

Meeting Minutes
Lemoyne Planning Commission
Tuesday – May 12, 2009

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

LPC Members Absent: Barb Byrem

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

Visitors: Dr. John Judson (Borough Council), Rick Jordan II, Rick Jordan III (L.B. Smith)

Attached or Referenced Exhibits: See attached

The regularly scheduled Lemoyne Planning Commission meeting was called to order at 6:30 pm.

Stark Subdivision Plan:

Mr. Jay Stark, Property Owner

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

Mr. Shaffer presented the changes made to the plans to meet the requirements of Borough Council.

- Only the Indiana Avenue entrance to the property was shown. The possible entrance from Bridgeview Drive was eliminated.
- Sight distances and areas of vegetation to be removed to achieve them were designated on the plans.
- Stormwater notes were added.

Dr. Judson questioned why stormwater was an issue in the discussion. It was noted that there is a current issue with stormwater onto Bridgeview Drive.

Mr. Herrmann commented on the elimination of the Bridgeview Drive access. His opinion, shared by others of the Planning Commission, was that the access from Bridgeview Drive made for a much better opportunity for a structure on the property as the driveway and garage could be below the living area due to the slope from Indiana Avenue to Bridgeview Drive. Entering from Indiana Avenue nearly placed the garage and driveway in the attic of a proposed structure.

Dr. Judson attempted to explain the Council's position that access on Bridgeview Drive was problematic and created a potential for future issues between property owners as the required sight distances went across the adjacent property.

Mr. Stark noted that he was doing what he could to get the planned approved and made the changes to meet Council's requirements.

It was noted that the original plans had met all the requirements of the Planning Commission and that the new plans continued to meet the Planning Commission's requirements as well as the requirements of the Council. It was agreed that there was no reason for this issue to have been sent back to the Planning Commission. If Council had additional requirements, they were able to impose those requirements themselves and should not attempt to force the opinion of the Planning Commission.

Motion was made by Mr. Bank that the plans continued to meet all requirements of the Planning Commission, that the additional requirements of the Council were addressed, that the waiver for preliminary plans be granted, the waiver for double frontage lots be granted as it was a pre-existing condition, and that the deferral for sidewalks be granted. Motion was seconded by Mr. Howard. Passed with all in favor.

Hess Station Redevelopment Plan:

No representation at tonight's meeting.

Mr. Stalnecker updated that Hess had applied for the Highway Occupancy Permit and Mr. Ihlein confirmed that he had signed off on the plan.

Cafe Ordinance:

Ms. West presented the edits to the Cafe Ordinance based on the comments from last month's meeting.

Mr. Herrmann questioned the wording referring to yard and lawn and questioned whether the intent was to allow outdoor cafes on unpaved areas. Discussion was that Federal and State laws still applied and that the establishment would have to comply with those laws.

Ms. Park questioned the hours of operation and whether there were any other similar allowable hours of operation. It was stated that the intent was to limit disturbance to neighboring properties such as current allowable hours for construction activities and similar.

Ms. Park recommended that the ordinance be made free standing rather than part of the zoning ordinance. As a freestanding ordinance it would allow tougher enforcement. As part of the zoning ordinance it makes for a lengthy, cumbersome process to deal with violations and also allows for variances to be requested.

Mr. Howard made the motion to move the ordinance to the ordinance committee with the recommendation that it be made a freestanding ordinance. Mr. Bank seconded. Passed with all in favor.

Signs Ordinance:

Mr. Jordan II spoke to the great strides made to the signs ordinance and appreciated the ability to have a public voice in Lemoyne.

Mr. Howard distributed a list of the franchise signage requirements that Mr. Jordan had forwarded to him and asked if there was anything more to add. Mr. Jordan stated that he and others at L.B. Smith would be happy to provide further discussion as required on any information.

Mr. Howard distributed a copy of the signs ordinance as edited during the workshop of May 4th, 2009.

Mr. Herrmann stated that he was uncomfortable approving the illumination issues of the signs ordinance without actual knowledge of what the associated numbers meant. He stated that he had a contact with a lighting consultant and could schedule a session with that consultant to help work out the associated numbers.

Mr. Howard led the discussion of the edits as determined by the workshop and through the remaining review items in the signs ordinance as follows:

- 1301.A: Wording added - "To control the size, location, **quantity**, and illumination..."
- 1302.B: Wording added - "Application for a **permanent** sign permit..."
- 1302.E: Item was moved to 1302.B.4 to apply to permanent sign permits.
- Item was added for applications for special sale signs as defined by 1305.K
- 1304.D.4: It was agreed that final numbers for illumination would be made after review with lighting consultant.
- 1305.J.5 & 6: Numbers and wording to be reviewed by lighting consultant.
- 1305.J.7: Add wording to limit EMC to one per business premise.
- 1305.K: Wording added - "Sign permit is required **per 1302.C**"
- 1308.C.2.a.(2): First sentence relating to automobile dealership franchise requirements was eliminated.
- 1308.C.2.a: Items #5 & 6 were combined to limit projecting and awning signs to a combined total of 24 s.f.
- 1309.F: Wording changed from "temporary" signs to "special sale" signs to be consistent with other sections.

Ms. West requested the current zoning ordinance binder from Mr. Ihlein to review section 1305 for the General Regulation for All Signs.

Mr. Herrmann requested language for the structural approval of a freestanding sign. The comment was made that this would be covered by the building permit for the sign.

Ms. West commented that the sign at Excel on Third Street did not meet the **current**

regulations for flashing signs.

Ms. West commented that signs projecting over sidewalks were not allowed in the current regulations.

The signs ordinance was tabled until a workshop could be set up with Mr. Herrmann's lighting consultant to review final numbers and wording for the ordinance.

April Meeting Minutes:

Mr. Howard had sent edits to the April meeting minutes that had been incorporated. No other changes were required.

Mr. Howard motioned to approve the April Meeting Minutes as revised. Mr. Bank seconded. Passed with all in favor.

Meeting adjourned approximately 9:15 pm.

Minutes prepared by

Thomas Bank

Secretary, Lemoyne Planning Commission

June 13, 2009

FINAL