

President Bryan L. Rittle called the planning meeting of the Myerstown Borough Council to order at 6:30 p.m., on Monday, September 19, 2016. The meeting was held in Borough Council Chambers in the Myerstown Municipal Center, 101 East Washington Avenue, Myerstown, PA 17067.

Following the Pledge of Allegiance, a roll call was taken. Present were: President Bryan L. Rittle, Vice President Michael D. Behm, Councilmembers Vince Podolski, Eric L. Powell, Mayor Gloria R. Ebling, Planning Commission Member James Yiengst, Nancy Kirsch, Zoning Hearing Board Members James L. Rittle, Ronald Ream, Assistant Manager Barry A. Ludwig, and Manager Christopher J. Moonis. Absent were: President Pro Tem Park W. Haverstick, II, Councilmembers Jeffrey L. Thomas, and Dana Reich.

No minutes of past meetings were presented for approval at this planning meeting and no action was taken on any minutes.

The President opened the floor for Citizens and Visitors Comments:

Ronald Ream had a concern with Article 27-1604 – Nonconforming Structures. Charlie Schmehl stated a nonconforming structure is a structure that does not meet the current provisions but is legal because it was legal when it came in. Ronald Ream stated his question is concerning adding onto an existing nonconforming structure, mainly setbacks. Most properties in the Borough do not meet current setbacks. In the past, you could add onto the existing building on the same plane. Ronald Ream stated he went for a permit for an extension to a garage structure and Lebanon County Planning Department would not allow it and required him to follow the required setback.

Councilmember Dana Reich, entered the meeting at 6:35 p.m.

Ronald Ream is suggesting to write the requirements so they are quite clear. In his option, to make someone go through a variance process is not fair to the fact that the houses in town are already to close.

James L. Rittle stated a few years ago the Zoning Hearing Board granted a Special Exception for a property on Railroad Street for the same issue Ronald Ream is talking about.

Charlie Schmehl drew a sketch to illustrate the issue. The example, showed an existing building in an L shape along a street. Part of the building intrudes into a setback. The question is when they build an addition must they meet the setback provision or can they just continue the existing building. Many Boroughs allow you to continue the existing setback.

Councilmember Michael D. Behm stated he was under the impression that as long as you had an established building line you could follow that to build out, but if you tore that away then you had to go by the new setback. Charlie Schmehl stated that is a reasonable way to write it so people do not have to go for a lot of routine variances to expand a building. Charlie Schmehl stated the only issue he sees it being an issue is where you have a commercial building next to a house; then there could be a noise issue generated by that. So you usually limit it to residences in a residential district or a business in a business district. So you can't expanded a business in a residential district.

The President read the nonconforming structure requirement. The President believes it will need to be written differently to allow for nonconforming structure setback building requirements.

The President proceeded to the Committee Reports: There were no reports given.

The communications were reviewed.

A letter from Rick Clay was received regarding the 301 S. Railroad Street property owned by the Borough. Rick Clay would like to purchase the property from the Borough to renovate the building. The President stated he is not in favor of this because of the existing law he could place a boarding house in there again. The Manager stated on two separate occasions the Council has decided that it is not worth keeping the structure and instructed the Manager to demolish it. Rick Clay has been in and out of this discussion along the whole way. Rick Clay and three others have shown interest in the property. In respect to Rick Clay, he has worked with the Borough, has done good work, and is a reputable guy in Lebanon County.

Rick Clay just wanted an opportunity to talk to Council about the property before it was demolished. The Manager told him to submit the letter to see if there is an interest from Council to talk to him before demolish quotes were given.

The President is concerned it will be turned back into a boarding house or halfway house. It was zoned as a boarding facility, so it can stay a boarding house. The Manager asked if the Borough can make stipulations as a covenant on the sale of the property.

Charlie Schmehl stated he is sure our Solicitor can find a way to put a restriction on the property. It would probably be a permanent deed restriction.

Council would be willing to talk to Rick Clay at their October 11, 2016 meeting. The Manager will ask him to attend that meeting.

The President proceeded to the agendas order of the business:

The President stated since the Council meeting, there has been some figures that came up for funding of the entire project for the William L. Derr Community Swimming Pool Rehabilitation Project. If the Council approves, they could rescind the approval for the prior amount and reapprove for the new amount. The President asked the Manager to explain the details.

