



applications are similar in nature with respect to the appeal request, but different due to size and zoning districts. Atty. Myers noted there is a correction to one of the section numbers cited; it should be Alternatively, a variance to Section 310.13(H).

Mr. Sterner noted that there are currently other digital billboards in Spring Garden Township (along I-83 at State Street, and also on Richland Avenue). He explained that these digital billboards have many benefits for public safety – amber alerts, storm warnings, etc. These billboards also require approval and permits from PennDOT.

Atty. Myers stated they believe their request falls under the definition of billboard – whether it is static or digital. She does not think the definition of electronic message board addresses the billboard size signs.

Mr. DeHaas asked about the lighting of the proposed signs. Mr. Sterner indicated they are internally lit, and have automatic dimmers for nighttime. They will not have any lighting impact on surrounding properties.

Mr. Sandmeyer asked about FAA regulations for the one at South George Street since it is so close to the York Hospital helipad. Mr. Sterner stated that is not a problem.

Mr. Rooney asked about the speed of cycling the messages. Mr. Sterner noted their request is for 5 second intervals, but PennDOT will need to approve that for the permit.

Application #125-08-14: (1) Motion DeHaas/ Dorgan to recommend that the Appeal to the Zoning Officer's Decision to deny a building permit is upheld. The Planning Commission agrees with the applicant that this is replacing one billboard with a digital billboard. There were no questions from the audience. Motion carried.

In the event the Zoning Hearing Board disagrees – (2) Motion DeHaas/ Dorgan to recommend approval of the Variance to Section 310.13(D) for the digital billboard. There were no questions from the audience. Motion carried.

(3) Motion DeHaas/ Dorgan to recommend approval of the Variance request to Section 310.13(H) for the message cycling to be at intervals determined acceptable to the Zoning Hearing Board. There were no questions from the audience. Motion carried.

- c. **Application #125-09-14: Apple Outdoor Advertising, Inc.** is requesting an Appeal to the Zoning Officer's decision/interpretation and denial of a building permit for a 334 sq.ft. Digital Billboard. Alternatively, a Special Exception is requested to Section 310-35(B)-(C) to alter an existing nonconforming use or replace one nonconforming use with another conforming use. A Variance is requested to Section 310-13(D) and 310-13(G) to place a 9'7" x 34' digital billboard in place of the existing static billboard. If the proposed billboard is considered an electronic message sign, a Variance to exceed the 32 sq.ft. limitation is requested. The property is owned by York Building Products, located at 915 Loucks Mill Road, and is zoned IP (Industrial Park).

- (1) Motion DeHaas/ Dorgan to recommend that the Appeal to the Zoning Officer's Decision to deny a building permit is upheld. The Planning Commission agrees with

the applicant that this is replacing one billboard with a digital billboard. There were no questions from the audience. Motion carried.

(2) Motion DeHaas/ Dorgan to recommend approval of the Special Exception to replace/ alter a nonconforming structure for a digital billboard. There were no questions from the audience. Motion carried.

(3) Motion DeHaas/ Dorgan to recommend approval of the Variance request to Section 310.13(H) for the message cycling to be at intervals determined acceptable to the Zoning Hearing Board, but suggested at 5 second intervals. There were no questions from the audience. Motion carried.

(4) Motion DeHaas/ Dorgan to recommend approval of the Variance to Section 310.13(D) if the Special Exception is not approved. There were no questions from the audience. Motion carried.

**d. Application #125-10-14: York Oil Service/Shiple Energy** is requesting a Special Exception to Section 310-10(C)(2) to allow expansion of the existing automobile service station to include two (2) additional pumps for compressed natural gas (cng), and a Variance to Section 310-10(D) to construct a gasoline service station canopy within the required 30 foot front yard setback. The property is located at 714 Loucks Mill Road, York, PA and is zoned IP (Industrial Park).

John Gazsi and John Luciani from First Capital Engineering, Andrew Graver from Shipley, and Allan Stubna from RAM were present. Mr. Gazsi explained there was Special Exception approval granted in 1986 for gasoline sales and a Variance to the setbacks for the attendant's booth, which is no longer there. They are proposing to install compressed natural gas dispensers, demo the existing warehouse for the compressor area, and install a canopy over the pump island which would encroach farther into the front setback. Lighting will be recessed into the underside of the canopy.

Mr. Gazsi stated that compressed natural gas is a new product and noted there are a number of fleets in the York area that are moving toward using cng; Rabbit Transit, York Waste, Loves Travel Stop, and Pennsylvania State vehicles, as well as Shipley's fleet and the City of York's new street sweeper. They expect within the next 5 years there were be many vehicles in need of cng. Mr. Stubna stated this will be a state of the art fueling system.

The Special Exception is requested to expand the nonconforming gasoline sales for cng and the variance is requested to the canopy setback.

Motion Dorgan/ DeHaas to recommend approval of the Special Exception for the cng pumps. There were no questions from the audience. Motion carried.

Motion Dorgan/ DeHaas to recommend approval of the canopy as submitted. There were no questions from the audience. Motion denied. 1-Yes, 3-No. The Planning Commission is recommending that the canopy be 20' wide rather than then 30' as requested.

**OTHER BUSINESS** The Planning Commission reviewed and discussed the proposed “Official Map”. Mr. Davidson will incorporate the suggestions from last month’s meeting and send out a new Map for review.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted,

Linda S. Keller, Director of Community Development & Planning