposed airport regulations to the State Bureau of Aviation to take a look at to see if they still meet their requirements and recommendations. Mr. Beard noted that Pleasant Valley Aviation is a grandfathered use and won’t affect their current operations. Mr. Moyer pointed out that the lot size in this document is the same as it was in the Roth Plan and that Mr. Elnitski was a supervisor on the Board when it was adopted.

\*Tom Eby – Benner Township Water Authority – Concerns that there aren't enough regulations in place concerning public water systems being created in developments and would like the Board to take into consideration any Source Water Projection Plans adopted by the Water Authority.

\*Ed Dunkelberger- Feels that there should be minimal open space requirements in developments.

\*Centre County Planning Commission- Comments on lot sizes, impervious coverages, alternative energy uses, comments on Accessory dwelling units and suggested that perhaps this allowable use be expanded, suggested that home rental regulations (Air B&B) may want to be considered. Mrs. Royer noted that the office has received some calls in the past from neighbors that were concerned about their neighbors renting out their homes for football games, etc. However, no calls have been received recently. The Planning Commission noted that they felt that this was more of a law enforcement, disturbance of the peace issue and not a zoning issue. If things get out of hand the police should be called just like it would be for any other party.

Mr. Beard noted that from a legal standpoint he didn't see much in the comments that are potential problems they are more the preferences of the Township.

The Planning Commission then went over the County Planning Commission's comments to decide if they should be considered or not.

It was noted that the County had concerns with the minimum lot size to be allowed in the Forest Conservation District. The Planning Commission agreed that they also were concerned with what was in the draft.

Mr. Moyer gave the Board a copy of some revised parking regulations that he just received today from College Township. He noted that he hasn't had a chance to review to see what was different from the last copy that they gave him. He noted that he believed that it included language that would allow for combinable parking or shared parking. The Planning Commission agreed that they would like to see some shared parking regulations implemented.

The Planning Commission noted that they were not in favor of the just allowing the 80% impervious coverage in the commercial and industrial districts. They noted that if it was at 70% and that they could get to 80% if best management practices were implemented that they would find this approach more favorable.

The County Planning Commission noted that the AG district and developmental ratios are not consistent with the Comprehensive Plan. Mr. Moyer noted that the 15,000 sq. ft. only applies if the property has both public water and sewer. More discussion was held concerning coming up with a compromise. Mr. Campbell noted that the Planning Commission has recommended at 1:1 ratio, ½ acre lots with 40% open space with public water and sewer; ¾ acre lots with 30% open space with public water and sewer; 1 acre lots with 20% open space with public sewer and on lot water and 1 ½ acre lots with 10% open space with on lot water and septic systems.

Mr. Moyer noted that he believes that the more open space that you require to have the more pressure there will be to further develop more land. He also noted that he feels that problems can also arise as to who will then maintain the open space noting that we currently have a development that wants to get rid of the open space so that they no longer have to maintain it.

Mr. Moyer also noted that he feels that we should also be allowing ¾ acre lots with public sewer and an on lot well.

Renee Swancer asked the Planning Commission members what they vision for the Township? What do members want to see when they are driving down 550? Do they want to see houses everywhere or do they want to see farm fields and open space?

Mr. Kurtz noted that he would like to see the character of the Township remain the same. He noted that that doesn't mean absolutely no development can take place but not hap hazard development either.

Renee Swancer questioned how the Supervisors feel about this? Do they feel the same as the Planning Commission?

Mr. Moyer noted that he feels that the farmers should be able to do with their property as they wish. It is their retirement. He continued that if people want to maintain open space then they can donate funds to a farmland preservation program or purchase the properties themselves and keep it open.

Discussion was held concerning if the open spaced could be deed restricted. Mr. Beard noted that it could be but that it makes it difficult to keep track of. Discussion was then held concerning if the deed restriction could be done for 20 years or something similar before further developed and perhaps that is a way to handle it.

Alternative energy was discussed. Everyone agreed that a better definition needs to be created. Discussion was held concerning large solar ground arrays and not wanting to see these going up everywhere. It was suggested that the roof top units would be a better option. It was decided that allowing it as a Conditional Use could be the way to handle this.

The County questioned regarding placing the Spring Creek Canyon Overlay District on the zoning map. Questions were raised if the Township was going to keep this ordinance or appeal it. It was noted that it was believed that Mr. Franson mentioned that it didn't seem to be all that valuable as most of these regulations were already covered in the stormwater ordinance, floodplain ordinance and the County's regulations for erosion and sedimentation.

County questioned why the Henderson property was zoned the way it was with the steep slopes that it has. It was noted that it was zoned as multi-family under the Roth Plan and was unsure of why it was done this way then. Mrs. Royer noted that the Henderson's had been contacted and want their property to continue to be zoned the same way.

The County suggested that accessory dwelling units be added into the Zoning Ordinance in residential districts as a way to increase rental property opportunities in the Township and to supplement property owners incomes. Discussion was held concerning this. It was noted that people were taking it upon themselves to do just this and it ended up causing septic system issues/malfunctions and could also impact EDU flows and sewer capacity planning.

Mr. Campbell noted that the County's letter summarizes most of the overall comments that were received.

Mr. Campbell noted that he feels that as far as the Environmental regulations, he still feels that they should be listed and referenced to which entity will handle it be it the County Conservation District, DEP, PennDot, etc. The Planning Commission members agreed that they would be happy with this approach.

**Assignments:**

David Wise: to research the need or not for the Spring Creek Canyon overlay.

Mike Lesniak: to research what environmentals need to be listed in the ordinance and which ones just need referenced and pointed to another entity.

Everyone: Take another look at the development ratios for the Forest and Ag districts

**NOTES**

Mr. Wise noted that discussions are being held concerning public sewer service by SBWJA to the Shiloh Road, Rock Road and Walnut Grove areas.

**ADJOURNMENT**

The meeting was adjourned the time being 8:52 p.m.

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Sharon Royer, Secretary