The Manager explained Council approved the base bid at their meeting. He took the original bid tabulation. After thinking it through, talking with staff and the President, we really think to market the pool correctly and to have a really nice attraction to Myerstown on many levels both economically, renovating it, as well as revitalization of the community. The Council agreed the pool was an asset.

The Manager reviewed the bid tabulation, added in his and staff recommendations on what they think Council should do for the entire project. That takes the total from \$958,500.00 to \$1,177,400.00.

The Manager asked Council to look at the proposed funding break down shown on the Bid Tabulation sheet provided. DCNR Grant - \$410,000.00 – Line of Credit - \$410,000.00 – General Reserve Fund - \$50,000.00 – Pool Fund - \$17,400.00 – Wastewater Treatment Fund Loan - \$290,000.00.

The Manager explained the funds shown from Wastewater is a loan. This would be paid back first from proceeds received from Fundraising, additional Grants, Foundation Awards, etc. In the event the above would fall short, any remaining balance would be paid back to the Wastewater Fund from the profits of the pool each year at a rate of 65% to the Loan, and 35% would stay in the Pool Reserve for future operating and capital needs at the pool.

The Manager stated if the Council is willing to spend almost a million dollars to renovate the asset, not having these essential additional unit pieces, like the slides, climbing wall and water features, we may have difficulty marketing the asset then we would if we had these attractions in place.

The Manager asked for discussion and comments on the proposal to put the amenities back into the project, at this time, so no rebidding would be required. The Manager stated as Councilmember Eric L. Powell stated at the Council meeting, the Council is putting their faith into the Manager's ability to raise the additional funds. If you look at the actual cost of the project you are out about \$460,000.00 net because of grant and additional capital raised to do the project.

Councilmember Dana Reich stated she would scratch some of the extras, like the slides. Do we need all the slides, especially since we have to get the money? She is not comfortable with how the public might feel about the money spent. The President stated this has been worked on for well over a year. The expected costs were put out at that point in the range of \$880,000.00 to 1.2 million, and it has fallen in there.

Councilmember Dana Reich stated you know how stuff doesn't really impact until it gets real, then you feel the wrath once it is real. The President stated we spent monies to get to this point, do you want to give up what you have spent and done till now. Councilmember Dana Reich stated she totally agrees we need to do something, we need to revamp the pool and it needs the necessary stuff but do we need all the extra things. She is concerned then rates will increase and people will not be able to afford to come. This is not a high end community, this is a low income community. Are we out pricing ourselves?

The President stated he is looking at other communities that are shutting down. We are in line or cheaper than other pools. His concern is if we push these additions off there are going to cost us a half to one times more because of rebidding and not stock items. Then we will have more costs to re-advertise to rebid. He feels the cost will go up even higher in the future to do these extra items if we push it off. If the Manager says what he said he will do to raise the money he thinks it is worth it.

The slides and climbing wall features and building requirements were reviewed. Councilmember Eric L. Powell stated it is a lot of money, but he looks at it as a real attraction to the community. If you want to foster homeownership and bring families with children back, this is an attraction for them. If it is a nice attraction he thinks we will draw on a wider area of people for passes and usage, then hopefully rates will not have to be raised.

Councilmember Eric L. Powell is was wondering if there will be any naming opportunities on any of these additional items: like a wall of fame, like this slide is sponsored by a business like Bayer, something like that type of thing. If we could come up with some type of naming approach it may help raise the funds. The Manager stated that is part of his fundraising plan.

The Mayor feels this is an attraction for Myerstown. We will get residents and other people coming into the community.

Prevailing wage and bidding thresholds were discussed.

Councilmember Michael D. Behm stated his concern is we get ranges of amounts for things and we always seem to be on the high end of the range.

The President asked what are the wishes of Council. A motion was made by Eric L. Powell, seconded by Vince Podolski, to rescind the prior motion and approval of September 13, 2016, for the project amount of \$958,500.00. All those in favor: On a roll call vote – Michael D. Behm – no; Vince Podolski – yes; Eric L. Powell – yes; Dana Reich – yes; and Bryan L. Rittle – yes. By majority vote: Motion carried.

