



Home of the
PA Elk Herd

Benezette Township

Board of Supervisors
P.O. Box 10 • Benezette, PA 15821



Phone: 814-787-8811
Fax: 814-787-4393

Special Meeting Minutes– Zoning Ordinance Planning Committee

June 29, 2023

Meeting 1:

A special public meeting was called for Thursday, June 29th, 2023 starting at 10:00 a. m. for the purpose of appointing a Zoning / Ordinance Committee. The meeting was held at the Benezette School House located at 105 School House Road, Benezette, Pennsylvania. In attendance were Supervisor Doug Ruffo, Supervisor Pamela Mong, Supervisor Brandi Hanes and Secretary/Treasurer Krista Meyer. Our solicitor's office, Christopher Furman was present through a phone call. Please see the sign in sheet for the guests present. The meeting started with reciting the Pledge of Allegiance and meeting called to order by Supervisor Ruffo.

Zoning has been talked about over the past year. Supervisor Ruffo attended a meeting at the County in September of 2022. Atty. Christopher Furman has provided a draft Zoning Ordinance which was used for another small municipality for us to start with. Supervisor Ruffo explained the purpose of the meeting, which is to appoint a Zoning Ordinance Committee. Right now, it will be made up of the current board members; Supervisor Doug Ruffo, Supervisor Pam Mong and Supervisor Brandi Hanes. It was asked why not other people in the community vs. the supervisors. That will come at a later time, but to get established it will be the supervisors. Atty. Furman explained that there is a statutory reason for that. He explained municipalities, townships etc. only have the powers granted to them by statutory authority given by the state. Zoning is the enabling statute under the Municipalities Planning Code (MPC). To have a zoning ordinance a municipality must have a planning agency by the statute. The municipality must have either Planning Committee which is comprised of the Board of Supervisors or a Planning Commission which are people appointed by the Supervisors. For purposes of Benezette to enact the zoning ordinance the governing body has to send the task to the planning agency. Because we are just getting started now, the most appropriate thing is to have the supervisors act as the planning agency, which under the MPC is planning committee comprised of the supervisors. Once the ordinance is up, they will appoint the Planning Commission after they get it passed. This way they will have a separate body to have checks and balances.

Janice Stiffler questioned if it would be the supervisors that would appoint the planning commission or would the business owners and residents be able to decide/vote as well? Chris Furman's advice would be when it comes that time that they would advertise for applicants that are interested in being on the commission. We do our best to find people who have some type of planning or construction experience. Sometimes that is not always possible and you have to take who is available, but we want to most qualified people.

Troy Reinford questioned who would be the zoning officer? We will get a list of people who currently do it and see if they would be interested in taking on ours as well or train someone else to do it for us. Troy also questioned when this process is to take place? When will be the date that the body will vote for someone else to come in?

He questioned if it was a 5-person board? Supervisor Hanes responded that it does not have to be 5 people and that the goal is to have a very diversified team with different interests; business owners, residents, etc. Chris Furman responded that the Planning Commission will consist of 3 minimum to maximum 9 members.

Supervisor Doug Ruffo made the motion that the current Benezette supervisors will be appointed to be on the Planning Committee. Supervisor Brandi Hanes made the second motion. All supervisors were in favor.

Supervisor Ruffo made a nomination to appoint Sup. Brandi Hanes as the chairman for the Planning Committee. Sup. Mong made the second.

Sup. Mong made the motion to appoint Sup. Ruffo as Vice-Chairman for the Planning Committee. Sup. Hanes made the second.

Sup. Ruffo asked if there were any other questions. Troy Reinford questioned what the date would be that this panel will be replaced with the new panel? Sup. Hanes answered that is when we will open those meetings. The purpose of this meeting was to set the Committee. Next week we will have the draft of what the thoughts are for the ordinance. It will be available July 7th for people to review and read. August 8th there will be an open public meeting to discuss it. Sup. Hanes added that this is a town project and everyone should have a say.

Supervisor Hanes makes a motion to direct the Planning Committee to create a zoning ordinance for Benezette Township. Supervisor Mong makes the second. All supervisors are in favor.

Sup. Ruffo makes the motion to adjourn the meeting. Sup. Mong makes the second. All in favor.

Meeting adjourned.

Meeting 2:

Supervisor Brandi Hanes started the meeting by explaining that this is the result of what we have talked about for quite some time. Which is to ask the taxpayers the question "What do you want Benezette to look like?" As of this moment all we have is a subdivision and land usage, which means you can't prevent certain types of businesses from coming in. What don't we want? We can't stop businesses from coming, but we can stop where they will land. The only way we can do this is by zoning. The first step of this will be the map. The goal here is to provide us all the appropriate advantages necessary to the community in an attractive and functional manner that minimizes any conflict between them. Everyone has done so well with that up to this point. We want to protect our natural resources.

Greg Kight questioned if the concern is for big companies not the single owners that want to do something.

Janice Stiffler commented that she didn't think there was enough viable ground for big companies to come in and build their stores. She said that if big companies would look, they will not be able to survive Dec., Jan., Feb., and March. It needs to fit what the area looks like.

Troy Reinford asked if this committee going to regulate the trailers, trailer parks and mobile homes coming into the township? Let's be realistic on everything involved in planning commission and the board.

Supervisor Ruffo explained that Chris Furman is providing a draft that will be gone through and things that will be eliminated and added as needed. It all goes back to what we want Benezette to look like in 10 years. We think it has changed in last 10 years... We have no idea what will happen if properties change hands and money is not an object. People think we are over-commercialized now, he's not sure we've seen anything yet.

