

BAILIWICK NEWS

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Benner Township Supervisors respond to public concerns about Spring Creek Canyon overlay zoning repeal proposal

Updates March 3, 2019 Bailiwick News report

By David Roberts

Approximately 80 concerned citizens attended the March 4, 2019 meeting of the Benner Township Board of Supervisors, to oppose the supervisors' apparent plan to repeal zoning provisions put in place in 2010 to protect the Spring Creek Canyon watershed.

The supervisors told the crowd it was the largest public turnout for a Benner Township meeting in memory.

Board Chairman Randy Moyer and Supervisor David Wise attended the meeting. Supervisor Mark Capriani was absent.

Many people spoke in opposition to the repeal of the Spring Creek Canyon Overlay. No one spoke in support of the proposal.

Citizens demanded that all three supervisors be in attendance for any votes on such an important issue.

The board's next regular meeting is scheduled for Monday, April 1 at 7 p.m. at 1224 Buffalo Run Road, Bellefonte, PA.

The board has also scheduled a formal public hearing on the proposed ordinance for Monday, April 8, with the possibility of voting that evening to adopt or reject the ordinance.

There was a lot of confusion and inadequate explanation of the current status of zoning in Benner Township, suggesting that the proposed zoning regulations are already being applied to land development proposals, even though the ordinance has not been legally adopted by the Board of Supervisors.

Board Chairman Randy Moyer offered several questionable reasons for the proposed repeal. He cited complaints from several agricultural landowners, variance issues related to development plans for the University Park Airport, and the fact that a large portion of the land within the overlay area is owned by the Pennsylvania Fish & Boat Commission, Pennsylvania Game Commission, and Penn State University.

The public in attendance expressed that the reasons presented by Moyer did not make sense.

Moyer further stated that the proposed zoning ordinance revisions were developed by the Benner Township Planning Commission, and that the members of the Planning Commission agreed with the draft and the repeal of the overlay.

However, a member of the Planning Commission was at the meeting. Nate Campbell rebutted Moyer's claim, and said the commission opposed the repeal of the overlay, and had voted against other provisions in the draft.

John Elnitski, a former Benner Township supervisor, attended the meeting and related some of the history behind the overlay ordinance. Elnitski said he opposed repeal of the overlay.

Further, Elnitski said his mother Marina, who has owned and operated the Bellefonte Airport with her sons since the mid-1990s, would sue the Benner Township supervisors for unequal treatment of the private, family-owned airport as compared to the Penn State-owned University Park Airport.

Elnitski also threatened suit for Moyer's potential conflicts of interest.

Moyer, who owns Randall Moyer's Construction & Excavation Co. and therefore has a vested interest in facilitating extension of sewer lines into new developments, stated he would not accept such contracts, to avoid conflicts of interest.

At the close of the discussion, Moyer refused to commit to removing the overlay repeal section from the draft ordinance.

However, Supervisor Wise stated he needed to reconsider the repeal.

Overall, the two supervisors seemed ill-informed, confused, and argumentative.

Also in attendance were Helen Alters, another former Benner Township supervisor who worked on environmental protection for Spring Creek Canyon; Thomas Eby, who serves on the Benner Township Water Authority; and Dorothy Blair, President of Nittany Valley Environmental Coalition.

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