The President called to entertain the motion to approve the bid from Stoneridge, Inc., for the Swimming Pool Rehabilitation Project with some add alternate and unit price bids. A motion was made by Eric L. Powell, seconded by Bryan L. Rittle, to approve the bid from Stoneridge, Inc. for the William L Derr Community Swimming Pool Rehabilitation Project in the amount of \$1,177,400.00, adding Alternate Bid #2,4,6,9,11,12 and Unit Price #2,6,and 7 in addition to the base bid. All those in favor: On a roll call vote – Michael D. Behm – no; Vince Podolski – yes; Eric L. Powell – yes; Dana Reich – no; and Bryan L. Rittle – yes. By majority vote: Motion carried.

The President turned the discussion over to Consultant Charlie Schmehl from URDC (Urban Research and Development Corporation) for the Zoning Ordinance and Map update. Charlie Schmehl stated at the last meeting, the group spent a lot of time talking about the map. The changes have been made on the map provided for review tonight.

First, there is a set of warehouses North of Washington Avenue between College Street and Railroad Street. That area has been changed to the Traditional Mixed Neighborhood as requested. The idea was this could be a good area for townhouses and also would allow for some small businesses along part of Washington Avenue closest to Railroad Street.

The second change was in the Southern part of town that involves an existing warehouse and senior housing area. The warehouse going back to the Bayer parking lot is Light Industrial which would match the Bayer property and the open paved area and senior housing would become Traditional Mixed Neighborhood, which allow some housing types and some lighter type of commercial businesses.

Charlie Schmehl stated the main thing to work off of tonight is the memo that says Draft Borough of Myerstown Zoning Ordinance. Charlie Schmehl stated there is a packet – Part 6 - Additional Requirements for Specific Uses – for each person to take with them to review before for the next meeting discussion.

Charlie Schmehl stated the Draft Ordinance packet starts with a suggested table of contents and two pages called Using the Ordinance in Overview. It is designed for someone picking up the Ordinance for the first time to tell them how the Ordinance is structured so they can find the different sections they need to find.

Charlie Schmehl asked the group to turn to page three (3), at the bottom, there is a list of the Zoning Districts. Each of the Zoning Districts is referred to by an abbreviation, name and a purpose.

Charlie Schmehl asked the group to turn to the bottom of page four (4), the Borough is supposed to have a place for every single land use, unless we can prove that there is absolutely no suitable location for that use in town. There may be somethings that may come up in the future that we have not thought of, some new uses, some new technology that we just couldn't envision. There is a catch all provision on the bottom of page four (4) and this is a process that has been upheld in some Commonwealth Court decisions, upholding Ordinances rewritten. What the provision says if there is a use that is not allowed anywhere in the Zoning Ordinance it will go to the Zoning Hearing Board. The Zoning Hearing Board can then decide whether it should be allowed in that particular location based upon whether it is compatible to the area and whether

there needs to be any conditions on the approval.

Charlie Schmehl stated next is the Use Tables. He likes to use tables because they reduce the number of pages in the book and because they allow comparisons when the Ordinance is being written. You can see very clearly what is allowed and what is not allowed in each place and you can see if something is missing in that location.

Charlie Schmehl referenced the first set of pages are the districts that are primarily residential.

CN - Conservation, which is mainly the parks and the floodway, the main flood channel. This is the most restricted district.

LDR - Low Density Residential is mainly single family homes and lowest density area, the yellow color on the map.

OTR – Old Town Residential based upon the Borough Comprehensive Plan, shown in orange, this is what most of the town is proposed to be in, Old Town.

CF – Community Facilities is some of the senior projects, cemeteries, and larger churches.

Charlie Schmehl asked the group to turn to page ten (10) which are the business districts.

TMN – Traditional Mixed Neighborhood which is mainly different types of housing with some less intensive commercial uses.

GB – General Business is the main highway commercial area along State Route 422.

TC – Town Center which is downtown.

LI – Light Industrial is mainly the Southern part of town including the Bayer complex.

GI – General Industrial District is this old industrial area in the corner South of Richland Avenue and East of Cherry Street.

Charlie Schmehl asked the group to turn to and work off of page six (6). First item is dormitories. We have dormitories as a permitted use in Community Facilities, Charlie Schmehl stated actually now that we have changed the Seminary to TMN (Traditional Mixed Neighborhood) we should probably have some provisions in there for dormitories.

