

DRAFT FOR REVIEW – 06-16-2022
BOROUGH OF LEMOYNE PLANNING COMMISSION
JUNE 14, 2022 MEETING MINUTES

The hybrid monthly meeting of the Lemoyne Planning Commission was called to order by Chairperson Bank, both in person and via Zoom platform, on Tuesday, June 14, 2022, at the Lemoyne Borough Building. No Zoom attendees were noted by the Codes Officer.

Roll Call

LPC Members Present: Thomas Bank, Gale Gallo, Robert Rapak, Zach Border

LPC Members Absent: Gene Koontz

Borough Staff and Advisors: Trisha Rafferty Code Enforcement Officer, Mike Knouse, Borough Engineer

CCPD Staff: Stephanie Williams, Cumberland County Planning Commission

Applicants/Representatives: None

Guests/Residents: None

Press: None

The meeting was called to order by Chairperson Bank at 7:15 p.m.

Public Comments

None

Review/Approval of Minutes

The meeting minutes from the March 8, 2022 Regular Meeting were reviewed. Ms. Gallo motioned for approval of the minutes, Mr. Border seconded, with all in favor.

Unfinished Business

None

New Business

Review, discussion and recommendation(s) concerning an ordinance amending Chapter 550 of the Code of Ordinances of the Borough of Lemoyne, County of Cumberland, Commonwealth of Pennsylvania; to establish general and specific standards to wireless communications facilities.

Discussion included the proposed ordinance and the accompanying “Design Manual.”

The proposed ordinance and design manual was prepared specifically for the Borough by The Cohen Law Group. Specialist in Wireless Facility Regulation for public and private entities.

Discussion protocol:

Mr. Bank suggested and the Commission agreed to discuss the proposed ordinance first and followed by the Design Manual. A sequential review of the issues raised by the Cumberland County Planning Commission preceded. Chairperson Bank led the process.

Commission member comments and questions:

Mr. Rapak noted the first two issues raised by the CCPC questioned the need for Indemnification and Insurance by any owner or operator of a Wireless Communication Facility (WCF). Rapak expressed his concern that the Borough, its staff, officials, and its residents be protected, as much as possible, from any liability resulting from any aspect of the WCFs. Discussion incurred contemplating extending this type of liability protection to other areas of construction activities in the Borough. Ms. Williams acknowledged that other municipalities already have adopted ordinances that include these specific provisions.

Continued discussion also included the graffiti removal stipulation.

An additional topic of discussion centered on the definition of “Underground Area.” After significant discussion and consultation with Borough Engineer Knouse it was agreed that the definition should include the term, “or existing areas.” The modified definition would then read, ***“A zoning district or designated area or existing area in which all utility installations are required to be installed underground on a non-discriminatory basis.”***

Additional constructive and informative discussion involving the ordinance continued for several minutes.

Chairperson Bank then directed the attention of the attendees towards the “Design Manual.”

After some constructive discussion the Commission concluded that the definition of “Underground Area” in the Design Manual should be modified to mirror the newly proposed definition of “Underground Area” in the Ordinance.

Public comments and questions:

None (No public present)

CCPD comments:

Included during Commission discussions

Borough Engineer comments:

Included during Commission discussions

Motions:

Chairperson Bank entertained a motion by Mr. Border and seconded by Mr. Rapak to, while noting the Indemnification/Insurance discussion, recommend approval of the proposed ***Ordinance amending Chapter 550 of the Code of Ordinances of the Borough of Lemoyne, County of Cumberland, Commonwealth of Pennsylvania; to establish general and specific standards to wireless communications facilities. The motion included the additional recommendation that the definition of an “Underground Area” be modified to read, “A zoning district or designated area, or existing area in which all utility installations are required to be installed underground on a non-discriminatory basis.”*** The members of the Planning Commission unanimously approved the motion.

Chairperson Bank then entertained a motion by Ms. Gallo and seconded by Mr. Border to recommend Borough Council modify the definition of “Underground Area” in the Design Manual to mirror the definition in the ordinance. ie: ***“A zoning district or designated area, or existing area in which all utility installations are required to be installed underground on a non-discriminatory basis.”*** With that modification made the Planning Commission voted unanimously to recommend Borough Council approve the Design Manual.

Officer Reports:

Ms. Rafferty indicated there has been some discussion concerning the expansion of the Taco Bell restaurant on North 12th Street. As of the time of the meeting no documentation has been submitted.

Staff Reports

None.

Miscellaneous Comments/Announcements

None

Next Meeting

If needed, the next regular meeting of the Lemoyne Planning Commission will be held on Tuesday, July 12, 2022 at 7:00 p.m. in a hybrid format.

Mr. Bank made a motion and Ms. Gallo seconded the motion to adjourn the meeting. Vote was unanimous.

The meeting was adjourned at approximately 8:16 p.m.

**Minutes prepared by
Robert Rapak, Secretary
Lemoyne Planning Commission**

Attachments:

None