

A meeting of the Myerstown Borough Planning Commission was held on Monday, April 27, 2020 at 7:00 p.m. The meeting was held via video conference due to Borough facilities being closed in accordance with Governor Wolf's March 30, 2020 shutdown order. The meeting was streamed live on the Borough's YouTube channel, and a telephone number was provided for public comment. Mayor Gloria R. Ebling was in the Chair.

Present were: Commission Chair Mayor Gloria R. Ebling, Commission Vice-Chair Michael D. Behm, Commission Members Ronald L. Ream and Vince Podolski, Solicitor Thomas Harlan, and Manager Michael R. McKenna.

Mr. Behm moved, and Mr. Podolski seconded to approve the minutes of the previous meeting held on January 27, 2020.

The Chair asked if there were any citizens or visitors on the line for comment. Mr. McKenna responded that no citizens or visitors were on the line, and no comments were submitted in advance of the meeting via email or phone message.

The Chair announced that the Planning Commission is meeting this evening to discuss proposed amendments to the borough's floodplain ordinance. The Chair requested comments from the Solicitor and the Borough Manager on the proposed amendments.

Solicitor Harlan stated that he reviewed the proposed amendments along with the comments from Leslie Rhoads of the Pennsylvania Municipal League, and while the additional requirements added by the amendments are onerous on the applicants, and expensive, these restrictions are common in floodplains, and there are negative consequences that will occur if the Planning Commission does not recommend the amendment for approval.

Manager McKenna explained that Leslie Rhoads works in the legal department of the Pennsylvania Municipal League, which was contracted by the Commonwealth of Pennsylvania to assist municipalities with updating their floodplain ordinances to be in compliance with the National Flood Insurance Program. A new Flood Insurance Study and Flood Insurance Rate Map for Lebanon County goes into effect on July 8, 2020. Failure to adopt the amendments and submit the amended ordinance by that date would result in suspension from the National Flood Insurance Program. Consequences include:

- Lapse of flood insurance coverage for current policy holders who renew under suspension.
- Inability to issue new policies in the borough, which means any property located within a floodplain area will not be able to be bought or sold using a federally backed mortgage.
- No Federal grants or loans for structures in these areas.
- No Federal disaster assistance.
- Possible liability issues due to denying citizens the ability to purchase flood insurance or protect life and property in these areas.

Manager McKenna explained that because the Borough's floodplain ordinance is part of the Borough's zoning ordinance, it must follow the procedure for amending a zoning ordinance as outlined by the Pennsylvania Municipalities Planning Code. The timeline for approval would be:

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- Tonight: Planning Commission moves to recommend approval of the amendments.
- May 12, 2020: Council approves ordinance amendments for advertisement, and they are sent to the Lebanon County Planning Department, which has 30 days to review the amendments.
- June 24, 2020: Council holds a public hearing on the ordinance amendments and adopts the ordinance.
- After adoption before July 8, 2020: ordinance amendments are sent to FEMA for review and acceptance via the Pennsylvania Municipal League.

Mr. Behm stated that in his review of the amendments and the communication from the Pennsylvania Municipal League, it seems that the Borough and its residents could be in trouble if these amendments are not approved. Mayor Ebling stated that certainly the citizens would be in trouble because they could not purchase flood insurance. Solicitor Harlan added that citizens in the floodplain would not be able to get certain loans if these amendments were not approved.

The Chair asked if anyone else had any comments regarding the proposed floodplain ordinance amendments. Seeing none, she asked for a motion to recommend the amendments to Council.

Mr. Behm moved, and Mr. Ream seconded to recommend to Borough Council to amend the Zoning Ordinance to reflect revisions made by the Pennsylvania Municipal League to bring floodplain regulations into compliance with the National Flood Insurance Program's revised Flood Insurance Rate Map. Motion carried.

The Chair asked if there was any other business to come before the Planning Commission. Seeing none, she asked for a motion to adjourn.

Mr. Ream moved and Mr. Podolski seconded to adjourn the meeting. Motion carried.

The meeting was adjourned at 7:07 p.m.

Respectfully Submitted,

Michael R. McKenna, MPA
Borough Manager/Secretary