Charlie Schmehl stated the Conservation District is the most strict, that means N is Not Permitted. P is Permitted by Right, which is the simplest process to get a permit and build what you want to build. SE is Special Exception and goes to the Zoning Hearing Board for approval. C is for Conditional Use and goes to the Borough Council for approval.

Charlie Schmehl stated if you want to change any of these tell him and he can make the changes. Right now, it is set up that most of the uses that are more complex or more controversial would go to the Zoning Hearing Board for approval under a Special Exception, which would be a hearing, public would be notified, and the Zoning Hearing Board could approve it, disapprove it or put conditions on the approval.

Charlie Schmehl stated next is townhouses. Right now, we have townhouses as a Special Exception in the Low Density Residential District. There was some prior discussion that the town did want the potential of townhouse in some areas. This is one of the attractions of the town; is to offer some density. You are competing for development with some neighboring townships and if the Borough allows a little higher density then the townships do, it can help bring some development into the town. The townhouses must go through an extra process but would be allowed in the Low Density area.

Charlie Schmehl stated townhouses are permitted in the Old Town District. If they are limited to senior housing that would be allowed in the Community Facility area.

Charlie Schmehl stated we are proposing to make it hard to convert a one family house into two or more apartments. This is intended to help stabilize the neighborhood of parking problems and try to bring up the home ownership over time. Generally trying to avoid situations where single families are being cut up into multiple units. It would be prohibited unless it is an unusually large house, 3000 square feet of indoor space.

Charlie Schmehl stated Group Homes are something the group will discuss in the future. We have to provide for housing for persons with disabilities as we allow housing for family members under Federal Regulations. This is a P for Permitted by Right.

Charlie Schmehl stated we have apartment buildings as Special Exceptions in the Old Town areas. They would go to the Zoning Hearing Board for approval. They would be allowed in the Community Facility area if limited to seniors.

Charlie Schmehl stated Boarding Houses are not a very popular use. They are limited to one of the business districts, so they would not be allowed in any of the residential districts.

Charlie Schmehl stated Bed and Breakfasts are in the denser districts as Special Exceptions by approval of the Zoning Hearing Board.

Charlie Schmehl stated prior we talked about conservation of former churches, schools, and old industrial mill buildings to give some process for reuse of these old buildings. Right now, it is down as a Special Exception. If someone had an old church in a residential neighborhood and they want to make apartments or wanted to convert into some small business that is normally not allowed. There is now a process for them to go to the Zoning Hearing Board and prove the reuse of the building is compatible with the neighborhood. The Zoning Hearing Board would have the authority to listen, resolve the issue, and find a good use for it. It gives some flexibility for reusing some of the buildings that are kind of out place in some ways.

Charlie Schmehl stated Cemeteries are a P – Permitted by Right in Community Facilities area.

Charlie Schmehl stated next is Child Day Care Centers. There are a couple different types of Day Cares. One type is the primary use of the property. You may have a larger number of children being taken care of on a daily bases. This is not being proposed to be allowed in the regular Residential Districts, only in the Community Facilities and some Business Districts. You can have some smaller day cares, but not the big ones.

Charlie Schmehl stated for places of worship, we have them as a Special Exception in the Low Density Residential District, but Permitted by Right in the Old Town District and Community Facilities District.

Charlie Schmehl stated it is proposed to exempt the Borough from Zoning for governmental uses. If we do not say it, the Borough is not exempt. The Manager asked what does that mean by governmental uses. Charlie Schmehl stated stormwater, recreation, and public works to name a few. The Manager asked what about a business center run at a municipal facility. Charlie Schmehl stated that would still be under Zoning but we want to write it so it would be easy to do.

Charlie Schmehl stated next is Communication/Antenna. The process is to make it easy to put antennas on top of existing tall structures, but make it hard to put up a brand new tower. If you want to place an antenna on top of the water tower or work it into a church steeple, that would be an easy Permitted by Right process. To build a new 250 foot tower, you would have to prove there is a need for it and would generally be limited to the business districts. The Manager asked what if an antenna was on a governmental building, would it be exempt. Charlie Schmehl stated Emergency Services towers would be exempt, but if it is a commercial tower, it would be regulated. There could be entirely new technology in the future so we try to be flexible enough to accommodate things we don't know yet.

The Manager provided information to the group on small cell towers. The Solicitor had brought this up at a prior Council Meeting. The Manager did not want it to go off the radar.

