

**BELLEFONTE BOROUGH  
PLANNING COMMISSION  
MEETING MINUTES**

**February 26, 2018 - 5 p.m.  
236 West Lamb Street, Bellefonte, PA 16823  
[www.bellefonte.net](http://www.bellefonte.net)**

**CALL TO ORDER:**

The February 26, 2018 meeting of the Bellefonte Borough Planning Commission Meeting was called to order at 5 p.m. by Mr. Dannaker.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL (no roll call taken)**

**PLANNING COMMISSION**

**MEMBERS PRESENT:** Mr. Robert Dannaker  
Mr. James Mills  
Mr. Mark Edwards  
Mr. Nathaniel Day  
Mr. Dallas Gallo

**EXCUSED:** None.

**STAFF PRESENT:** Mr. Ralph Stewart, Borough Manager  
Ms. Shannon Wright, Zoning Administrator

**GUESTS:** Todd Smith, P.E., ELA Group  
Ken Bean, BASD

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**REORGANIZATIONAL MEETING:**

**Mr. Gallo moved to retain all existing officers;  
Mr. Day seconded the motion;  
Motion carried.**

## **APPROVAL OF MINUTES:**

Approval of the December 11, 2017 and January 29, 2018 Joint PC/Council Meeting Minutes

**Mr. Mills moved to approve the December 11, 2017 minutes as presented;**  
**Mr. Day seconded the motion;**  
**Motion carried.**

**Mr. Mills moved to approve the January 29, 2018 Joint PC/Council meeting minutes as presented;**  
**Mr. Gallo seconded the motion;**  
**Motion carried.**

## **LAND DEVELOPMENT ACTIVITIES:**

### **Rodgers Stadium Redevelopment and Rehabilitation Project**

Mr. Dannaker stated that he felt there were accessibility problems with the new gate. It looks like the plan is to have everyone coming from the parking lot, down the steps. Many park on Bishop and walk up the road. They will not have a way into the field. Although not a requirement via zoning, it seems like a practical thing to add for the people using the stadium. Todd Smith, P.E., with ELA stated that the one reason they did not focus on this is there are no sidewalks up McAllister Street, so they did not want to have access where there was not pedestrian accessibility to begin with. There are 3,000 seats in the stadium. Mr. Dannaker would like ELA to look at other parking options and accessibility into the stadium. He stated that out of towners are going to park wherever they can park and walk to the stadium. Mr. Smith indicated that they can make connection somewhere in there.

Mr. Smith explained the ADA access ramp. He explained that there is a main pedestrian way, and ramps up. The level is four feet higher than grade. If persons need to use the restroom or the concession stand, they can come down the ramp and access both.

There is police presence during football games. Fire police patrol as well.

Stormwater will be filtered under the field – stone detention area. It drops off to four feet deep in an area and that is for infiltration and detention as well. Right now, everything comes out of the field area via inlets. It dumps out in the same general area. Mr. Smith pointed out the detention area basin on the plans at the table. The ADA accessible parking area was discussed briefly. Signage will indicate ADA parking.

The building structure will be split up between restrooms, team room and concession. A fence and gate were put up at that area to control the public from not being able to come over to the team area. For bigger games, temporary stands can be brought in for the fans in specific areas.

The lighting plan was discussed. There are going to be four field lights. Mr. Dannaker inquired about a lighting plan that would include all the lighting. Mr. Smith stated that pedestrian lighting

has not been completed yet for the plaza areas. The lights are not expected to affect the residences in the area.

The plan is a preliminary/final plan. The engineer will review relative to stormwater and the County and Fire Chief will also review. Council will have the final approval of the plan.

The field will also have markings for soccer. It is the same sized soccer field as Bald Eagle. The football field is standard size.

Electric service was discussed as well. There are two poles that will serve the field and a transformer is inside the fence near the ticket area. Service comes in overhead and stops at the location shown on the plan. Sewer service was discussed as well. The sewer will come in from the school. There will be no increase in capacity.

Emergency vehicle access was discussed.

Mr. Day discussed the temporary bleachers. Interference with emergency access was a concern. The School District will look at that and put together a plan for that with their insurance and risk management team.

