

Meeting Minutes
Lemoyne Planning Commission
Tuesday – March 10, 2009

LPC Members Present: Boyd Howard, Susan West, Dwight Herrmann, Thomas Bank
LPC Members Absent: Barb Byrem

Staff: Janine Park (*TCRP*), Ed Stalneck, P.E. (*ARRO*)

Visitors: Mr. Andy Rebuck, Lamar Media Corp.

Attached or Referenced Exhibits: See attached

The regularly scheduled Lemoyne Planning Commission meeting was called to order at 6:35 pm.

Lemoyne Streetscape Overview Presentation:

Craig Bachik, Kairos Design
Shireen Farr, Borough Council

Mr. Bachik presented an overview of the Lemoyne Streetscape plan from the corner of Third and Market up Market to the State Street intersection at the proposed Hess Plaza. He pointed out features such as narrowing of Market Street at crosswalks for traffic calming, rain gardens to temper the initial flows of stormwater runoff, and the integrated appearance of pavers, streetlights, benches, and other accessories along the thoroughfare.

The meeting with PennDOT was discussed as it applied both to the streetscape as well as to the proposed Hess Plaza. PennDOT is very receptive to the plan and even though some aspects of the Hess Plaza proposal do not align with PennDOT requirements precisely, PennDOT views the proposal as an improvement over the current situation.

Mr. Bachik was currently at work contacting each property owner along the corridor to discuss the proposed work and address the issues of easements to accomplish the portions of the work that would actually be on private property. It was noted that the borough would assume responsibility for maintenance of the crosswalks across PennDOT's roads and would also be responsible for the maintenance of the sidewalk improvements on private property - a valuable item for the property owners.

Mr. Bachik also discussed the coordination of future phases of the streetscape plan with the comprehensive plan and suggested that the Planning Commission would be best suited to develop design guidelines for renovation and construction projects along the corridor.

Mr. Herrmann expressed concern that the proposed traffic calming would further tie up traffic along the corridor beyond current levels. Mr. Bachik assured everyone that Market Street would not be narrowed below minimum requirements imposed by PennDOT and only sought to reduce the crossing width for the safety of pedestrians at the crosswalks. No other changes would be made to the actual traffic flow or capacity - including that parking spaces were being eliminated at the eastbound approach to Third Street to allow increased stacking in the right hand turn lane onto southbound Third Street.

Ms. West expressed concern that the elimination of any parking spaces was an extreme hardship to the businesses along Market Street. If customers are unable to park directly in front of a business they will not use that business and will go elsewhere. She also expressed concern that the intersection at Third and Market Streets was poorly designed and that tractor trailer traffic would run over the median strip plantings and other accessories located near the intersection and deemed them a waste of money.

Stark Subdivision Plan:

Mr. Jay Stark, Property Owner

Mr. Chad E. Shaffer, PLS, RJ Fisher & Associates, Inc.

Mr. Shaffer presented.

- Drawing notes have been revised to address shrubbery and sight distances.
- Note is made that access is to be from Bridgeview or Indiana and not both streets.
- Note that proposed building, grading, and access points are conceptual in nature and may be different from final design.
- Note that there is to be no stormwater runoff onto adjacent properties.
- Note of deferral of sidewalks until such time that they are required.

Mr. Stalnecker discussed the sight distances as required by the proposed parcel. The sight distance is to be from 10' behind the cartway and with the current brush cover these cannot be adequately judged. There was discussion over this point with the end request being that sight distances be delineated on the plan and noted that any vegetation within the sight distances be removed upon construction.

Ms. West motioned to grant wavers and deferral. Mr. Howard seconded. All in favor.

Ms. West motioned to accept plan contingent upon revisions of sight distances. Mr. Howard seconded. All in favor.

Ms. West requested a letter to be sent to Ms. Farr to note that plans were not distributed to the planning commission members prior to the meeting.

