

Meeting Minutes
Lemoyne Planning Commission
Tuesday – April 14, 2009

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

Staff: Robert Ihlein (Borough Manager), Janine Park (*TCRP*), Mike Hess, P.E. (*ARRO*)

Attached or Referenced Exhibits: See attached

The regularly scheduled Lemoyne Planning Commission meeting was called to order at 6:32 pm.

March Meeting Minutes:

It was noted that the Cafe Ordinance comments and document on Signage Regulations should be removed. Mr. Howard also asked for clarification that his intention was never for the prohibition of billboards.

Motion was made by Mr. Bank to approve the March minutes as noted. Second by Mr. Howard. All approved.

Introduction of Borough Manager:

Mr. Robert Ihlein was introduced to the group. He started March 30th and was quickly coming up to speed with the position. He thanked those taking on extra duties since Mr. Dougherty had left in the fall. He noted that he would be working with Mr. Frank to receive and distribute the incoming submissions.

Mr. Howard commented that distribution of submissions has been a long standing issue and that hopefully these issues could be settled out.

Stark Subdivision Plan:

No representation at tonight's meeting.

It was noted that the Borough Council had turned down the plan at the April Council meeting and that it would be coming back to the Planning Commission next month (May). Borough Council has recommendations concerning the access to the property. The Borough Manager has sent a letter to the property owner and a time extension has been granted until July 17th.

Hess Station Redevelopment Plan:

Jessica Fieldhouse, P.E. *First Capital Engineering*

H. Andy Lautenbaucher, *HESS Corporation*

Ms. Fieldhouse presented. Ed Stalnecker had submitted a review letter for the plan. Ms. Fieldhouse had also submitted a letter detailing the Pre-HOP meeting that had been scheduled with PennDOT to coordinate the Hess Project with the understanding that it integrated with the Lemoyne Borough Streetscape Revitalization Project as the western limit of the first phase of that project. Ms. West had represented the LPC at that meeting.

From the Pre-HOP meeting, the following issues had been discussed:

- That the eastern entrance along State Street be right-in/right-out only to control traffic near the State Street/Market Street intersection
- That all entrances exceeded the 24' maximum width but that this was an improvement over the current situation of near-continuous entrance/exit possibilities. It was agreed to limit the Market Street entrances to 24' but that the entrances on State street required more room for fuel deliveries. Depressed curbing would be used on State Street to limit the entrances to 24' but still allow fuel deliveries.
- Queuing issues remain, but with the lot size there are not many alternatives and it is an improvement over the current situation.

Mr. Herrmann expressed concern over the right-in/right-out limitation on the eastern State Street entrance as entering at that end would allow more queuing than entering from the western entrance on State Street.

Ms. West expressed several concerns:

- Concerns about the entrances to both State and Market Street
- Requested that a pump be eliminated. It was noted that this had come up in the Pre-HOP meeting and that more pumps would actually improve turn-around time and reduce queuing.
- Questioned the width of State Street. Ms. Fieldhouse noted that the travel lanes of State Street were not being reduced and only where there was no parking was the overall width being reduced.
- Questioned that the submitted plan did not show the realignment to State Street as indicated in the Streetscape plans from Kairos. Ms. Fieldhouse agreed to coordinate with Kairos.

Ms. Byrem questioned the issue of parking on State Street. Ms. Fieldhouse noted that the Hess plan was only eliminating one parking space at the west edge of their property along State Street in accordance with the Streetscape intentions.

Ms. West requested that parking be maintained west of the west entrance on State Street and that no spaces be eliminated. Several residents of the area had made complaints as there is little parking to be had in this area to start with.

Ms. West further stated that she had no awareness that the Hess project was working in conjunction with the Streetscape project and asked others at the table if they had known of the coordination of the two projects. Ms. Byrem expressed that she had not known. Mr. Howard, Mr. Herrmann, and Mr. Bank were all aware of the coordination of the two projects.