Mr. Dannaker stated that the PC members will take a look at the plan and perhaps give conditional approval of the plan i.e. review by the engineer, county, fire, and Council, and additionally, looking at the zoning to see if modifications are amendable to the plan. Comments would be incorporated into the plan.

**Mr. Gallo moved to conditionally recommend approval of the plan based on engineer, County, fire and Council review, and modifications of zoning;  
Mr. Mills seconded the motion;  
Motion carried.**

## **PLANNING AND ZONING ISSUES:**

### **Amendment Proposal: Arenas, Stadiums, and Commercial Auditoriums**

Mr. Dannaker asked PC members to review the amendments that were in the packet. Public/Private institutions of education wording was discussed. Public and private schools are not a permitted use in the Highway Commercial District. Ms. Wright worded it as public or private schools because that is how it is listed throughout the zoning ordinance. You can still allow both as it does not eliminate one or the other. Ms. Wright prefaced the topic saying that it makes most sense to put this under a use regulation instead of adding it to a couple different sections. She said this made most sense to her and thought it would be the public as well.

The light standards and accessory buildings needed to be cleaned up as well, per Mr. Stewart. This is a simple cleanup of the language to make it work better. Mr. Mills discussed the setback areas. Ms. Wright stated that it would allow for the twenty-foot setback from the front and rear lot lines. The primary use is the school. Mr. \_\_\_\_\_ inquired if the stadium has become a primary use. The stadiums are called out as permitted uses per Mr. Stewart.

Mr. Dannaker offered that the wording needed to be addressed first. Mr. Smith had suggested the verbiage in a few spots, but Ms. Wright opined that she felt that it would be easier to include all of the regulations under one section as it will be less ambiguous to residents.

Most of the parks are owned by the Borough and there are only a few athletic facilities in the Borough. Arenas and stadiums are only allowed in Highway Commercial. The high school is the only location where a stadium exists in the Borough. It is not anticipated that this update will affect many properties.

Mr. Smith discussed the lighting and how it is impacted by the baseball field. The newly proposed light poles are not going any higher than is needed. This is more a permanent rehabilitation. The old lights lasted until now.

PC recapped on approval of the change. Borough Council will review it and it will be go to public hearing (during the Council meeting). Public can voice concerns at that time.

Size of a facility was discussed briefly. It was proposed to go on a case by case basis. Certain restrictions on size may cause another amendment in the future. Reducing it from 20 feet is due to the design of the field and is a larger setback. Another stadium would have a different design. Mr. Smith reminded PC members that this is only for stadiums and no other structures. Future development would be able to have this setback for an accessory use if a size is not identified. Arena and stadiums are not defined, and Ms. Wright said this could be an issue as well.

The language is specifically to schools. The twenty feet for the front and rear in this instance applies to the front being John Miller Lane. Accessory uses cannot be larger than the primary building.

**Mr. \_\_\_\_\_ moved to approve language as written;**

**Mr. \_\_\_\_\_ seconded the motion;**

**Motion carried.**

*(talking amongst members)*

### **Amendment Proposal: Tattoo Establishments**

This is a request for a tattoo establishment in Central Business District. Mr. Stewart mentioned that it should be thought through carefully for future development. Ms. Wright mentioned that the plan was to suggest the Central Business District for location of these establishments and create definitions that define tattoo establishments and exclude from adult businesses. Mr. Dannaker expanded the definition of adult business a bit. He talked about exclusions and excluding doctors who pierce or tattoo in their businesses. Permanent makeup could also fall under this category.

Licensing of tattoo artists was discussed briefly. Apparently individuals do not need a license in the Commonwealth of Pennsylvania. There has been a Bill in the House that will regulate and define tattoo establishments, since 2015. It was brought up and tabled. The State regulates that tattoos cannot be done on persons under 18 but there is nothing else listed for licensing.

Penn Live article suggested NO regulations in the state for tattoo artists. Any regulations may fall under public health administration. Counties or municipalities can include their own regulations.

