

AGENDA
CORNWALL BOROUGH COUNCIL
January 2, 2024, 6:00 p.m. at Sacred Heart Parish

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

Bruce Harris, Bruce Conrad, John Karinch, Beth Yocum, Thomas Burton, Tony Fitzgibbons, Nathan Walmer and Mayor Mark Thomas

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

NEW BUSINESS

Swearing in of Elected and Appointed Officials

Appointment of Council President

Appointment of Council Vice President

Appointment of Council Pro-Tem

Appointment of Vacancy Chair

Consider Authorizing Resolution 2024-1 (Appointments for EIT Committee)

Consider Authorizing Resolution 2024-2 (Appointments for Zoning Hearing Board)

Consider Appointment of Joe Lescisko to Planning and Zoning Commission with a term ending December 31, 2028

Consider Promoting Officer Jim Conklin to Sergeant

PUBLIC HEARING

Conduct public hearing on proposed Ordinance to Amend Zoning Ordinance to amend General and Light Industrial Regulations in the Zoning Ordinance and, if appropriate at the conclusion of the public hearing consider enactment of proposed ordinance

COMMENTS FOR THE GOOD OF THE ORDER

ADJOURNMENT

**BOROUGH OF CORNWALL
LEBANON COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF CORNWALL, LEBANON COUNTY, PENNSYLVANIA, TO AMEND THE CORNWALL BOROUGH CODE OF ORDINANCES, CHAPTER 14, ZONING, TO REVISE THE TERMS DEFINED (§ 14-202), THE PERMITTED USES OF THE LIMITED INDUSTRIAL (LI) DISTRICT (§ 14-1502), AND THE PURPOSE (§ 14-1601), PERMITTED USES (§ 14-1602) AND PERFORMANCE STANDARDS (§ 14-1604) OF THE GENERAL INDUSTRIAL (GI) DISTRICT.

WHEREAS, Cornwall Borough Council has conducted a public hearing to consider an amendment to the Cornwall Borough Code of Ordinances (the "Code of Ordinances"), Chapter 14, Zoning; and

WHEREAS, prior to the public hearing, the proposed amendment was provided to the Cornwall Borough Planning Commission and to the Lebanon County Planning Department for comments as provided by law; and

WHEREAS, after a public hearing and after consideration of all information, comments and questions, members of the Cornwall Borough Council have deemed it beneficial to the residents of Cornwall Borough and to the promotion of the health, safety, morals, convenience, order and welfare of present and future inhabitants of Cornwall Borough to amend the Code of Ordinances as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Council of Cornwall Borough as follows:

SECTION 1. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 2, Definition of Terms, § 14-202, Terms Defined, shall be amended by adding the following definition in alphabetical order:

Parent Tract -- When used in determining the level or intensity of development, including generation of traffic, in the General Industrial District, all contiguous land held in single and separate ownership, regardless of whether such land is divided into one or more lots, parcels, purparts or tracts; such land was acquired by the landowner at different times or by different deeds, devise, partition or otherwise; or such land is bisected by public or private streets or rights-of-way, which was held by the landowner or his or her predecessor in title on January 2, 2024, or if such land was not classified as General Industrial District on January 2, 2024, which was held by the landowner or his or her predecessor in title on the date such land was first classified as General Industrial District after January 2, 2024.

SECTION 2. The Code of Ordinance of the Borough of Cornwall, Chapter 14, Zoning, Article 15, Limited Industrial District (LI), § 14-1502, Permitted Uses, shall be amended to delete subsection A and to relabel the remaining subsections accordingly.

SECTION 3. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 16, General Industrial District (GI), § 14-1601, Purpose, shall be amended to read as follows:

The regulations of the General Industrial District are designed not only to provide for certain limited industrial uses and some related commercial uses, but also heavy industrial uses that are not otherwise permitted in the Limited Industrial District, with special criteria to mitigate any adverse effects on surrounding less intense land uses and zoning districts. These areas are located adjoining major roads so as to permit adequate access to the sites while avoiding the use of the Borough's residential streets by trucks and heavy vehicles used to operate the processing and manufacturing facilities permitted herein.

SECTION 4. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 16, General Industrial District (GI), § 14-1602, Permitted Uses, shall be amended to read as follows:

1. Forestry activities, subject to the conditions listed in § 14-2220 of this Chapter.
2. The following is a list of uses and/or activities that may be permitted within this district provided that the performance standards listed in § 14-1604.1B are satisfied, except that the hours of operations limitation of § 14-1604.1B(13) shall not apply.
 - A. Manufacturing, processing, and accessory storage for manufacturing and processing uses related to, but not limited to, the following:
 - (1) Meat products.
 - (2) Dairy products.
 - (3) Bakery products.
 - (4) Candy and other confectionary products.
 - (5) Bottled and canned soft drinks, carbonated water and spring water.
 - (6) Manufactured ice.
 - (7) Apparel and other finished products made from fabrics and similar materials.
 - (8) Millwork.