Janice Stiffler stated the more the Visitor Center grows this community is going to have to. You want more things to go on, because you don't want to just make your money in September and October. She would rather have

things going on for people staying at her campground June through October. Her issue is the people that have campgrounds/or people staying on their property are not made to do what they need to do and not regulated. They come off the hill and dump their garbage and use her dump station.

Chris Furman stated that the most important place to put your comments on record will be on the 8th of August at the public hearing. The purpose of today's meeting is to look at the draft. The next important thing for today is to look at the map and draw the zones so we can advertise the ordinance and map.

Sup. Hanes explained the 2nd goal which is to provide a maximum of economic opportunities and to appropriate commercial and industrial growth consistent with those goals. Basically, it's to enhance the historical and natural resources within the township and to create the cultural tourism to promote the township as a good place of low impact manufacturing service sector to employees.

Sup. Ruffo said lastly to preserve an environmentally sense of land, watersheds and associative habitats. Basically, to preserve and protect open space and passive recreation areas from harmful effects of overuse and development in the area.

Sup. Ruffo went on to explain that we need to put together some mapping to determine what areas will be residential, commercial & agricultural. (He also included industrial possibly because there are 3 or 4 sawmills in the area).

Sup. Ruffo and Sup. Hanes talked about different deletions from the original draft that did not apply to Benezette Township.

Troy Reinford questioned whether this ordinance would apply to Blue Sky.

Sup. Ruffo asked Chris Furman if this would apply to Blue Sky as it is a subdivision within the Township. Chris's short answer was that yes as a subdivision it would and should be listed as one of the residential areas of Benezette. Even if you wanted to call that area agricultural everything that is already existing would be grandfathered.

Sup. Ruffo said there were a few additions discussed. The campground ordinance was mentioned and possibly rolling it into this piece. Adding the agricultural, as well as the industrial and possibly having some conversations around food carts and their future in Benezette. Our goal is to have this ready to be published and ready to go by next Friday. You will be able to come to the office and get a copy. If you want a copy, we can print it for the cost of printing. (approx. \$33.00) It will be posted on the website and sent to the County's Law Library.

Janice Stiffler questioned whether this would affect the food trucks that she has come to her store or would this be addressed at the August 8th meeting. Sup. Ruffo was not sure what that would look like.

Chris Furman said he would like the supervisors to look at a map and preliminary identify the zones on the map. This will make a public record of a public discussion that we can base the drawing on when we publish it. Keep in mind this can be approximate and can change as needed. According to the MPC 100% of the township has to be zoned. Every use that exists now can continue to in perpetuity. That is what is commonly referred to as grandfathered in. The legal term is preexisting non-conforming use; it existed prior to the ordinance and doesn't conform to the ordinances. Those who have existed should be registered and continue on forever. We are not asking people to change how they are using their property now.

Sup. Hanes questioned whether there could be 2 different zones in one area. Chris Furman responded no it cannot. It would have to a mixed use which would be a different zone. If you are saying that in your commercial zone that live there, you can allow for uses that are listed in the use table in the zoning ordinance. It will list all the uses that we can think of. Different samples were discussed. Chris Furman stated that if the township wanted

another zone called mix usage; that was fine. He just would need to know so they could add it to the ordinance and have it ready by next Friday.

Much debate and questions went on as to where the zones would be and what was trying to be accomplished.

Chris Furman stated that this is what he wants them to accomplish right now. Where do you want the residential, commercial, etc.? Pull up a map and identify those areas. We need something preliminarily so we can publish a proposed map.

Sup. Ruffo stated that right now the entire township is mixed. You have residential and commercial through about 50% most being mostly in town. Other comments were made.

Chris Furman again stated that this is not the meeting to finalize it. We will have a more detailed discussion on all of this. If you feel that you need a mixed-use area then identify it as that. It needs to be put on a map.

Troy Reinford questioned if a new business owner comes to town and decides he wants to build a new building in what is called a mixed-use zone, who do they have to get permission from to build that commercial unit because it is a mixed usage zone. Or are they grandfathered in because it is a mixed use as commercial and they don't need permission. Chris Furman stated that the Zoning Officer would have to make the determination if that use is appropriate for that area. The building will have to go through the county's SALDO subdivision land development ordinance and whatever building permits that have to be issued under the UCC. Initially it will be the zoning officer that will make that determination. If it's a new building than it will not be grandfathered; that is the opposite. If it's already existing then it can continue to exist.

A blank road map of Benezette Township was brought out for everyone to look at to mark areas that were thought to be certain zones to put together the preliminary map. There as a lot of conversations going as to what people's thoughts and opinions were. The committee worked on putting marks on a preliminary map.

Make a motion to advertise the proposed zoning ordinance and zoning map as amended by the discussion and satisfaction of the solicitor. Supervisor Brandi Hanes made the 1st motion. Supervisor Pamela Mong made the second. All supervisors were in favor.

Chris Furman asked that the committee send him all the mark ups that were made and notes. He will work on the zoning ordinance to be ready for advertising by next Friday.

Sup. Ruffo stated that everything would be ready next Friday (July 7th, 2023) when people can come to the office to review everything. The next meeting on the zoning ordinance will be August 8th, 2023 at 6pm.

It was asked that all attendees supply their addresses so we have a listing of those that were interested/concerned in the zoning.

Supervisor Hanes commented that this is a great opportunity as the meeting is not for another month; She recommended that people stop and think about this and bring your thoughts to the next meeting.

Supervisor Mong made the motion to adjourn the meeting. Supervisor Hanes made the second. All in favor.

Meeting adjourned.