



**PATTON TOWNSHIP
CENTRE COUNTY, PENNSYLVANIA**

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March 14, 2019

Ms. Sharon Royer
Secretary/Treasurer
Benner Township
1224 Buffalo Run Road
Bellefonte, PA 16823

RE: Comments on the Proposed Benner Township Zoning Ordinance and Map Update

Dear Ms. Royer:

The Patton Township Supervisors thank the Benner Township Supervisors for giving us an opportunity to provide comments on the proposed updates to the Benner Township zoning ordinance and map. As a neighboring municipality, we appreciate your efforts to collaborate and gather our input when considering comprehensive land use decisions that may impact Patton Township.

Township staff reviewed the proposed regulations for the zoning districts adjacent to Patton Township including Forested Conservation, Agriculture, Industry, Quarry, and High-Density Residential. Preliminary comments were provided to our Planning Commission on March 11, 2019 and to our Board of Supervisors on March 13, 2019 for discussion and additional input.

We respectfully offer the following comments for your consideration prior to your April 8, 2019 public hearing:

- Previous draft versions of the ordinance should be removed from the Township's website to eliminate any confusion by reviewing agencies and the general public.
- A letter or other document highlighting the major changes proposed by these amendments should be provided to all reviewing bodies and made available to the public. A general "before and after" overview of the revisions is needed to ensure a transparent process.
- The following land uses in Table A - Master Use Schedule are vague, highly subject to interpretation, and appear to offer minimal to no zoning controls:

- **Uses of Benner Township** - While the Township will be generally consistent with the objectives of this Zoning Ordinance, the Township will be exempt from these rules and regulations.
- **Municipal uses and buildings** - Includes public and semi-public uses of welfare and educational nature, such as parks, fire stations, municipal buildings and municipal garages, etc.

These uses would be permitted “by-right” in all zoning districts, which seems to completely deregulate the Township’s use of property in terms of municipal-level land use controls, while at the same time holding other property owners and developers to more restrictive standards. The Township’s use of property would be subject to very minimal setback requirements, a 100% maximum permitted impervious lot coverage, and no height limitation for buildings or structures. As defined, these uses discriminate in favor of a specific property *owner*, not a specific *use* of property. Although it is stated that Township use of property will be “generally consistent” with the zoning ordinance, what assurance does Patton Township or other neighboring municipalities have that municipal property will not be used in a manner that could generate significant additional traffic on adjacent municipal roads, incur significant demand on the shared resources of the State College Borough Water Authority, or have other unforeseen consequences?

- The allowance of 15,000 ft² lots for residential dwellings on public water and sewer *throughout* the Agriculture (A) and Forest Conservation (FC) districts increases the currently permitted residential density throughout these zones and will only encourage urban sprawl and fracturing of large tracts of land. This type of development pattern with no constraints on location, such as an urban growth boundary or a Transfer of Development Rights receiving area, is inconsistent with the stated purposes of the A and FC districts, such as preserving continuous areas of forested lands, protecting farming operations, or preserving areas of continuous prime agricultural soils. If small-lot urban or suburban development is desired, it should be permitted in one of the Township’s existing higher density zoning districts and/or constrained within a designated area intended for public water and sewer. Haphazard small-lot development throughout the A and FC districts could result in significant impacts on the municipal infrastructure or shared water/wastewater resources of neighboring municipalities.
- The Township may wish to enact Rural Preservation Design (RPD) standards for the FC and/or A districts to encourage agricultural use, natural resource protection, and preservation of the rural character in appropriate areas of Benner Township. Such standards may include open land requirements, woodland preservation, floodplain protection, riparian buffers, and other provisions intended to provide for a rural landscape which would reinforce the stated purposes of these zoning districts.
- The Environmental Protection Standards (Appendix A) that apply to the FC zoning district do not appear anywhere in the document, despite being referenced. Eliminating those standards is ill advised because doing so could have unforeseen consequences to the Township’s natural resources, and those of neighboring municipalities. Furthermore, doing so would be contradictory to the Purposes of Zoning Ordinance in Article I, specifically “to provide for the protection of natural and historic features and resources.”

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- In the Industrial district regulations, there is no reference to the requirements of Article 19 - Airport Regulations. This should be added to ensure that any development near the airport property will be done in accordance with the regulations of the Airport Overlay District.
- What is the rationale for making quarries a conditional use in the Quarry district, while at the same time permitting many other uses by-right in the district? Many of the permitted uses, such as shooting ranges or truck terminals could have similar objectionable effects to neighboring property owners such as noise, glare, vibration, dust, etc.
- There is some property zoned Quarry district abutting Patton Township that is not adjacent to the larger tract of Quarry district property. This may have the effect of allowing uses on this property that may be incompatible with the adjacent Benner Township Agriculture and Forested Conservation districts as well as the adjacent Agricultural district properties in Patton Township.

Please do not hesitate to contact us if you have any questions.

Sincerely,

Douglas J. Erickson

Township Manager
Secretary, Board of Supervisors

cc: Patton Township Board of Supervisors
Patton Township Planning Commission
Patton Township Staff
Correspondence File
Project File