- (9) Wood kitchen cabinets.
 - (10) Furniture and fixtures.
 - (11) Converted paper and paperboard products, except containers and boxes.
 - (12) Paperboard containers and boxes.
 - (13) Printing, publishing, and allied industries.
 - (14) Pharmaceutical preparations.
 - (15) Glass products made of purchased glass.
 - (16) Metal cans and shipping containers.
 - (17) Cutlery, hand tools, and general hardware.
 - (18) Metal doors, sash, frames, molding, and trim.
 - (19) Wire springs, from purchased wire.
 - (20) Fabricated pipe and fabricated pipe fittings.
 - (21) Office, computing, and accounting machines.
 - (22) Refrigeration and service industry machinery.
 - (23) Electric transmission and distribution equipment.
 - (24) Household appliances.
 - (25) Electric lighting and wiring equipment.
 - (26) Radio and television receiving equipment.
 - (27) Communication equipment.
 - (28) Electric components and accessories.
 - (29) Measuring, analyzing, and controlling instruments; photographic, medical and optical goods; watches and clocks.
- B. Retail businesses directly in connection with permitted uses, not to exceed 30 percent of the gross leasable area of the building in which it is located.
- C. Office uses when directly in connection with permitted uses.

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SECTION 5. The Code of Ordinances of the Borough of Cornwall, Chapter 14, Zoning, Article 16, General Industrial District (GI), §14-1604, Performance Standards, Subsection 1, shall be amended as follows:

1. No conditional use or activity provided for in this Article and no use permitted as of right shall be established in the General Industrial District (GI) unless and until certification is provided to the Borough Council or the Zoning Officer, as applicable, that satisfactorily demonstrates compliance with the performance standards of this Section. Certification shall consist of approvals through State or Federal authorities, reports or analyses by private consultants, engineers, etc., or other acceptable sources.

SECTION 6. The Code of Ordinances, Chapter 14, Zoning, Article 16, General Industrial District (GI), §14-1604, Performance Standards, Subsection 1, Paragraph B, Specific Performance Criteria, Subparagraph (8), shall be amended to provide as follows:

Where industrial uses abut a residential district, the buffer area shall be a minimum of 100 feet and shall be planted with a double-wide dense screen planting (minimum width of 10 feet) for the entire length of the residential district area, except that this buffer and planting requirement shall not apply where the buffer area borders the Pennsylvania State Game Lands or where the applicant obtains the written consent of abutting residentially zoned property owners, in which case the buffer area of subparagraph (7) shall apply. Except for signage and access roads, the buffer area set forth herein shall be increased to a minimum of 200 feet along any major road (other than U.S. Route 322); provided, however, that the screen planting requirement shall be waived so long as the buffer area remains undisturbed forest. Except for signage, the buffer area set forth herein shall be increased to a minimum of 400 feet along any boundary of the applicant's site which abuts U.S. Route 322; provided, however, that the screen planting requirement shall be waived so long as the buffer area remains undisturbed forest.

SECTION 7. The Cornwall Borough Code of Ordinances, Chapter 14, Zoning, Article 16, General Industrial District (GI), §14-1604, Performance Standards, Subsection 1, Paragraph B, Specific Performance Criteria, Subparagraph (12), shall be amended to provide as follows:

- (12) Where trip generation estimates for all existing and proposed development of a parent tract will exceed 175 average daily trips for all vehicles or five average daily trips for trucks larger than box trucks, all new streets and all access drives installed shall include measures to prevent vehicles other than passenger vehicles or box trucks entering on to Boyd Street and turning west in accordance with this section. The applicant shall provide traffic counts for all exiting uses on a parent tract and trip generation estimates for all proposed uses based on an accepted standard such as the Institute of Traffic Engineers Trip Generation Manual. Such information shall be included with any application for subdivision or land development approval and for issuance of a zoning permit, and the design of such measures shall be included on any subdivision or land development plan for land

within the General Industrial District. An applicant required to install measures to prevent vehicles entering on to Boyd Street and turning west shall install:

- (a) Barriers, which may include raised medians, curbs, and/or deflectors. If it is not possible to design a barrier which will prevent trucks larger than box trucks from turning west while allowing smaller vehicles to turn west, then all west turns shall be prevented. Such barriers shall be permanently maintained.
- (b) Signs at access drives identifying prohibited turning movements. Such signs shall be permanently maintained and replaced within 24 hours if damaged.
- (c) If the occupant of the lot maintains a website, the occupant shall post information on its website identifying the prohibited turning movements and preferred traffic route.

* * *

SECTION 8. All other provisions of the Cornwall Borough Code of Ordinances not amended or changed shall remain in full force and effect.

SECTION 9. In the event any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses or parts of this Ordinance, it being the intent of Borough Council that the remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 10. This Ordinance shall take effect and be in force from and after its enactment as provided by law.

DULY ORDAINED AND ENACTED this _____ day of _____, 2024, by the Council of the Borough of Cornwall, Lebanon County, Pennsylvania, in lawful session duly assembled.

BOROUGH OF CORNWALL
Lebanon County, Pennsylvania

ATTEST: _____
Secretary

By: _____
(Vice) President
Borough Council

Examined and approved this _____ day of _____, 2024.

Mayor