

**UPPER ALLEN TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
July 31, 2023
7:00 P.M.**

PC MEMBERS

R. Wayne Willey, Chairperson
Robert Siodlowski, Vice-Chairperson
Amanda Parrish, Secretary
Scott Steffan (absent)
Barbara Roddin (absent)
Garth Wales
Eric Clancy

TOWNSHIP OFFICIALS - PRESENT

Jennifer Boyer, Comm. Dev. Director
Scott Finkenbiner, Planning Technician

BOARD OF COMMISSIONERS

Ginnie M. Anderson, Commissioner
Jeff Walter, Commissioner

CALL TO ORDER

Chair Willey called the Planning Commission Meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited by all. Roll Call was taken by Mr. Finkenbiner. Mr. Steffan, and Ms. Roddin were noted as absent.

APPROVAL OF PLANNING COMMISSION MINUTES

Chair Willey called for the approval of the Minutes of the May 22, 2023, Planning Commission Meeting. Secretary Parrish made a **MOTION** to approve the Minutes of the May 22, 2023, meeting. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (5-0).

REVIEW OF BOARD OF COMMISSIONERS MINUTES

Chair Willey noted the copy of the Board of Commissioners Minutes from the May 3rd, May 17th, and June 21st, 2023 meetings. Chair Willey accepted these minutes.

NEW BUSINESS

A. Dale Fogelsanger 810 Grantham Road F/SD Plan

Scott Akens of Akens Engineering Associates, Inc. represented the plan as the engineer. Mr. Akens explained that the plan is a relatively simple subdivision plan for an approximate .36-acre lot at 810 Grantham Road, where Mr. Fogelsanger's property is the western half of a duplex with an approximate .25-acre side yard. The plan subdivides the .25-acre side yard so that the two pieces of property can be individually sold. Mr. Akens stated that he had received and addressed most of the Township and County comments; however, he wanted to discuss a few to make sure everyone was on the same page. The first comment Mr. Akens discussed was a comment concerning the foundation/deck that would be divided by the property line. Clarifying that Mr.

Fogelsanger's intent was to leave it as is and allow each property owner to maintain half of it, and that any notation needed for clarification could be added to the plan. Finally, Mr. Akens said that the comment addressing the need for a PennDOT driveway permit was understood and will be addressed. Mr. Akens then asked if Township staff had any additional comments or questions, Ms. Boyer stated that staff did not. Mr. Akens then brought up one last topic of discussion, asking if there was a possibility of getting a waiver for or reduction in the recreation fee. Ms. Boyer stated that the recreation fee is part of the Township's fee schedule and therefore would need to be brought before the Board of Commissioners.

No public comment.

Chair Willey called for a **MOTION** on the plan. Vice-Chair Siodlowski made a **MOTION** to recommend forwarding a revised plan to the Board of Commissioners for approval. The **MOTION** was **SECONDED** by Mr. Clancy. The motion carried unanimously (5-0).

No public comment.

B. Consideration of zoning text amendment for Daycares.

Ms. Boyer presented a zoning text amendment for daycares. Ms. Boyer explained that these changes came about when the township was presented with a proposal for a new daycare facility. It was discovered the state had updated its regulations regarding daycares, and the zoning ordinance is outdated. Additionally, the daycare applicant brought up concerns with parking regulations and playground fence setback regulations. Ms. Boyer continued by explaining the current fence regulations require a setback of 25 feet and the applicant wanted to potentially reduce that distance to maximize space on the property. The original idea was to match the setback to the zoning district; however, different districts have different setbacks causing some districts to potentially limit space even more. Therefore, the decision was made to recommend keeping the 25-foot setback, but also allow for a reduction to 15 feet with written agreement from the adjoining property owner. This written agreement provision is utilized for setback reductions in other zoning districts.

As for the parking regulations, the Township's recommended parking regulations were one parking space for every employee on the largest shift, plus one space for every six students, and off-street waiting spaces for at least six vehicles. These numbers were then compared to other first-class townships in Cumberland, Dauphin, and York counties. While regulations varied, they averaged one space per employee and one space for every six students. The township also offers joint parking options within its commercial zoning districts, allowing businesses to share parking spaces. The township also has provisions for a parking reduction request, which allows a property owner to prove that less parking is needed, and the Board of Commissioners may grant the request.

Mr. Clancy asked if the setback would be the same across all zoning districts. Ms. Boyer answered that the setback would be consistent regardless of the zoning district.

No public comment.

Chair Willey called for a **MOTION** on the text amendment. Secretary Parrish made a **MOTION** to recommend approval of the text amendment, as presented. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried (4-1).

C. Consideration of zoning text amendment for Signs.

Ms. Boyer presented the zoning text amendment for signs, explaining that this is a comprehensive sign ordinance which would repeal and replace the current Article 18. While the new draft contains some language from the current ordinance, it is a full update with a new format, new types of signs and new sign requirements. The last time the township comprehensively updated its sign ordinance was in 2004. This new sign ordinance reflects more recent court decisions and fills in areas where the existing ordinance falls short. It also contains pictures and charts to make it more user-friendly. Ms. Boyer then explained that most of the regulations regarding billboards, temporary signs, penalties, and non-conforming signs had remained the same. A new Master Sign Plan section was included to allow for flexibility in design. Following a brief introduction of the ordinance, Ms. Boyer asked the board if they had any questions or comments.

