



## BOROUGH OF CORNWALL

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### PLANNING AND ZONING COMMISSION SEPTEMBER 6, 2011

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Tuesday, September 6, 2011 at the Borough Hall. In attendance were:

#### Commission Members

Raymond Fratini Jeff Snyder Robert Simmermon Jim Williams  
Joe Lescisko

#### Borough Officials

Jeff Steckbeck Steve Dellinger John Karinch Steve Lazorcik

#### Public

List is Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**
  - Construction continues on the project.
3. **Blue Bird Inn Parking Lot - Subdivision/LDP**
  - Hanover Engineering provided their third review letter (9/2/11) for the Blue Bird Inn Parking Lot based on LDP, submitted 8/26/2011.
  - The following five waivers were recommended by Hanover:

- **Section 13-305** – Since the Plan does not meet all the criteria for exemption under Section 13-307, the submission of a Preliminary Plan is required. Justification provided for the request: “Due to the size and scope of the project, a Preliminary Plan submission would include the same information required for Final Plan; therefore, be redundant.”
- **Section 13-402 C.(4)** – All features located within two hundred (200) feet of the subject tract. The Plan includes a note requesting a modification of the requirement to identify all features located within two hundred (200) feet of the subject tract.

The justifications provided for the granting of the waiver are: (1) the large size of the tract; and, (2) the fact that critical features around the subdivided lots have been shown on the Plan.

- **Section 13-507 5.C.(1)** – The pre-development conditions should be based on good grass cover for all areas within the site boundary, unless the area is wooded.

Justification provided for the request: “A waiver is requested to allow the existing impervious areas to be considered in pre-development conditions since the site was previously developed. All grass areas are considered to be in good condition.

- **Section 13-511 1.B.** – (incorrectly noted as Section 511 1.A. on the Cover Sheet) – Buffer planting shall be provided for parking compounds and access drives which are adjacent to residential properties and public rights-of-way. The buffer planting area shall be at least fifteen (15) feet wide.

Justification provided for the request: “A waiver is requested to allow a ten (10) foot buffer planting along the eastern side of the parking lot at the adjacent properties owned by the Applicant. The applicant wishes to provide the additional five (5) feet of buffer between the western edge of the parking lot and the adjacent lots to the west not owned by the applicant.

- **Section 13-515 4.B.(4)** - No plantings shall be placed with their center closer than five (5) feet from the property line of the tract.

Justification provided for the request: “A waiver is requested to allow planting within five (5) feet of the property lines to allow for continuous screening between uses.”

- A motion was made by Mr. Snyder, seconded by Mr. Williams and unanimously approved to recommend to Borough Council Conditional approval of the LDP with the five waivers, pending resolution of the eight stormwater management comments listed in Hanover Engineering’s September 2<sup>nd</sup> letter, provision financial security and pending approval of the Penn DOT Highway Occupancy permit application for the parking lot exit driveway. The recording of revised deeds for the five (5) lots and access easements for Lots 1 and 4 is also required.

4. **Savoye Property**

- Mr. Savoye contacted Mr. Lescisko about the June 6, 2011 P&Z minutes that stated that a letter will be sent by Lebanon County Planning Department regarding his stone cutting business. Let the record show and June minutes be corrected that the LCPD’s letter had already been sent on May 24, 2011 and that Mr. Savoye responded by stating that no further stone manufacturing will occur on the property.

5. **Regional Comprehensive Plan Update**

- In the last month, three meetings have been held by the Regional Planning Committee (8/4, 8/18, 9/1) that focused on Planned Development areas and planned open space, request for re-zoning, business office and mixed-use neighborhoods. Transportation policies principles and concerns. The next meeting is planned for Thursday, September 15 at 6:00 p.m. at S Lebanon Township Municipal Building, which is open to the public. More information is available at [www.cornwall-lebanonplan.com](http://www.cornwall-lebanonplan.com) website.

6. **H & K – The Preserve at Historic Cornwall Village**

- Paul Callahan (H&K) and his consultant team presented the Tentative Plan for “The Preserve at Historic Cornwall Village.” The Plan was formally submitted to the Borough on August 19<sup>th</sup>. The required Public Hearing on the application is scheduled for September 26<sup>th</sup>. Hanover

Engineering will post the property, as required by the Municipalities Planning Code (MPC).

