

**MEETING MINUTES
CORNWALL BOROUGH, LEBANON COUNTY
PLANNING COMMISSION
March 5, 2018**

Regularly scheduled monthly meeting of the Cornwall Borough Planning Commission held on Monday March 5, 2018 at the Borough Hall. In attendance: Regular Attendees: Members Ray Fratini, Bruce Conrad, Jim Williams and John Karinch and borough engineer Jeff Steckbeck. Absent: Jeff Snyder. Guests: Michael Martinez, David Kolter, Denise Bollard, Chad Smith, Mike O'Donnell, Mark Hackenberg, Andy Hershey, and Chris Smith.

- 1. Meeting call to order at 6:30 p.m.**
- 2. Northgate HOA Concerns** – Lou Hurst called the borough engineer to report that he is meeting with the HOA members. He is committed to correcting the situation and resolving all problems.
- 3. Bernhardt Subdivision** – Chad Smith presented a new sketch plan showing the old FEMA flood plain line and the new HEC-RAS calculated flood plain line from SESI's computer modeling. The new flood line encompasses the majority of land from Route 419 up to Rexmont Road. Consequently the six proposed lots fronting on Willow Street are all eliminated. The new sketch also shows only three new lots in the area around Bernhardt's old house, with those three new houses all utilizing a shared driveway. After discussion, the PC voted unanimously to approve the new sketch plan under the condition the existing driveway will be widened and improved to provide sufficient access for two way traffic, similar to those shared driveways approved for Iron Valley Estates and Boyd Street subdivisions.
- 4. John and Karen Groh** – Borough engineer Jeff Steckbeck recused himself from discussion and giving advice on this project, and he advised the PC that Council has hired ELA Group as the new alternate borough engineer to replace Matthew & Hockley which had tendered its resignation due to lack of a PE on staff. This project will be reviewed and approved by ELA Group should it move forward, since Steckbeck's firm is Groh's hired surveyor. Mr. Smith and Mr. O'Donnell presented a concept drawing showing a five lot subdivision of the Groh's existing 100+ acre wooded tract located south of Route 322 and adjacent to the east end of Spring Hill Acres. Access to the site is via a previously approved private street for which the right-of-way is established by a recorded agreement at the courthouse. The private street is sometimes referred to as "Camp Kiwanis Road" or "Camp Shand Drive", but does not have an official name on borough maps. The site is zoned Residential Forest which has a minimum lot size of 2 acres with no public utilities. It is the same zoning as Spring Hill Acres. After discussion, the PC indicated that the concept complies with zoning is acceptable, and that if the project moves forward, the land owner will need to verify and prove that the access right-of-way is assignable to the five new lots; the access driveway will need to be improved to be passable by two vehicles in opposite direction; all of the other normal SLDO, Zoning, and Stormwater Ordinances will apply. The PC also indicated that Section 14-2210 – "Structures to Have Access" applies to this project, and it requires that the Zoning Officer must determine that all principal structures shall be so located on lots as to provide safe and convenient access for standard vehicles for servicing, fire and police protection, and required off-street parking. Towards that end, the property owner is advised to get letters

of support from the fire department, the police department, and the ambulance providers and present them to the Zoning Officer and get his/her determination in writing before proceeding with too many expenditures.

5. **Sump pump water** –_The PC discussed e-mails received today from Borough Manager and Solicitor about sump pump water at 346 Boyd Street. Older Borough ordinances prohibited pumping water onto the borough roadways and into drainage ditches or road inlets. The newer Stormwater Management Ordinance 2012-3 specifically allows pumping of “clean” crawl space and basement water into the borough’s MS4 system. The PC believes the newer ordinance applies and rectifies what had previously been an untenable and unrealistic prohibition.
6. **Minor Conservation Plan** –_Michael Martinez 1227 Ash Lane, Spring Hill Acres presented a Minor Conservation Plan for his proposed new 27’ x 30’ accessory garage. After review of the location, lot layout, and grading plan, the PC voted unanimously to approve the conservation plan, and asked the borough engineer to inform the zoning officer that this is the only approval required by the borough for issuance of the building permit. Mr. Martinez was advised that state law requires that his contractor must have an erosion and sediment control plan suitable to the LEBCO Conservation District prior to the start of construction.
7. **Zoning Complaint** –_703 Aspen Lane – vehicles. PC reviewed correspondence sent to the zoning officer. No action by PC is warranted and none was taken.
8. **David Koltar Financial Planner Office** –_Mr. Koltar addressed the PC. He recently purchased Dr. Bernhardt’s dentistry office in Toytown and intends to operate his financial planning and investment advisory office at that location. The Zoning Officer has informed him that he must obtain a Special Exception approval from the Zoning Hearing Board before he may open his new business. After discussion, the PC affirmed that Zoning Ordinance Section 14-2705 – Nonconforming Uses of Structures or Land and Structures in Combination does apply since the dental office had been “abandoned” by virtue of its closure quite a while ago. This section of the ordinance clearly indicates that the Special Exception approval is required. The PC voted to send it’s letter of recommendation to the Borough Council and to the Zoning Hearing Board that the PC is in favor of the approval of the Special Exception so that Mr. Koltar may open his new office. The PC believes that his proposed use is equally or more compatible to the neighborhood than the prior dental practice.
9. **PRL Industries** – The PC filled in the Act 68 form and voted to authorize chairman Fratini to sign and send it to the PA DEP. The proposed jet arch booth inside their existing operation conforms to the Comprehensive Plan and is consistent with the existing zoning and use permits which PRL has obtained.
10. **Camp Shand** – Mark Hackenberg of RGS Associates is the consultant representing Camp Shand and gave a presentation and explained the Camp’s desire to expand its long standing camp, recreation, and education facility to include year round operation. Mr. Hershey representing Tulpehocken School Distict and Ms. Smith representing Camp Shand also