There was conflict between Ms. West and Mr. Herrmann over the right-in/right-out setup of the eastern entrance on State Street. Mr. Herrmann felt that encouraging entrance from the eastern entrance would better the situation. Ms. West was in favor of maintaining the right-in/right-out request by PennDOT. Ms. Byrem expressed favor for the right-in/right-out setup as well.

It was requested that Hess maintain the parking at the western edge of their property along State Street and that the Kairos elements of the Streetscape project be incorporated into the plans.

Ms. West motioned to table the project pending submission of the HOP application and reconsideration by PADOT of the idea of left-in from eastbound State Street to the western driveway entrance; also to allow for plan revisions as discussed. Mr. Howard seconded. All were in favor.

Signs Ordinance:

Mr. Ihlein distributed copies of letters from the community received by the borough in response to the sign ordinance and the planning commission moved to the council chambers and reconvened at 7:47 with business community members & public who came to discuss signs ordinance.

Mr. Howard started with an introduction to the ordinance. He explained that the Planning Commission advises the Borough Council and that the Council would be the ones to vote on the ordinance.

The process of reviewing and revising the ordinance has been underway for the past year. The revised ordinance was submitted to the Council late last year. There was a quasi-public meeting in February due to it still being under review by the county.

Mr. Howard presented an intro. and some shortcomings of the current signs ordinance:

- Signs regulated as part of Zoning Ordinance
- Current Zoning Ordinance originally adopted 1980, with various amendments
- Present ordinance is structured to address signs in Residential Districts, billboards and advertising signboards, business identification signs, miscellaneous, general rules for all signs.
- Little Guidance for districts other than residential
- Sign criteria is weak, not meaningfully linked to existing Borough Zoning Districts
- Minimal lighting restrictions
- Awkward organization

- Contains numerous instances of vague, confusing, or subjective wording
- Inadequately addresses proliferation of unsightly/distracting signs

Mr. Howard explained the process of reviewing the ordinance and what approaches were taken to determine the new ordinance:

- Reviewed Ordinances from Variety of Sources
- Plus Model Ordinances and guidelines
- Extracted desirable elements from each, including existing Lemoyne Ordinance

Mr. Howard then addressed several Important areas of modifications in the new ordinance:

- Expanded definitions to clarify language
- Design standards for types of sign construction
- Allowable signs vary by zoning district
- Limitations on illumination
- Clear list of signs exempted from permitting
- Clear list of prohibited sign types
- Expanded general requirements for nonconforming signs.

Mr. Howard expressed that most nonconforming signs were not expected to be brought into conformance anytime soon:

- Signs to conform if more than 50% of area is changed
- Certain types to conform on a schedule
- Other nonconforming signs are generally “grandfathered”, but cannot be altered

With this overview of the process, Mr. Howard now opened the floor to public comment.

First to present was Mr. Andy Rebeck of Lamar advertising. He stated that Lemoyne has been home to the billboard business for 60 years with 24 billboards and 43 faces generating in excess of \$175K in tax revenue for the borough each year. His speaking points are in the attached statement.

Ms. Denise Drosdak, also of Lamar Advertising, spoke next and stressed that non-conforming signs that were lawfully erected at the time of their erection should be allowed to be rebuilt or relocated on the same property as long as the degree of non-conformity is not increased. Her speaking points are in the attached statement. She also submitted a letter from Sean Reilly, owner of Lamar Advertising which is in the attached statements.

Mr. Ken Laird of the Storage Depot has two signs in the borough and maintains that billboards are the best localized advertising options and that billboards also add to the value of the property due to income from the signs. His speaking points are in the attached statement.

Sgt. Anthony Manetta of the Pennsylvania State Police spoke of the effectiveness of digital billboards in Amber Alert situations. Digital billboards can be controlled remotely and updated immediately as information changes. His speaking points and an overview of the Amber Alert system are in the attached statement.