Discussion of other issues:

Mr. Stalnecker reviewed the meeting with PennDOT concerning the Hess Plaza project. The following items were discussed:

- It was requested that the widths of the driveways onto Market Street be decreased to 24' wide.
- Requested that the driveway onto State Street be limited to right turn in, right turn out only.
- Requested that vegetation at the "point" of the plaza be limited to 3' height maximum for visibility.
- No parking signs shall be by the borough as applicable.
- Hess has submitted the Highway Occupancy Permit and PennDOT will review with the borough before accepting.
- It was noted that although the four driveways onto Market and State Streets are more than PennDOT would normally allow, they view this as a substantial improvement over the unlimited access of the current situation.

Discussion moved on to the Sign and Cafe Ordinances.

County had suggestions for minor changes to the February 5th version of the sign ordinance.

There was a discussion of the procedure involved as it pertained to the order in which the ordinance was reviewed and approved by the various entities. At issue was the public hearing, review by the county, and what entity currently "possessed" the document. It was resolved that the document had been passed back to the Planning Commission for revision after taking into account public and county comments and review by the borough solicitor.

Ms. Park made the following comments:

- 1304.D.5 - regulates a prohibited sign. Is the sign prohibited or regulated?
- 1304.D.7 - borough's approval is arbitrary. The final wording "and only as specifically approved by the Borough" was agreed to be removed from the ordinance.
- 1306.L - governmental flags raises the question of commercial flags. Discussion was to create a 1305.I to define commercial flag and allow one commercial flag on a flagpole per property per frontage no greater than 24' square feet in size and no higher than 35' maximum height of flagpole.
- 1307.B - discussion of the prohibition of electronic message boards.

Discussion devolved into a lengthy debate between Mr. Rebeck, Ms. West, and Mr. Howard over the conditions and wording of the Signs Ordinance regarding electronic message boards (EMCs) and off-premise advertising signs.

Mr. Rebeck's concerns centered around the ability to maintain the signs his company currently possessed, to be able to maintain and update these signs, and that EMCs are being unfairly targeted by the borough.

Mr. Howard expressed that his concerns were over the brightness of the signs and the distraction from moving graphics. Mr. Howard also stressed to Mr. Rebeck that it was never the intention of the proposed sign ordinance to eliminate billboards from the Borough, as was previously misquoted to others in the Borough Administration.

Ms. West expressed that her feeling was that EMCs were trashy and she did not want them in the borough.

Final comments were that all issues were going to be taken into consideration before the signs ordinance was passed.

Ms Park continued with her final comment on the ordinance:

- 1308.A.1.a - question where signs for farm products was meant to apply as there are no farms within the borough. It was noted that this was meant to apply to home garden products and not necessarily farm products.

Ms. Park reviewed her comments pertaining to the cafe ordinance:

- The permit should address both the application and the process. A sketch plan should be included to show how the facility will be carried out and the limits of the area.
- Noted that there is a clause for revocation of permit without cause. That would be hard to enforce.
- Noted to provide accessibility and suggested that dimension be increased to 6'-0"
- Suggested no outside source of P/A.
- Need working plan for addressing issues of trash and recycling.
- Consider limits of advertising - will it be allowed on umbrellas at tables, banners, tents?
- Consider issues to minimize noise, vibration, and light to surrounding properties.

Mr. Herrmann raised concerns that this unfairly limits one type of establishment and that other establishments could likewise infringe upon adjacent property owners. He suggested that the cafe ordinance be limited to only sidewalk establishments and not to establishments with open air dining in rear yards or other enclosed areas on a property.

Others explained that the intent was to start someplace and that the cafe ordinance should address any outdoor eating establishment to set guidelines so that there are not problems.

A discussion about the proposed schedule for the sign ordinance was held. It was decided that the next Planning Commission meeting would be advertised as a forum for public comments and that the Lemoyne Business Association would be notified so

that they could send word out to their members.

There was a question relating to the doctrine of pending ordinances and when exactly an ordinance could be considered to be in its final draft. This was advised to be submitted to the solicitor for a clarification.

Mr. Bank motioned to approve last month's Planning Commission minutes. Mr. Howard seconded. All approved.

It was noted by Ms. West that the annual report was due for 2008.

Meeting adjourned approximately 10:40 pm.

Minutes prepared by

Thomas Bank

Secretary, Lemoyne Planning Commission

April 26, 2009

FINAL