- Steve Dellinger highlighted the provisions of the MPC that govern the review of the Tentative Plan application. A public hearing must be held within 60 days of receipt of the application. The public hearing may be continued, but the hearings on the application must be concluded within 60 days after the date of the first public hearing. The Borough Council must act on the application within 60 days following the conclusion of the public hearing(s) or within 180 days after the date of the filing of the application, whichever comes first.
- Mr. Callahan introduced the most significant change to the proposed project since it was discussed during the preparation of the CMU Overlay Zoning Ordinance amendment – a change to the proposed Phasing Plan. The hotel/water park, previously identified as part of Phase 1 of the project has been moved to Phase 3 (due to the economy). Phase 1 as proposed on the Tentative Plan will include the construction of (1) the Route 322 entrance; (2) the Boyd Street Bypass; (3) the single family dwellings in the “Triangle” adjacent to Boyd Street; (4) the “twin” dwellings south of Minersvillage [which were previously part of Phase 3] and the construction of a temporary dock on the lake. In addition, the total number of Phases was reduced from five (5) to four (4).
- Due to the changes to the Phasing Plan, the proposed conditions, as previously recorded, will require some modifications. Mr. Callahan agreed to coordinate any required wording changes with the Borough Solicitor, Josele Cleary.
- One of the recorded conditions called for the erection of a guide rail on Rexmont Road, at the expense of H&K. The Borough has received letters from two (2) of the affected property owners (**attached**), who are opposed to the guide rail. A determination has been made that the wall adjacent to Rexmont Road is failing. While H&K is not expected to pay to replace the failing wall, H&K will escrow funds for the guide rail. The Borough will have to pursue funding for the wall repair.
- Stan Alekna stated his concern with the revised Phasing as proposed. The Fiscal Impact Study that was prepared in support of the CMU Overlay was based on the hotel/water park being constructed during Phase 1 of the project, which would serve to “front load” the tax

benefits to the Borough (and the School District). Mr. Alekna requested that the Borough require that a revised Fiscal Impact Study be prepared that reflects the new phasing - and that the Ad-Hoc Committee be reconvened to review the revised financial data. Mr. Callahan stated that he will have his consultant, Glackin Thomas Panzak, prepare a revised study, as requested and provide it to the Borough within the next week.

- Tom Sheridan requested that the P&Z ask the Borough Solicitor to prepare a proposed amendment to the CMU Overlay ordinance that would require the preparation of a revised Fiscal Impact Study whenever changes to a Phasing Plan are proposed.
- Eric Mountz of Traffic Planning and Design (TPD) presented an update on the status of the Penn DOT approval for the Route 322 access. The Traffic Impact Study was approved in March 2011. The Highway Occupancy Permit (HOP) application was submitted in mid-April 2011. A revised HOP package will be resubmitted to Penn DOT on September 7<sup>th</sup>. It is anticipated that any additional Penn DOT comments will be received prior to the Public Hearing scheduled for September 26<sup>th</sup>.
- Jeff Steckbeck, Josh Weaber and Chad Smith of Steckbeck Engineering made a brief presentation describing the contents of the Tentative Plan application. The 149-sheet Plan set includes the proposed Phasing Plan, an overall Open Space Plan, an overall Landscaping Plan, an overall Pedestrian Plan, an overall Vistas Plan, a Dedicated Right-of-Way Plan, as well as Forestry Plans, a Conservation Plan and numerous Plan sheets showing detailed information broken down by phase. It was noted that the detailed engineering requirements of a Tentative Plan are not as stringent as those of a Preliminary Plan prepared under the requirements of the Borough's Subdivision and Land development Ordinance. However, detailed Final Plans must be submitted and approved prior to starting construction on any phase.
- The extensive geotechnical study performed during the design phase resulted in the elimination of some proposed dwelling locations and the shifting of other locations. The areas of concern affected by the geotechnical engineer were:
  - a. The road accessing the Big Hill tract from Boyd Street has been moved to the south and east. The expert recommended not disturbing the stone pile, so the road was moved and the townhouses at the base of the stone pile have been eliminated.