addressed the board and presented following information: the Camp presently enrolls about 200 children per day for the 11 week summer camp season. The remainder of the year is relatively low business with the exception of an occasional “retreat” style event. The School District would like to utilize the Camp for the 8.5 months of the school year to bus about 30 pupils to the Camp for school day interactive education for “exceptional” students. The Camp would expand an existing building with a minor addition to create the needed class room for these students. After discussion, the PC determined that Camp is located in the Conservation-Recreation District. The Camp itself is not a permitted use, nor a Conditional Use and is thus, a non-conforming use. Zoning Ordinance Section 14-2705 – Nonconforming Uses of Structures or Land and Structures in Combination does apply to Camp Shand. As such, the ordinance allows expansion and/or enlargement of both the use itself and the structures on the site by up to 50% of those uses and square footages which existed on June 11, 2001. The PC believes that the educational component of its public service which Camp Shand has offered to the public for more than 40 years is consistent with the educational activity proposed by the School District, and the 30 students proposed to use the Camp is a lesser number than the 200 students who already come to the property in the summer time, so there is no “approval” needed for the continued educational use of the property. The PC indicated that if the Camp can adequately prove to the Zoning Officer that the proposed building expansion complies with the 50% limitation established in 14-2705, then a Zoning and Use Permit should be issued for the building expansion. The Camp would then have to get the required building permit. The PC determined that the building expansion is so small, and has such little impact on the site such that no Land Development Plan, no Stormwater Management Plan, and no Conservation Plan are required. Mr. Hackenberg indicated that he is not sure the Zoning Officer is of the same opinion as the

Old Business Update:

1. **Rexmont Apartment Project** – Mr. Zentz is considering filing a revised final plan to convert to 12 duplexes due to the expense of fire sprinklers required in apartments/townhouses.
2. **Cornwall Manor** – Mr. Weidman will attend a future meeting and bring along a copy of the approved preliminary plan to show the new PC members the layout and phasing of 2 A, B and C and explain how the impervious coverage runoff will be addressed for future phases.
3. **Bernhardt Subdivision** –PC previously approved shared driveway for 3 lots, under condition that the borough’s previously approved “shared driveway agreement” will be processed with the final plan. The 4 issues to be addressed on plan: 1) widening of Willow Street; 2) flood plain delineation and consistency with FEMA’s new 2012 floodway mapping; 3) identify ordinance requirements for curbing and sidewalk; 4) traffic impact study, if required, or indicate why one is not needed by ordinance.
4. **H&K – The Preserve at Historic Cornwall Village** – Paul Callahan will be attempting to schedule a meeting with the new Council members, Marie and Steve Tribioli to give project overview.
5. **Cornwall Manor – Health Center** – As-built complete and submitted to Matthew & Hockley for review. Letter of Credit in the amount of \$3,000 remaining for minor yard stabilization.
6. **Alden Place Phase 3**– \$1,185,930 remaining on Letter of Credit. Site work for Mosaic Drive and Belltower Drive to be performed over the coming months.

7. **Northgate at Alden Place** – \$148,368 remaining on Letter of Credit.
8. **Bollard – Miner’s Village Subdivision** – The release of financial security in the amount of \$55,000 has been postponed until pavement restoration resolved. Either wearing patch or overlay should be installed. SESI has informed Louie Hurst and Bob Gearhart to coordinate the necessary road work required for final release.
9. **Hilltop Estates** – Building permit activity increasing. New permit for house on Lot 19 issued.

Upcoming Commission Meeting

Monday April 2, 2017 Planning Commission’s regular meeting at 6:30 p.m. at Borough Hall.