

## Planning Commission Meeting Minutes

Monday, December 14, 2020

7:00 p.m.

Chairman Jay Provanzo called the meeting to order on Monday, December 14, 2020 at 7:00 p.m. Mr. Provanzo led those in attendance in the Pledge of Allegiance to the Flag and introduced the Board.

Members Present: Jay Provanzo, Pamela Shellenberger, Martin Peake, Keith Hoover, Mark Harman, Don Mann

Members Absent: James Henke

Staff Present: Nate Taggart, Adrienne Kautz

Visitors Present: Troy Rider (Attorney)  
Ryan Miller (TCB Outdoor)

**Public Comment** - There was no public comment.

Approve the Meeting Minutes from October 13, 2020 – Chairman Provanzo entertained a motion to approve the October 13, 2020 minutes with the corrections. Pam Shellenberger made a motion to approve the October 13, 2020 Planning Commission minutes meeting with the changes as noted, Martin Peak seconded. The motion carried unanimously.

### **New Business**

Petition to Amend the Manor Township Zoning Ordinance – Ryan Miller, owner of 3000 Columbia Avenue, Lancaster, PA 17603, requests the amendment of the text of the Zoning Ordinance to provide for a dwell time of not more than ten (10) seconds for electronic/sequential billboards within the General Commercial Zone. The proposed amendment would modify Section 425-44.D subsection (24) of the Manor Township Zoning Ordinance.

Troy Rider, Attorney with Barley Snyder, is present to represent the applicant, Ryan Miller of TCB Outdoor. Mr. Rider has been in contact with the Township Board of Supervisors regarding this process. They consulted with the Board Supervisors and the solicitor for the exact language for the petition. Mr. Rider thought a dwell time of 10 seconds would bring it in line with industry standards. The recommended dwell time from Department of Transportation is eight seconds. This also coincides with other municipalities in Lancaster County, specifically: East Lampeter Township, Mount Joy Township, Lancaster City, West Hempfield Township, Warwick, Salisbury, Sadsbury, Pequea, Penn, and East Earl. These municipalities all have 10 seconds or less of dwell time in their ordinances.

The original one-hour dwell time may have been related to safety. The U.S. Department of Transportation came out with a study in 2007 that stated any dwell time between 4-10 seconds is acceptable. The gaze time does not hit the danger range until around 12-15 seconds. This is one of the reasons why they settled on a gaze time of 10 seconds. The Board of Supervisors preliminarily gave a passive approval that they were in favor 10 seconds. The petition was filed on November 3, 2020. It was also filed with the Lancaster County Planning Commission on December 3, 2020. The applicant is seeking a recommendation to go forward with the text amendment as presented in your packet.

Mr. Mann inquired about what the background of the dwell time is. The current ordinance sets forth an hour. A message can only change once every hour. The original ordinance was put in place around 1990, since then digital billboards have exploded in popularity, and this would coincide with industry standards. Mr. Mann asked Mr. Rider if they are recommending 10 seconds. Mr. Mann is concerned that Mr. Rider and Mr. Miller could come back in a year and request to make another adjustment to the ordinance. Mr. Rider commented that there has been no evidence or indication that the dwell time would be changed again. Mr. Miller commented that six seconds is the shortest amount of time. The reason that someone would want to adjust it to six seconds is to sell more slots. Mr. Rider commented that ten seconds seems to be a reasonable amount.

Mr. Provanzo commented that we share Columbia Avenue with East Hempfield which is generally where our commercial area is located. East Hempfield is at one-hour dwell time, but have granted a variance to allow a dwell time down to 10 seconds. Mr. Rider stated that East Hempfield granted the variance roughly two or three years ago.

Mr. Rider commented that the dwell times across the county are all generally around 10 seconds but some do vary: East Lampeter Township is 10 seconds, Mount Joy Township is 8 seconds, Lancaster City is 7 seconds, Warwick is 10 seconds, Salisbury Township is 10 seconds, Sadsbury is 8 seconds, Pequea is 8 seconds, Penn is 7 seconds, and East Earl is 10 seconds. Many ordinances do not even mention a dwell time. On Columbia Avenue which is in the General Commercial Zone and a PennDot road, the PennDot limit for dwell time is eight seconds. Mr. Provanzo mentioned that the Township should just match PennDot's limits, but then Mr. Rider and Mr. Miller would have to start their petition over. If the Township would decide to amend the ordinance again in the future, we should consider matching PennDot's regulations the next time the dwell time is discussed.

Mr. Peak commented that East Hempfield granted the variance of 10 seconds, Mr. Peak is in favor of the 10 second dwell time. Ms. Shellenberger asked if the 10 second dwell time is what Mr. Rider and Mr. Miller shared with the Board of Supervisors, and was there any discussion at the meeting on the number? Mr. Rider commented that the discussion we are having is exactly what they went through with the Board of Supervisors.

Mr. Harman commented that the East Hempfield situation is a variance, but for our situation, it would be a blanket ordinance. He is not a big fan of it and would prefer not to see these signs up and down Columbia Avenue.

Mr. Hoover is not a fan of digital signs. But the reality is, that is where we are heading. If the data says it is safe, he is not going against it.

Mr. Harman asked if there are any restrictions. Mr. Miller commented that the signs are only allowed in General Commercial Zones. These signs allow for more advertising space. It can give Manor Township businesses more time to communicate with drivers. Mr. Rider commented that it was communicated to the Board of Supervisors that they are looking to change the dwell time, nothing else about digital billboards. It is a very limited in scope request. Mr. Provanzo asked if this applies to any other lighted signs or just billboards, Mr. Rider indicated that it only applies to billboards.

Mr. Peak made a motion to approve the Petition to Amend the Manor Township Zoning Ordinance of Section 425-44.D subsection 24 to allow a dwell time of 10 seconds for electronic sequential billboards

within the General Commercial Zone. Don Mann seconded. The motion carried with four votes in favor and two votes against.

Ms. Shelleneger asked where in the ordinance it specifies the limitation is only for billboards. Mr. Provanzo commented that it is under the Subsection 24. Mr. Taggart mentioned that it applies to any animated sequential isolating or rotating signs within General Commercial, it just isn't limited to billboards as it is written, but it is limited to the General Commercial Zone. Ms. Shellenberger indicated that they mention billboards in the description of the petition, but the section does not limit to just billboards. Mr. Taggart indicated that if you look at the language that would be inserted into the ordinance it does not specify billboards.

**Other Business** – None.

**Correspondence** – Mr. Taggart gave an update on the Barley Farm. They are preparing their Zoning Hearing Board application for January for a Special Exception for a Cluster Development. Mr. Provanzo inquired about any changes to the plan. Mr. Taggart responded that he is not aware of any changes.

Ms. Shellenberger ask if there was a release of the feasibility study on the connecting Northwest River Trail. Ms. Shellenberger is curious of the status of the trail. Mr. Taggart commented that he believes it is not feasible, but Ms. Shellenberger should follow up with Mr. Strohecker with any further questions.

With no further business to discuss Mr. Provanzo entertained a motion to adjourn the meeting. Mr. Hoover seconded, and the motion carried unanimously. The meeting adjourned at 7:25 p.m.

Respectfully Submitted,

Don Mann  
Secretary

Recording Secretary  
Adrienne Kautz