Charlie Schmehl stated generally zoning does not regulate things in the public right away, sidewalk or the street. Most of these are on utilities poles. He would suggest the Borough have a separate Ordinance that would deal with this issue. It is usually not a complicated Ordinance. Most communities want to be more limited in the Residential Districts then the Business Districts. They want antennas on the utilities poles in the Business Districts and they do not want new poles.

Charlie Schmehl stated the most controversy has occurred when you have a neighborhood that did not have any above ground utilities and all of a sudden these companies put poles in the front yards of the homes. You don't want that to happen, because there are other places for them. Charlie Schmehl stated the Article 4 information that was given tonight does have a sentence in it that deals with small towers and says they are to be dealt with through an agreement between the Borough and the provider, because they are using the Borough right-a-way.

Charlie Schmehl asked the group to turn to Accessory Uses. This talks about Day Cares. Normally, if someone is taking care of three children other than their own, it is considered babysitting and zoning does not apply. Four to six children are usually allowed in some of the denser districts. Then the question is, do you want to allow seven to twelve children in residential districts. He is proposing seven to twelve children only be allowed in Community Facilities areas.

Councilmember Eric L. Powell stated he has some concerns with allowing Day Cares in the denser districts. Is this a problem waiting to happen? There could be narrow streets, limited parking, and folks living in this district with people now dropping off their children. He is concerned this is not compatible with a high density residential district. Charlie Schmehl stated right now, it is proposed for the Old Town District, which is the older parts of town. It is being proposed to go to the Zoning Hearing Board for approval. You could not place

Day Cares in apartments, it would have to be a row house, twin or single.

Charlie Schmehl stated the Zoning Hearing Board would look if there is parking, drop off spot, security and if it is a suitable location. The Zoning Hearing Board could turn it down if it is an unsuitable location or the Zoning Hearing could place conditions on the approval. The question is, does the Borough want to allow four to six children Day Care Centers in this area. The goal is to make it easy to place a Day Care Center in the Business District, except for industrial. The provisions that were handed out tonight for the next meeting have additional provisions for Day Care Centers.

The Manager asked for Charlie Schmehl to explain General Home Occupation. The paper is showing home occupation by Special Exception. What is the difference of General Home Occupation verses Low Impact Home Occupation? Charlie Schmehl stated State Law says that you must allow low impact home occupations everywhere. They are the type of home base business that has no outside employees, no signs, and you generally can't tell they exist.

Charlie Schmehl is suggesting that low impact be allowed everywhere. That would have one employee and a small sign, but it is designed for the types of home based businesses that do not have regular traffic coming in and out of them. Someone doing computer work, administrative work, sewing work, fabric crafts, things of that nature. What we do is try to separate out the low impact. Common types of Day Cares are allowed by right and anything else goes to the Zoning Hearing Board.

Charlie Schmehl stated there are a lot of home based businesses that people propose and we can't list everything. Example, people have proposed retail gun shops, and pesticide businesses as home occupation businesses. So by sending it to the Zoning Hearing Board with conditions and standards for these unusual types or with types with traffic to and from the home, it gives the Zoning Hearing Board the authority to decide whether it is a good location or not. The goal is the common types by right and anything more intensive goes to the Zoning Hearing Board.

Charlie Schmehl explained the Unit for Care of Relatives. This means someone sets up part of their house for a relative that needs special care or supervision. It could be an addition on the house or changing around the house to place. It could be a modular unit in the yard.

Charlie Schmehl stated the main provision is, after the relative no longer needs to live their, it would have to be reverted back to a single family home and the owner would know that going in. If you have the modular unit it has to be moved out of the yard. If you have a separated housing unit you have to knock out the wall and make it part of your house again. It gives people the ability to make the changes so they can take care of their relative in their home, but they have to understand in the beginning it cannot be a separate rented apartment.

Charlie Schmehl reviewed Wind Turbines. There are provisions on Wind Turbines. In a residential area, it would require a pretty large lot to do it. It requires height equals setback. The way it works to have a functioning turbine you would need about an acre to make it work. Because of that provision you are unlikely to get a wind turbine, but if one of the retirement communities wanted to place a wind turbine they could. They would have to put it setback from a neighbor's property. The Council would like this changed to be a Special Exception and go to the Zoning Hearing Board for approval, Charlie Schmehl will change this for the next meeting.

