



My name is Dorothy Blair and my township of residence is Harris. I have come to your Benner Township Supervisors Meeting as president of the Nittany Valley Environmental Coalition, an incorporated 501c4 organization.

NVEC's mission is to help Centre County citizens understand and uphold their environmental rights as guaranteed by the Pennsylvania's Constitution, Article 1, Section 27 -- citizen rights to clean air, pure water, and Pennsylvania's scenic views. We have four members who reside in Benner Twp.

In this regard, we have a few points to make, and a few questions:

1. The Spring Creek Canyon (SCC) is a tremendous asset to Benner Township residents, providing world-class beauty and open space in or nearby their own residences. The affect of the Benner Twp. Spring Creek Overlay zoning has been to increase resident security that this beauty will be protected against human-caused damage so that the SCC may become a gift to their grandchildren, will bring the economic benefits of tourism, and will increase property values arising from secure zoning.

2. The Spring Creek Canyon Conservation Strategy was crafted in 2009. It is a high minded and thoughtful document worthy of being read: <http://www.bennertownship.org/wp-content/uploads/2013/11/Spring-Creek-Canyon-Conservation-Strategy.pdf>
The transfer of land to state entities was a concerted effort to put a priceless piece of Pennsylvania in the secure hands of the Game Commission and Boat Commission, overseen by PADCNR, because the Benner State Correctional Institution was relinquishing its Canyon lands. Penn State obtained the lands nearest I-99 and those lands are held in a conservation easement by ClearWater Conservancy. The process achieved at considerable planning expense and with the cooperation and buy-in of surrounding townships.

3. In 2010, Benner Township incorporated the Spring Creek Overlay into its own zoning ordinances – Ordinance 108 was created to replace Ordinance 104 on 2/7/2010 and is signed by Supervisors John Elnitski, David Breon and Randy Moyer: <http://www.bennertownship.org/wp-content/uploads/2013/11/Ordinance-108.pdf>
The Spring Creek Overlay is shown between pages 17-18. The University Park Airport is included in the Benner-managed secondary zones surrounding and extending the primary Spring Creek Canyon area managed by Spring Creek Canyon Technical Advisory Group. Zoning did not aim go eliminate development but rather created thoughtful protections for reducing runoff into the canyon, maintaining the quality of the water in Spring Creek, and enhancing the experience of those using the area for fishing and nature appreciation.

The Nittany Valley Environmental Organization wants to go on record as supporting the continued use of the existing Benner Zoning Ordinance 108.

4. Currently proposed zoning changes by Benner Supervisors eliminate zone two protections of the Spring Creek Canyon, without explanation, thereby undermining an existing and carefully knitted-together plan for canyon conservation. The proposed newest zoning appears to be hastily drawn and beneficial to only a few Benner residents, giving the impression of impropriety. It is our understanding that the environmentally explicit zoning provided by Ordinance 108 has eliminated.

According to the 2/12/19 Zoning Ordinance report, no environmentally-oriented zoning adopted after 1993 will be enforced in Benner Twp. Considering the advancement in environmental understanding and practice in the last 26 years, this puts Benner Twp. in a precarious environmental position. The 2/12/19 ordinance as proposed suffers from that omission.

At the April 1, 2019 meeting we learned that proposed zoning will take the University Park Airport out of zone 2 protective zoning. Considering the highly toxic chemicals used at the airport and the uncontained and substantial runoff from the Airport directly down Rock Road into Spring Creek or into Buffalo Hollow drainage area into Spring Creek, this action seems particularly ill advised.

5. Questions:

- a. Has the new zoning ordinance proposed 2/12/19 and eliminating old ordinances after 1993 been properly advertised in a timely fashion and in a form with visuals that can be understood and that is readily available to residents? The currently posted zoning changes are rough in the extreme and unclear.
- b. Have the supervisors, in creating this new zoning, complied with the Pennsylvania Municipal Planning Code, section 608, which says that a vote on zoning changes must occur 90 days after posted and within that time a well advertised public hearing be held?
- c. Have you complied with the PA Sunshine Act?
- d. Since the zoning hearing planned for April 8 has been cancelled, will there be a new date for such a hearing? Citizens must have adequate notification chance for a dedicated meeting on these changes as there has been considerable negative response.

Thanks for your attention.

Submitted by:
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Nittany Valley Environmental Coalition

Revised from comments presented at the April 1, 2019, Benner Township Supervisors Meeting

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