Mr. Dannaker stated that the definition in the packet includes “licensed” operator. Mr. Stewart suggested removing license requirement as proposed language. “Against possible effects...” seems to be a little stronger than needed. Ms. Wright stated that it is included elsewhere in the zoning ordinance. The intent is to make sure that it does not have a detrimental effect on the community. It provides protection for the community. It is just repeated from other sections of the zoning regulations. Mr. Stewart gave the example of several motorcycle gangs opening various and multiple tattoo stores.

This is only a means to regulate the amount of tattoo establishments. If the person wanting to open one, opens one, it only allows for one more. Technically, without the distance requirement there could be a number of parlors. The County Planning Commission heard about the discussion and suggested the distance stipulation. Mr. Gallo opined that a distance requirement does not establish fairness. Mr. Stewart stated that restricting it is not singling them out as “bad”. Three hundred feet would limit them to High Street. Treating all adult businesses, the same i.e. restrictions is only fair and given a good attorney, that may be able to be beat. This would only be for the Central Business District.

Discussion was further held on sampling the 300-foot radii. Mr. \_\_\_\_\_ rebutted that because there is no state regulation, the 300-foot restriction may be okay. The State regulates bars. The location of gun stores was discussed. Mr. Stewart explained that over the years regarding density, what ifs were discussed, but the language was not added and there was not a problem with gun stores. The radius would prevent establishments from being near the schools and churches and other places they do not want them to be. The Catholic and elementary schools are both in the Central Business District. If it was limited to commercial district that would probably be better. There is a day care at the Methodist Church and the YMCA. Mr. \_\_\_\_\_ offered that the list could go on and on.

Consideration was given to the clientele of tattoo establishments. If you look at it as art instead of a tattoo parlor, you will get people coming for the artist and not motorcycle gangs. The proprietor of the proposed store wishes to incorporate art into the establishment. Mr. Stewart opined that perhaps soon, the State will have regulations. Mr. Gallo offered that you cannot be public police and can only be planning and zoning. PC members recalled that there used to be a tattoo parlor in town and there was never an issue with it. It was there for a long time. Business owners have an obligation to make their businesses law abiding.

Mr. \_\_\_\_\_ agreed to remove the licensing wording, but if a tattoo parlor is open it needs to be addressed as such, and not an art gallery, or something else. It needs not to be ambiguous. Mr. Stewart stated that a zoning permit would be issued on the information given to staff.

**Mr. \_\_\_\_\_ moved to establish the allowance of this business but without distance restrictions, as there are none on others;**

Ms. Wright indicated that without 1 and 2, there is no need for the use regulation. It would only need to be defined and a permitted use in the Central Business District.

The motion as amended as follows:

**Mr. \_\_\_\_\_ amended the motion to remove the supplemental regulations;**  
**Mr. \_\_\_\_\_ seconded;**  
**Motion carried.**

Definitions were discussed. The write up presented by Mr. Dannaker for adult businesses appeared to be clear to PC members and was inclusive. Ms. Wright opined that instead of listing all the items, she suggested lumping things together to cover all and other things as well that could be devised as adult business. The first part of the definition appears to cover the last part of the definition. It was mentioned that no one has ever approached the Borough regarding such an establishment.

The “bolded” language was discussed as a better option than the entire definition. With it being in the zoning, people understand and do not inquire about such business anyway. Allowing of the tattoos establishment in the Central Business District only was reiterated.

Ms. Wright did not know if the last two sentences needed to be included in the definition for tattoo establishments. Earrings are different from body piercings. Body piercings are everything except on your ear.

**Mr. \_\_\_\_\_ moved to approve the definitions as discussed;**  
**Mr. \_\_\_\_\_ seconded the motion;**  
**Motion carried.**

#### **OLD BUSINESS:**

Centre Crest discussion will take place at a future meeting. There was a brief discussion regarding down zoning. Mr. Stewart offered that he thinks that the building will be used again for something practical, if not a nursing home.

#### **ADJOURNMENT:**

**Mr. \_\_\_\_\_ moved to adjourn the meeting;**  
**Mr. \_\_\_\_\_ seconded the motion;**  
**Motion carried.**

**Meeting adjourned at 7:05 p.m.**