

MINUTES OF THE CORNWALL BOROUGH COUNCIL
PUBLIC HEARING HELD ON MONDAY, JUNE 14, 2010
AT 6:00 P.M. IN THE CORNWALL ELEMENTARY SCHOOL

The meeting was called to order at 6:00 p.m. by Council President Paul Vranesic.

PRESENT

Rob Koehler, Steve Lazorcik, Bob Thomas, Paul Vranesic, Raymond Fratini, Mike Thomas and Mayor Mark Thomas.

PUBLIC

Meeting attendance sheet is attached hereto.

Paul Vranesic turned the meeting over to Special Counsel Josele Cleary who stated the proceeding tonight is a public hearing on petition filed by the Haines and Kibblehouse Group to amend the Cornwall Borough Zoning Ordinance and Zoning Map to create a new overlay zoning district, the Coordinated Mixed Use Overlay and all regulations governing such development. This is the second public hearing on this proposed ordinance. After the Borough determined that one record owner of the affected land was not provided with 30 days notice of the public hearing, the Borough scheduled this second public hearing provided additional notice.

Notice. In order that the record of the hearing may be complete and in accordance with the requirements of the Pennsylvania Municipalities Planning Code

- A. MPC – Advertised Notice of the public hearing and the consideration of the proposed Zoning Ordinance amendment in the Thursday, May 27, 2010, and Thursday, June 3, 2010, editions of the Lebanon Daily News. The proof of publication is part of the Borough's records.
- B. MPC – A copy of the proposed Zoning Ordinance amendment was provided to Lebanon Law Library, the office designated by the Lebanon County Commissioners for the filing of ordinances by letter dated May 11, 2010. A copy of the letter to the Lebanon Law Library is part of the Borough's records.
- C. MPC – Because the proposed ordinance would make a change to the Official Zoning Map, the MPC requires that the owners of the affected properties be provided with 30 days written notice of the public hearing. A copy of the letter sent by Special Counsel to the four affected landowners dated May 11, 2010 has been made part of the Borough's records. The landowners are Haines & Kibblehouse, Wyndcliffe Associates, LLC, Elizabethtown Area Water Authority, and Appalachian Land & Conservation Services Co., Inc.
- D. MPC – Because the proposed ordinance would make a change to the Official Zoning Map, the MPC requires that the subject properties be posted at least one week prior to the date of the public hearing. The Borough Secretary has submitted a written statement confirming that the properties were posted on June 4, 2010 and this statement is part of the Borough's records.
- E. Copies of the proposed Zoning Ordinance Amendment were previously provided to the Lebanon County Planning Department and the Cornwall Borough Planning Commission as required by the MPC.
- F. Sunshine Law – Advertised – The Legal Notice for the public hearing and consideration of the proposed Zoning Ordinance amendment satisfy the publication requirements of the Sunshine Act.
- G. Sunshine Law – Posted – As required by the Sunshine Law, notice of this meeting was posted at the Borough Municipal Building at least 24 hours before tonight's meeting. The Borough Secretary has submitted a written statement confirming that this advertisement was posted, and this statement shall be made a part of the Borough's records.

Review by Planning Commissions.

- A. Cornwall Borough Planning and Zoning Commission – reviewed the proposed Zoning Ordinance Amendment at its meeting on April 5, 2010 and voted to recommend that Borough Council enact the proposed ordinance. A copy of the minutes of the meeting of the Borough Planning Commission is part of the official Borough records.

- B. Lebanon County Planning Department – reviewed the proposed Zoning Ordinance Amendment and provided a comment letter which is included in the Borough’s records.

Statement of Nature of Hearing and procedure.

- A. The public hearing which is being held this evening is required under the provisions of the Pennsylvania Municipalities Planning Code. The purpose of the public hearing is to give you an opportunity to air your views, state your position and for Borough Council to gauge public opinion. This public hearing is a legislative hearing and not a quasi-judicial or an administrative hearing. Persons who wish to speak do not have to be placed under oath. No stenographic record of the hearing is being kept although minutes will be taken and there is no right to cross-examine witnesses or Borough Officials. This evening Borough Council will listen to comments from the audience.

The meeting was turned back to Paul Vranesic who opened the meeting to the public. The following residents listed below made statements:

- Larry Bowman – Lebanon Valley Chamber of Commerce
- Dwight Yoder – Attorney
- Stan Alekna
- Barbara Speece
- Brian Weaver
- Ned Gibble
- Josh First
- Sue Wentzel – Cornwall Historical Alliance
- Tom Clark
- Anne Hoover
- Ann Decker
- Noel Perry
- Allison Shirk
- Bill Hower
- Dave Meyer
- Tom Overholt
- Pat Mentzer

ADJOURNMENT

Rob Koehler made the motion, seconded by Raymond Fratini to adjourn the meeting. Motion passed.

Sincerely,

Steven N. Danz
Secretary