

**LOWER PAXTON TOWNSHIP
ZONING HEARING BOARD**

2010 Reorganization Meeting
January 7, 2010

Members in Attendance

Jeffrey Staub, Chairman
Sara Jane Cate, Vice Chairperson
Gregory Sirb

Also in Attendance

James Turner, Solicitor
Dianne Moran, Planning & Zoning Officer

Call to Order

The reorganizational meeting of the Lower Paxton Township Zoning Hearing Board was called to order by Chairman Staub at 7:00 pm at the Lower Paxton Township Municipal Center, 425 Prince Street, Harrisburg, Pennsylvania. Mr. Staub turned the meeting over to Mr. Turner for reorganization.

Election of Officers

Jeffrey Staub was nominated for Chairperson by Mr. Sirb. Ms. Cate seconded the motion and a unanimous vote followed.

Sara Jane Cate was nominated for Vice-Chairperson by Mr. Sirb. Mr. Staub seconded the motion and a unanimous vote followed.

Michelle Hiner was nominated for Recording Secretary by Ms. Cate. Mr. Sirb seconded the motion and a unanimous vote followed.

Filius & McLucas Reporting Services was nominated for Court Reporter by Ms. Cate. Ms. Sirb seconded the motion and a unanimous vote followed.

James Turner of Turner & O'Connell, was nominated for Solicitor by Mr. Sirb. Ms. Cate seconded the motion and a unanimous vote followed.

Meeting Time, Date and Place

Mr. Sirb made a motion to continue the same time, date and place for the Zoning Hearing Board meetings. Ms. Cate seconded the motion, and the motion passed unanimously. The meeting date, time and place for 2010 were established as the fourth Thursday of the month, at 7:00 pm, at the Lower Paxton Township Municipal Center, 425

Zoning Hearing Board

January 7, 2010

Page 2 of 5

Prince Street, Harrisburg, Pennsylvania, 17109. The meetings in October, November and December fall on holidays. The Board discussed moving those meetings a week earlier or a week later. The October meeting will be held November 4, 2010, the November meeting will be held December 2, 2010, and the December meeting will be held January 6, 2011. The motion was made by Mr. Sirb and seconded by Ms. Cate, followed by a unanimous vote.

Adjournment

The Zoning Hearing Board reorganizational meeting adjourned at 7:12 pm.

**Variance Via
Docket #1268
Continuation Hearing**

Applicant: AT&T Device Support Center
c/o Service Select Signs

Address: 400 Mack Drive, Croydon, PA 19021

Property: 5114 Jonestown Road, Colonial Commons

Interpretation: Article 7, Planned Center Signs, limits the area of a wall sign to 32 square feet, and limits the number of wall signs to one. The applicant proposes 49.87 square feet, on one wall sign.

Grounds: Article 7, of the Lower Paxton Township Zoning Ordinance pertains to this application.

Fees Paid: August 14, 2009

Property Posted: December 28, 2009

Advertisement: Appeared in The Paxton Herald on December 23 & 30, 2009

The hearing began at 7:13 pm.

The following remained under oath from the previous meeting: Mimi Olson, CEO of Service Select Signs, Agent for AT&T; and Dianne Moran, Planning & Zoning Officer.

Ms. Olson explained that a Device Support Center for AT&T offers services different than what is offered in an AT&T store. It is for people that have difficulty or failure with their phones. They do not sell phones. A Device Support Center is strictly for servicing phones for AT&T Mobility.

She stated that she has visited the site and met with the client since the previous meeting. They have agreed that three signs are more than they need, but one sign is not big enough. The proposed sign indicates the name, "AT&T Device Support Center" and is proposed with the smallest size lettering in this family of signs, 9-inch channel lettering. This will compliment the building and shopping center.

Ms. Sirb asked if all three of the signs currently up are coming down. Ms. Olson stated yes, and they will replace it with one sign.

Mr. Sirb asked if the proposed signage is considered one sign. Ms. Moran stated it is considered one sign.

Ms. Cate asked the square footage proposed. Ms. Olson answered 49.87 square feet. It is approximately 18 square feet more than the 32 square feet allowed.

Mr. Sirb asked about the tree. Ms. Olson stated she is from Bucks County, and initially dealt with the client via photographs and drawings. She asked about trimming the tree back. The landlord agreed to trim or groom the tree. At some point the tree was removed. Ms. Olson stated she only requested it be groomed, and she did not know if there was some other reason the tree was removed. Mr. Sirb asked who would have jurisdiction over the trees. Ms. Moran stated it may have been required as a part of the land development plan's landscaping requirements. Ms. Olson noted that when you are facing the movie theater, it seemed as though there should have been a tree on either side of the doors, but there was only the one on the AT&T side. Mr. Staub was not sure of the particulars of this plan, but there were requirements for interior landscaping in place. Ms. Olson stated that those things should go back to the property owner, not a tenant. Mr. Staub agreed it may not be her responsibility, but it may be required of the owner.

Mr. Staub stated there have been a number of sign variances applied for within Colonial Commons. He suggested there may be a minimum or maximum height limitation put in place by the original variance.

Ms. Olson stated she is requesting relief from the original requirements. She noted that JoAnn Fabrics applied for a variance at the previous meeting, and that many of the smaller stores have pretty large signs. Mr. Sirb stated that the problem is that the shopping center is very deep, and it warrants some leeway. He noted he has no problem with this application. Ms. Olson stated there is no identification facing the road, but Starbucks does have good visibility. She stated it wouldn't surprise her if the store closed for a lack of visibility.

Mr. Staub stated this application does not appear to be out of proportion with regard to sign height. Mr. Sirb asked if the restriction was placed on the overall development. Mr. Staub thought that it was. Mr. Turner thought it might have been tied to area, not height of the sign.

Ms. Olson stated that the ordinance in place now bases the sign area on store square footage and lineal frontage. Stores with an area of 0-5,000 square feet are permitted 32 square feet; 5,000-10,000 square foot stores are permitted 60 square feet of signage, and those over 10,000 are permitted 10%. She noted they are just under the 5,000 square foot threshold, limiting them to 32 square feet of sign area.

There was no comment from the audience.

Ms. Moran stated that the Township had no position on the application.

Mr. Sirb made a motion to approve the application as submitted. Ms. Cate seconded the motion, and a role call vote followed: Mr. Sirb-Aye; Ms. Cate-Aye; and Mr. Staub-Aye.

The hearing ended at 7:25 pm.

Mr. Staub reminded the Board that the meeting scheduled for January 28, 2010 has been changed to February 4, 2010.

Respectfully Submitted,

Michelle Hiner
Recording Secretary