Mr. Wales asked if the table provided should also include the Planned Residential Development (PRD) zoning district, or if that was somehow included in this article. Ms. Boyer stated that the PRD is an overlay zone and uses the base district. While PRD developments can only occur within the R-2 zoning district, Ms. Boyer agreed that it would be a good idea to cross-reference the PRD district.

Mr. Clancy stated that he had concerns about section 245-18.12, concerning signs along the PA Turnpike and Route 15. He argued that the ordinance should be designed to allow businesses to thrive, and that the size of wall signs along these two roads specifically was too restrictive as it only allowed a potential expansion of up to 50 square feet (sq. ft.) larger than the 100 sq. ft. for other wall signs. Mr. Clancy also noted that those traveling down the turnpike would have a hard time seeing a sign of that size. Mr. Clancy's next question pertained to section 245-18.13C, which states that signs may be double sided unless otherwise stated. He asked if that meant that a double-sided sign has half the total sign area (50 sq. ft. per side for a total of 100 sq. ft.), or could it be 100 sq. ft. per side? Ms. Boyer answered that the latter would be correct, a sign can be the maximum sq. ft. on both sides (100 sq. ft. per side). Ms. Boyer then continued, saying properties along the PA Turnpike and Route 15 fall under PennDOT, and PennDOT restricts some on-premise signs to 150 sq. ft., which is why the township used that size. If the township allowed for larger signs, PennDOT could potentially not approve the permit when it was sent to them. Furthermore, these changes took into consideration how residents would react to overly large signs. Mr. Clancy then asked if an appendix should be added to the ordinance to show that the township is following PennDOT rules. Ms. Boyer said that if the applicants must apply to the township before PennDOT then yes, but she was unsure if that is the case.

Commissioner Anderson asked if applications for signs on properties along the turnpike would have to go before the turnpike commission. Chair Willey stated that yes, both the turnpike commission and PennDOT have jurisdiction and the turnpike commission's regulations closely follow PennDOT's.

Public Comments

Rachel Rowe, Esq. of McNees Wallace & Nurick, representing PaulB Hardware, provided their history of dealing with the Zoning Hearing Board for sign variances and their latest efforts to provide input towards a sign ordinance that is more business friendly. In July 2021, McNees Wallace & Nurick submitted draft language for new sign regulations, which was reviewed by township staff and the Board of Commissioners. PaulB and the other organizations involved are thrilled that an ordinance is far enough along to begin discussion.

Jerry High, Paul B facilities and safety manager, stated he had been involved with the drafting of the proposed amendments, and wanted to express his views on the importance of signs. Route 15 is key for PaulB's advertisement and is directly linked to the store's success and growth. Signage along the Gettysburg Pike provides curb appeal and helps to draw in customers. Finally, Mr. High was appreciative of the thoughts and considerations being presented by the board.

Ray Strickler, of Strickler Sign Company, said that he has been on both sides of creating a sign ordinance, both a developer and a user, so he understands the challenge of finding a balance between the community and businesses. This is a good draft and a solid start, but one of the biggest challenges is accounting for the variation in businesses and their different sign needs. What makes this ordinance unique is the Master Sign Plan, which allows for longevity and flexibility to accommodate those different needs.

Kathie Shafer, of Messiah University, stated that the university has had issues with getting additional signs, but the proposed ordinance is making them hopeful for the future. Due to the university's nature, there is a need for a multitude of signs on campus, but the current ordinance only allows for three. If the university's signs were not grandfathered, they would be in violation of the ordinance, because there are more than 40 buildings which require at least one sign. Plus, there is a need for directional signs throughout campus. The university's external facing signs do meet the current ordinance requirements. The inclusion of the mater plan would allow the university to use sign standards to fit the needs of the university without violating the ordinance or seek variances. However, Ms. Shafer had concerns about needing to submit a site plan and provide a list of signs and other information with the Master Sign Plan application. She said that signs are added and changed frequently and having to provide a detailed site plan showing all sign locations would be a lot of work.

Victoria Lindstrom, representing Daybreak Church, said signage is important to help people locate the church and the dog park. Not only that, but signage is important for all local businesses as they do not have the brand recognition of national stores, and it helps to promote what the township has to offer to tourists and visitors. The draft is a step in the right direction as

it provides more freedom to businesses and organizations but keeps the signs looking professional.

Lowell Gates, of Linlo Properties, said he is both a resident of and a developer in the township. He wants businesses to have adequate signage so businesses can thrive and that the signs can be read safely, without the sum being egregious. Mr. Gates then provided examples of proposed signs for his development project (Mills at Shepherdstown).

Mr. Clancy asked Mr. Gates and Ms. Shafer if the Master Sign Plan would be beneficial to their signage needs and if their plans would meet the ordinance. Both said that it will work for their individual needs, and that it is a much better option than the current ordinance.

Eric Fairchild, of 1224 McCormick Road, stated that he would like to know what other townships allow for signage compared to this proposal. He also wanted the board to consider pushing for a larger spacing between billboards as he felt 500 ft was too close together.

Chair Willey asked the board for a recommendation and a consensus was reached to defer any action until the next meeting when more information could be provided about the PennDOT regulations.

BUILDING INSPECTOR'S REPORTS

Chair Willey noted the Building Inspector's Report for May and June 2023.

ADJOURNMENT

There being no further business Mr. Clancy made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Vice-Chair Siodlowski. The motion carried unanimously (5-0). Chair Willey adjourned the meeting at 8:33 P.M.