

# Mount Joy Borough Planning Commission

## November 11, 2015 Minutes



The November 11, 2015 Planning Commission meeting was called to order at 7:00 PM, by Chairperson Steve Gault. Commissioners Melhorn, Rebman, Miller and Sweigart were present. The Mount Joy Borough Zoning Officer, Stacie Gibbs was also present.

### MINUTES

**On a motion by Sweigart and a second by Miller the October 14, 2015 minutes were approved with corrections. Motion carried 5-0.**

### PUBLIC COMMENT

Ned Sterling asked about the schedule for the public to view the proposed Zoning Ordinance. Gibbs advised that it will be going to the Administration and Finance Committee on November 18, 2015. Gibbs advised that Sterling should complete a right-to-know request and then it can be sent electronically. Gibbs outlined the entire review schedule for the adoption of the ordinance.

Ned Sterling advised there is another business in town now talking about tearing down a Main Street house for a parking lot like Keystone Pet Place did. Sterling wondered if some kind of statement could be added to the proposed Zoning Ordinance that does not allow for the removal of Main Street properties for a parking lot. Sterling advised that the Zoning Ordinance currently does not allow for a parking lot on Main Street to be set within 20 feet of the curb on Main Street. Gault advised that it is his understanding that the Zoning Hearing Board granted a Variance or a Special Exception for Keystone Pet Place which is outside of the Planning Commission's control. Gibbs advised that she has not received anything, and she does not have any idea which house would be proposed for demolition for a parking lot. Gibbs advised that if the property is on the proposed Historic Registry, and an application for demolition is received after the adoption of the new Zoning Ordinance, the applicant would have to go through the Conditional Use process. Gibbs further advised that Zoning Ordinance compliance would be required. Sterling advised that perhaps as double protection we can place a statement which contains some kind of language protecting properties on Main Street from demolition for a parking lot. Gault advised that it is already in there. Sterling advised that demolishing a building for a parking lot that is on Main Street should be prohibited. Sterling asked if anyone on the Commission likes the idea for the new language. Gault read the language on the creation of parking lots in the Commercial Business District from the existing Zoning Ordinance. Sterling questioned if the concept of taking a building down along Main Street for parking rubs anyone the wrong way. Gault advised that it does, and he was opposed to what Keystone did. Sterling advised that the Zoning Hearing Board voted it through 3-2 because there was a substitute there and two (2) others on the Board liked pets. Gault advised that when it came to the Planning Commission he was adamant that Main Street should be a pedestrian friendly downtown, and that the street façade should not be interrupted with parking. Gault advised that Sterling's point is understood, and when they get to that section of the Ordinance, they could discuss it. Gault advised that he is not aware of any specific wording for this, and he believes the Commission would have to come up with language. Josh Deering, 33 Frank Street was present and advised that the Commission should also take into account that there is a fine line between building preservation, economic development, and business growth. Deering further advised that by looking at things on a case by case basis, and where they are in the district and what buildings are being looked at for demolition, we should want to promote business growth to gain more business.

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**UPDATES**

The Planning Commission was provided a copy of the Zoning and Code Officer report by email.

Gibbs advised that she received a Demolition Permit Application for the accessory structure (garage) to be demolished at 202 E. Main Street. Gibbs advised that although this property is on the existing Mount Joy Borough Historic Registry, and the proposed registry, the way the language reads in the Ordinance at this time only applies to principal buildings. Therefore, Gibbs advised that the review will continue and the permit will be issued if there are no building code concerns. Gibbs also added that this is a 4-unit building with no off-street parking. Gibbs further advised that she went to observe the condition of the garage and it is dilapidated and deteriorated. Gibbs advised that the owners informed her that no one uses the garage. Gibbs further advised that although this would only create three (3) new off-street parking spaces, that is three (3) more than what the tenants had before. . Gault further questioned if there would be an additional on-street parking spot gained on High Street. Gibbs advised that its possible, however, there is a depressed curb there now for the existing garage. Gibbs advised that there was no proposal to change that.

**NEW BUSINESS**

The Planning Commission continued review of the various proposed Zoning Ordinance amendments. Several discussions took place on various items. Sweigart advised that there were previous discussion regarding prohibiting the use of human billboards in the Borough and she did not see any new language regarding this. Gibbs advised that was mentioned a few months ago and she assumed Gault had provided that. Gault advised that he must have missed it. Further discussion took place regarding actually prohibiting this in the Borough. It was mentioned that there are not a lot of human billboards. Rebman advised that every now and then he sees the Rita's human billboard out there. Gibbs also advised that Liberty Tax Service uses a human billboard as a big part of their marketing during tax season. She believes that if prohibited in the Borough, we are at risk of losing this business.

**On a motion by Rebman and second by Sweigart, the Planning Commission recommended to remove the language in the proposed Zoning Ordinance that would prohibit the use of human billboards.**  
*Motion carried 3-2. Melhorn and Miller voted no.*

**OLD BUSINESS**

NONE

**On a motion by Melhorn and a second by Sweigart, the Planning Commission adjourned.**  
*Motion carried 5-0.*

Respectfully Submitted,

Stacie Gibbs, Zoning Officer