Mr. Howard commented that reference material had been received from Lamar (included in attachments) and wished to restate that there had never been any intention by the new ordinance to eliminate billboards.

Mr. Jim Mirando of Excel Construction spoke of their more than thirty years in the borough and that his sign is a key tool for their marketing. He stated that he and many other business owners were excited for the revitalization process and noted that many of the businesses are the ones contributing money and time to the effort. He noted that he used the EMC in his sign to promote Lemoyne events such as the cleanup, symphony, and Tour of Lemoyne events.

His specific requests were to not prohibit internally illuminated signs, to reconsider the EMC prohibition, and to allow legal non-conforming signs to be maintained. He felt that the ordinance in its current form was a hardship to businesses and asked that issues such as EMCs, illumination, and such be regulated rather than outright prohibited and that certain areas or streets may require more stringent regulation but not to blanket the whole borough with one set of rules. He self-regulates his EMC by dimming the sign from 8 to 12 p.m. with a single message with no rotation, turns the sign off at 12 p.m. until dawn, and only during the day rotates the messages. He also notes that his internally illuminated sign casts less light onto adjacent properties than the streetlight across the road from his business. His speaking points are in the attached statement.

Mr. Ray Grandon of 300 Hummel Avenue spoke of his primary concern being the grandfather clause. His sign is 80+ years old and he should be allowed to maintain it.

Mr. Blair Trogner purchased his property with an existing non-conforming sign and spoke of the benefits of the income from the lease of land for that sign. He saw the issue as that of private property rights and that disallowing billboards would prevent him from realizing that income. His speaking points are in the attached statement.

Mr. Rick Jordan of LB Smith spoke of the requirements to update signs based on parent company requirements. Their business would not have wanted to keep the signs from 1950's and need to update periodically.

Mr. Homer Hetrick of LB Smith spoke of the requirement for a certain number of different signs to advertise different franchises as well as locations within the facility - new cars, used cars, parts, service, etc. Their property has seven different businesses with four different departments. He also spoke of the need for temporary signs and banners including those used for charity events such as car washes by schools and churches. He stated that other townships have provisions for these issues.

Ms. Wendy Hammaker of Hammaker's Flower Shop spoke of her 3 1/2 years in the Borough and the money she has put into revitalizing her property. She rented two billboards from Lamar on opening to get the word out that she was in the area. She is active in the Lemoyne Business Assoc. and supports the Revitalization and commented on the business support to the Borough through tax dollars as well as sponsorship of events. She questioned priorities where abandoned cars, derelict buildings, and building colors are not regulated or enforced but sign ordinances will push businesses away. She spoke of her purchase of a sign and her hopes for an illuminated sign or possibly an EMC in the future to further grow her business and also for the need for temporary signs to advertise changing conditions. Her hopes were to stay in Lemoyne and expand and wanted the Borough to consider the results to businesses of an overly stringent sign ordinance.

Mr. Jim Hepfer of Ace Hardware spoke of the need for banners to attract business for special events and also of portable signs for charity events and are a key for sales events. He also stated that he relies on his LED sign facing 581 during the overnight hours to remind people of his location.

Mr. Jim Balaban of the Lemoyne Business Association thanked everyone - the public as well as the Planning Commission and Borough Council members - for attending the event. He mentioned that the LBA has made use of member business' EMCs to publicize LBA events. The LBA has raised \$100K plus for the community, which shows the support of Lemoyne businesses. He concluded that the LBA was willing to be a conduit to help organize discussion between the Borough and the local businesses.

Mr. Ray Wenger of Strickler Sign Co. is a manufacturer of on premise signs. He commented that floodlit signs tend to create more glare than backlit signs. Internally illuminated signs compromise 99% of business signs and that they can control the lighting of them. He questioned the reasoning behind the prohibition of EMCs as they are a strong current trend.

Mr. Howard commented that the ordinance was in response to the proliferation of such signs and that their light output and changing was distracting.

