

BOROUGH OF LEMOYNE

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LEMOYNE BOROUGH COUNCIL

ORDINANCE AND ZONING COMMITTEE

March 22, 2010

Call to Order

The Ordinance and Zoning Committee meeting, of the Lemoyne Borough Council, was called to order on Monday, March 15, 2010, at 6:00 P.M., at the Lemoyne Municipal Building, 510 Herman Avenue, Lemoyne, PA with Lynda Stark presiding.

Roll Call

Present at roll call were Lynda Stark, Chairperson and Stacy Gromlich Committee Member.

Also present were Lori Hegedus, John Paden, Roi Baptiste, Robert Ihlein, Gale Gallo, John Messimer, Clair Messimer, and Steve Franklin.

Pam Paul arrived at 6:15 and Rick Stark arrived at 6:29.

Old Business

1. Weeds and Other Vegetation

The ordinance was approved at the March 4th council meeting. Borough Manager Mr. Ihlein, suggested, and the committee agreed that we include this with existing ordinances when we have them codified.

2. Snow, Slush and Ice

The ordinance was approved at the March 4th council meeting. Mr. Ihlein suggested, and the committee agreed, that we include this with existing ordinances when we have them codified.

3. Zoning Ordinance Changes to Urban Residential (U-R) District

The change will prohibit the conversion of single family homes into multiple family dwellings. A public hearing is scheduled for 7:00, April 1, 2010, in council chambers. Mr. Ihlein, and the committee agreed, that we include this ordinance with existing ordinances when we have them codified.

4. Street Cuts

The committee approved changes to the Street Cuts Ordinance and asked Mr. Ihlein to direct the Borough Solicitor to have it prepared for adoption at the May council meeting.

5. Codification of Ordinances

The committee agreed to wait until the after the May council meeting to have the borough ordinances codified so that the following ordinances can be included:

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- Weeds and Other Vegetation
 - Snow, Slush and Ice
 - Zoning Ordinance Changes to Urban Residential (U-R) District
 - Street Cuts
6. Post House Numbers to Front and Back of Properties
The committee agreed to recommend the council adopt an ordinance requiring property owners to post their property address numbers prominently on the front of the building and at the rear of all properties that abut to another street or ally, to help emergency response and code enforcement efforts. Mr. Ihlein will see if he can find a similar ordinance from another municipality. It was agreed that a draft ordinance will be prepared for review at the May or June meeting.
 7. New Zoning Map Change
Current copy of the Zoning Map shows White Oaks, Bridgeview, and West Wind are zoned Urban Residential, which allows for more than single family dwellings, e.g., multi-family structures, conversion apartments not to exceed three units. Mr. Ihlein will direct the Planning Commission to take this up at their April meeting.
 8. Massage Parlors\Adult Entertainment
At the February 2009 meeting, Mrs. Farr asked the committee to look into an ordinance for massage parlors and adult entertainment stores. Mr. Cassidy advised the best place for the massage parlors and adult entertainment stores would be in less restricted area. The area would be in the Industrial Zone. The committee asked Mr. Ihlein to direct the planning commission to look into this.
 9. Rental Property Licensing and Inspection Program
Mrs. Stark discussed the minutes of the first sub-committee meeting and introduced two new members, Steve Franklin and Jeanne Thomas. The next meeting is scheduled for Wednesday, March 31, at 6:30.
 10. International Property Maintenance Code (IPMC)
The committee did not have any comments to add to Mr. Paden’s draft ordinance to adopt the IPMC. The draft was also forwarded to the members of the Rental Property Licensing and Inspection Program Sub-Committee members for review. The sub-committee will provide this committee with comments for the April meeting.

New Business

1. Noise Ordinance
An email from Karen Kelly of the 300 block of Walton Street was distributed to committee members for review. She and her neighbors are having issues with a neighbor residing at the corner of Maple and Lowther Streets. The neighbor owns a race car that he works on at home. Last month we had another resident request that the Borough consider adopting a Noise Ordinance. Mrs. Stark provided Mr. Ihlein with some sample ordinances being used by other municipalities. The committee

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discussed how this type of ordinance would be enforced. Mrs. Stark agreed to check with Camp Hill and Wormleysburg boroughs to see if they have similar ordinances and to ask how they enforce them.

2. Zoning Change

The committee discussed converting the property on the South Side of Market and Third Streets from an Industrial Zone to a Commercial Zone. Mr. Ihlein will direct the Planning Commission to take this up at their April meeting.

3. Subdivision

Mr. Marcus Grace submitted a plan for a reverse sub division of his property at 3rd and Market, to divide the property into two parcels instead of four. The property is currently zoned Industrial, but there are existing commercial properties located there. These are non-conforming use properties. The plans have been approved by the Lemoyne Borough Planning Commission. Council members will be asked to approve waivers and to approve the plan at the April council meeting. Council members can review the plans at the borough office. Also, as stated above, Mr. Ihlien will direct the Planning Commission to look into converting this area to a Commercial Zone.

4. Land Development Projects

Plans have been submitted by the owners of the Hess gas station on Market Street. We don't know if they will build it this year or not. The plans have been approved by the Lemoyne Borough Planning Commission. Council members will be asked to approve waivers and to approve the plan at the April council meeting. Council members can review the plans at the borough office.

5. Enforce Ordinance No. 453

Review Ordinance No. 453 requiring Lessors to report on the status of occupancy of Parcels or Unit of Real Estate which they rent or have available for rental. Mr. Ihlein stated that the ordinance is still in effect and can be enforced. The committee agreed that a reminder should be posted on the Lemoyne Borough web site and in the newsletter.

6. Junk Yards

Rick Stark asked the committee whether there exist current ordinances regulating existing junk yards prohibiting new junk yards. Mr. Paden confirmed that there are no existing ordinances. Mr. Stark agreed to check with other municipalities, including Fairview Township, which has a junk yard, for ordinances with screening or land pollution requirements.

The committee also directed Mr. Ihlein and Mr. Paden to talk to PennDot about the junk stored on Lowther Street at the I-83 interchange. They will also check on the property near the pedestrian bridge.

7. Solicitation

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Rick Stark suggested that the borough adopt an ordinance requiring vendors and door-to-door solicitors to obtain and display permits or badges from the WSRPD. The borough currently has an ordinance requiring a permit, but agreed to require a photo ID as well. Rick Stark said that New Cumberland already does this, and agreed to check with them to see how they enforce this. He also agreed to check with Wormleysburg and Camp Hill.

7. Light pollution

Rick Stark raised the possibility of the borough adopting an ordinance controlling light pollution. The committee agreed to look into it. Mr. Stark agreed to help research this. It was suggested that www.nightsky.com would be a good source. Mrs. Stark also agreed to research sample ordinances.

8. Mr. Babtiste asked if there is an ordinance prohibiting people from working on vehicles in the street. Some people are dumping oil and other fluids into the street. Mr. Paden will take for action.

Next meeting date is April 19, 2010 @ 6:00.

The remainder of 2010 meetings will be held on the 3rd Monday of each month

There being no further business, Lynda Stark declared the meeting adjourned at 7:30.

Respectfully submitted,

Lynda Stark
Lemoyne Borough Council
Chair Ordinance and Zoning Committee