Charlie Schmehl reviewed a Parking Lot as the Principal Use of a Lot. Charlie Schmehl explained this can be envisioned for some situations. Someone wants to do demolition and put in a parking lot in the Old Town District for a church. That is listed as a Special Exception to make sure the lighting and hours are controlled, but we didn't want to completely prohibit that opportunity. Sometimes you need a parking lot in order to keep a church.

Charlie Schmehl stated with Solar Energy, panels would be allowed everywhere. It is easy on top of a building, but we are proposing to allow them over parking areas up to twenty percent of the lot. You cannot cover the whole lot with solar collectors but we want the opportunity to have someone put solar collectors in their backyard, on their roof, on the garage, and maybe over their carport or parking lot.

Charlie Schmehl stated that is the end for the Residential Districts and now he would like to go the Business Districts and asked the group to turn to page 10 for review.

Charlie Schmehl stated the business section is a similar list as the residential, but a little bit longer. The first to discuss is the TMN – Traditional Mixed Neighborhood. This is a mix of residential and commercial. There are two Industrial Districts. What is being suggested is that you do not put housing in the Industrial District, with just one exception. We have to have somewhere to place Mobile Home Parks. So for lack of a

better place, the group discussed placing Mobile Home Parks in the Industrial Districts. Other than that you could not put housing in the industrial areas.

Charlie Schmehl stated a key feature in the Town Center, in the downtown, is that any apartments have to be above the street front business use. You couldn't just build a brand new apartment building downtown, you have to have commercial before you can put apartments in.

Charlie Schmehl stated Boarding House/Rooming Houses are limited to General Business District. The only place to put one is out on the highway. The main goal is to keep them out of the neighborhoods, because they can be a compatibility issue.

Charlie Schmehl explained a Live Work Unit. This is a relatively new concept. It says it can be flexible space. Someone runs a business and lives in the same area. It is a good way to use some older spaces downtown. They have to run the business where they live.

Charlie Schmehl stated the group talked about Adult Use before. We have to have someplace for strip clubs and that is down in the General Industrial District in the corner of town. Most communities pick one spot and place the less desirable things there.

Charlie Schmehl asked the group to look at auto body shops, auto sales, and auto repair shops. They have been designated along the 422 corridor in the General Industrial District. You try to avoid uses in the downtown that are not pedestrian oriented. You try to avoid a used car lot from popping up in the center of town because it obstructs the pedestrian orientation.

Charlie Schmehl stated the next item is financial institutions or banks. They would be allowed in all business districts.

Charlie Schmehl addressed Food Trucks. They are popular but can be problematic because they draw business away from the permanent restaurant. They make it hard for people to run a restaurant because their costs are lower, they do not pay taxes, and they do not pay public utilities, like water and sewer bills. They skim off the profitable hours and then disappear. The proposal is to be restrictive on food trucks. Now, if there is a festival that is a different issue. On the daily bases, it is proposed to be restrictive on food trucks. If it is moving like an ice cream truck, that is also different, it is not stopping in one spot for the day.

Charlie Schmehl stated we must have someplace for a Medical Marijuana Dispensary. We have it in the Industrial District as a Special Exception going to the Zoning Hearing Board.

The Manager stated the State approved the Medical Marijuana Bill and a lot of towns are going to be competing for retail shops. People look at marijuana in a certain way, but this is a different animal. This is specifically for people who need it for medical use. This would not be allowed in the town center.

Charlie Schmehl stated currently no. The Manager stated this is an attraction to a town center and potentially a big hitter. He does not know where else in Lebanon County it is going to happen. There is an opportunity for Myerstown to capitalize on the legitimate medical store. Our Senator, Michael Folmer was the main sponsor on the bill. The Manager believes he would be very helpful in seeing Myerstown get some type of facility.

Charlie Schmehl stated there are a couple of choices. It could be placed on the 422 Corridor, downtown or in the Industrial Districts. The group agrees to the placement in the General Business, Town Center and General Industrial Districts, all with Special Exceptions. Charlie Schmehl will make the change.

Charlie Schmehl stated the next is Restaurants. The main provision is where you can place a drive-through restaurant and where you cannot. He is suggesting that drive-through restaurants can only be placed in the General Business District. No drive-through's downtown.