Mr. Wenger suggested that light levels and timing of changes to message could be controlled and that regulation was more appropriate than prohibition. A quality sign will have automatic dimming and can be controlled by percentages of light output - basically infinite variation - and that most signs are only at 50% output at noon. Add the requirement for auto dimming to the ordinance and timing for message changes as means of dealing with light levels. He also suggested that EMCs allow changeable messages without the need for banners and other temporary signs. He questioned the allowance of EMCs for gas prices but not other uses and whether this was a case of content control.

He also mentioned the American Planning Association Model Ordinance which is

based on PSU studies on sign size vs. traffic flow with formulas for determining optimum sizes.

His company produced the signs for Secco and Excel.

John Yanovick of Cumberland Masonry spoke of concerns for temporary signs, specifically the need for real estate signs. He also commented that he had taken signs down from his properties on Market Street during his renovation of the properties and was concerned that he was now limited in how he may replace them since he did not know that the signs ordinance would not allow him to replace them as they had been now that they were removed. He also spoke of the need to ramp up marketing events given the current economy and that signs and banners were a prime way of doing that.

Mr. Howard asked if there were any others that wished to comment and having no response closed the public comments portion of the meeting and turned the floor over to comments from council and the planning commission.

Ms. Ruediger thanked everyone for their participation in this dialogue and acknowledged the time spent by the planning commission on the revisions to the signs ordinance. She addressed the summary of "visual pollution" along the streets of the borough and that the issue is to address this in a manner that benefits all and brings harmony with the revitalization efforts. She assured those present that the intention was never to hurt business within the community but that tonight's discussion made everyone aware of the other side of the issue.

Mr. Mountz said that the Council thanked everyone for their input and commented that everyone respectfully made their points. Council and the Planning Commission need the input from the public and business community to make needed improvements within the Borough.

Dr. Judson thanked everyone for their patience with the delay to the start of the meeting. He addressed the issue of the Market Street signage problem and again brought up the issue of visual pollution. He challenged the business community to provide suggestions to the Borough of ways to address the problems and improve the signage situation. He also stressed that the intent has never been to ruin or harm business but that the goal was to make Lemoyne more attractive to both the public and business.

Mayor Byrem reiterated the challenge to the business community to provide ideas to improve the signage situation.

Ms. Hegedus commented on the huge task set before the planning commission to rewrite the signs ordinance and on the help that the business community can provide by educating the Borough to the challenges that they face. She also stressed that the intent was never to hurt business within the community.

Jay Laird of the Home School Research Exchange spoke up to say that the business

community appreciates the efforts that the Borough is making to improve the community but that visual pollution extends to the utility poles, maze of wires, contrasts of architecture, and more than just the signage. Businesses have to “scream” to draw attention to themselves in these conditions.

Mr. Herrmann commented that he was sympathetic to the comments he heard tonight and that he would take them into consideration.

Ms. Byrem commented that the Commission would have to sit down and start over to reconsider the whole town and not apply a blanket regulation meant to apply to one area.

Mr. Hetrick interjected that doing “cookie cutter” signs would not work within the Borough. There needs to be the ability for diversity in order to identify a particular business.

Ms. Hammaker restated the problem of other issues beyond signage including run-down buildings and color selection. She has put \$40K into the renovation of her property and sees signage for her property as an investment. Greater care for all buildings would be a greater benefit to the community.

Ms. Ruediger stated that there were certainly other initiatives underway within the Borough including rental and zoning ordinances. There is much to be done and not all things can be done at once. Things have to start somewhere.

Mr. Bank agreed and stated that this is an ongoing process.

Ms. West had no comment.

Mr. Howard once again thanked everyone for attending and for their input. He assured everyone that this was part of the process and that there is a need to meet the needs of all.

Meeting adjourned approximately 9:15 pm.

Minutes prepared by

Thomas Bank
Secretary, Lemoyne Planning Commission
May 13, 2009

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