Charlie Schmehl stated Self-Storage Development is mainly being proposed for the Industrial, 422 Corridor, and you could use existing buildings downtown for storage.

The President asked to discuss Micro-brewery or Micro-distillery. The President asked why would we not allow this in the Light Industrial or the General Industrial Districts? Charlie Schmehl stated most communities want that downtown. The President asked if this is to be specifically in combination with the Restaurant.

Charlie Schmehl stated usually they want to do the retail sales of alcohol and food at one place. The President stated he could see that happening in the Light Industrial District along State Route 501 and Stover Avenue. Maybe that should be a Special Exception in the Light Industrial.

The Manager asked about the Public Works Building. That is in TMN (Traditional Mixed Neighborhood). If a developer came and said we are going to put a Micro-brewery out front, that wouldn't even get a Special Exception. Charlie Schmehl stated as written, no. You could put a minimum lot size or

minimum setback. That would protect the housing.

Charlie Schmehl asked the group to turn to page 13 to continue the review. Next is Criminal Halfway Houses. We can be restrictive on this use. This is a place for people being released from prison or jail for someplace for them to adapt to society. We have this as a Special Exception use in General Industrial.

Charlie Schmehl stated next is Temporary Shelter. This is a shelter for homeless people or abused women and children. This is in General Business and General Industrial Districts. It is a use that is needed but again most don't want it as their next door neighbor.

Charlie Schmehl stated Treatment Center. This is for inpatient drug and alcohol treatment. We have it in the General Industrial District. We can do outpatient counseling pretty much anywhere. We are actually fairly restricted by Federal Court as to where we can restrict methadone treatment. We are not allowed to regulate that. The Manager asked would a mental health counselling be considered a treatment facility under Institutional/Semi-Public. Charlie Schmehl stated counseling, and outpatient treatment is all just a medical office.

Charlie Schmehl stated next is the Industrial uses. What generally happens is the heaviest industrial uses, like the asphalt plants, trash transfer stations, the hazardous chemical plants all get put in the GI – General Industrial District, with a Special Exemption requirement so the Zoning Hearing Board controls them. The Light Industrial is intended to provide for almost all types of industries, except for the heaviest uses. The goal is to allow ninety percent (90%) in the Light Industrial District. It is a long list, but it means almost all industries are allowed in Light Industrial and the heaviest are limited to General Industrial.

Charlie Schmehl stated Medical Marijuana Grower/Processor. Some people are looking at this as a major economic development opportunity. It is an indoor operation with high security. They grow the marijuana, process it and then it is removed from the facility. This is listed in the two Industrial Districts and going to the Zoning Hearing Board. It is a good way to use the old industrial buildings.

Charlie Schmehl stated all types of Day Care would be allowed in all Business Districts, except for General Industrial. We would not want to mix chemical plants and children together in the same buildings.

Charlie Schmehl stated next is Tractor Trailer Overnight Parking. That is being limited to the Industrial Districts. Councilmember Eric L. Powell stated we might want to allow it in the General Business District because we have the hotel in that district and it does a lot of business from tractor trailer drivers staying overnight. You defiantly want to keep them off the narrow residential streets and the small residential lots.

Charlie Schmehl stated we are at the last two points. Wind Turbines are in the Business Districts. You can do taller turbines but you still need setbacks and the last point is proposing limits on hours of operations in the Traditional Mixed Neighborhood. TMN is primarily residential. We are proposing they cannot be open between 11:00 p.m. and 6:00 a.m., unless they get Special Exemption from the Zoning Hearing Board. The reason is the TMN District is mostly housing and even though we have some businesses there, we are not looking to have a lot of late night businesses. A Micro-brewery could get a Special Exemption approval to have later hours if they can show they will not affect the neighbors.

Charlie Schmehl stated that is all he has for tonight. Are there any question or comments. He asked if we want to schedule another meeting date. The Manager asked how we are doing in the process. Charlie Schmehl stated we are on schedule.

The next meeting will be Monday, November 7, 2016 at 6:30 p.m.

The President asked if there were any additional comments for the good of the borough. Seeing none, a motion was made by Dana Reich, seconded by Eric L. Powell, to adjourn the meeting at 8:20 p.m. All those in favor: Motion unanimously carried.

Respectfully submitted by,
Christopher J. Moonis, Manager/Secretary