- b. In Phase 3, the townhouses which were located immediately east of Doug Campbell's house have been eliminated due to slope stability concerns.
- c. In Phase 3, the expert identified the area of subsidence from abandoned Mine 3. This resulted in the elimination of a dozen houses south of the lake, and the roadway connecting Burd Coleman to the hotel was shifted further south, away from the lake.
- The total number of proposed dwelling units remains at 590; however the mix of dwelling types/numbers has changed. Mr. Dellinger provided the Commission with a spreadsheet (**attached**) comparing the types, numbers and phasing of dwelling units proposed (1) in the Concept Plan and (2) in the Tentative Plan.
  - The Authority has already reviewed the Plans in detail and provided comments, as well as letters indicating its intention to provide water and sewer service to the project. As part of the review, a second water storage tank will be required. This tank will be located near the Route 322 entrance and will be "architecturally camouflaged." The second letter is dated August 16, 2011, in which the Authority Engineer has provided 32 technical comments about the Plan which will need to be addressed as a part of the approval of Phase 1 Final Plan.
  - Based on preliminary analysis of water and sewer flows, it is anticipated that the Borough Authority will receive approximately \$2.8 million in sewer tapping fees and \$1.6 million in water tapping fees, all of which will go into their reserve fund without the need for the Authority to construct any improvements. In addition to this benefit to the Authority, H&K will also need to make some improvements to the water and sewer systems to provide for the capacity needed for the project and those improvements will provide benefits to the existing Authority customers.
  - A binder entitled "Architectural Guidelines and Renderings" was distributed and briefly discussed. The type and style of site improvements and amenities such as street lights, benches, mailboxes, trash receptacles, information kiosks, walkway lights, etc are identified by Phase. H&K has requested that the Commission pick and choose those features which they desire in the project so that the Guideline can be modified and amended to suit its desires.

- A motion was made by Mr. Lescisko, seconded by Mr. Simmermon and unanimously approved to recommend to Borough Council to reconvene the Ad Hoc Committee on Wednesday, September 14 at 6:30 p.m. at Borough Hall to review revised financial data as it relates to the changing of the Phase 1 and to have a special P&Z meeting on Wednesday, September 21<sup>st</sup> at 6:30 p.m. at Borough Hall with Hanover Engineering and Chris May of Pennoni Associates (the Borough's traffic consultant) to review Hanover's and Pennoni's complete list of comments based on the August 19, 2011 Tentative Plan Application. It was noted that these two (2) meetings must be advertised.

7. **Upcoming Commission Meeting**

Monday, October 3rd, Planning & Zoning's regular meeting at 7:30 p.m., Borough Hall.

8. **Meeting adjourned at 9:30 p.m.**

Respectfully submitted,

Joe Lescisko  
Secretary

Cc: Borough Council  
Jeff Steckbeck, Borough Engineer for Public Works  
County Planning Department  
Steven Dellinger, Borough Engineer for SLDO  
Josele Cleary, Solicitor

9/6/11 HANOVER prepared

JEAT 042

COMPARISON TABLE - DWELLING UNITS PROPOSED BY PHASE (09/03/11)						
	PHASE 1	PHASE 2	PHASE 3	PHASE 4	PHASE 5	TOTAL
<b>FOREST CONSERVATION LOTS</b>						
ORIG PLAN 01/15/10	39	0	0	0	0	39
REVISED 08/16/11	40	0	0	0	-	40
<b>SINGLE FAMILY DETACHED LOTS</b>						
01/15/10	0	0	0	54	17	71
08/16/11	0	0	60	54	-	114
<b>COTTAGE SINGLE FAMILY LOTS</b>						
01/15/10	66	0	0	0	0	66
08/16/11	62	0	0	0	-	62
<b>VILLAGE SINGLE FAMILY LOTS</b>						
01/15/10	32	120	78	0	0	230
08/16/11	0	138	0	0	-	138
<b>SUBTOTALS</b> 01/15/10	<b>137</b>	<b>120</b>	<b>78</b>	<b>54</b>	<b>17</b>	<b>406</b>
08/16/11	<b>102</b>	<b>138</b>	<b>60</b>	<b>54</b>	<b>0</b>	<b>354</b>
<b>VILLAGE TWIN LOTS</b>						
01/15/10	0	0	0	0	50	50
08/16/11	0	0	0	0	-	0
<b>ESTATE TWIN LOTS</b>						
01/15/10	0	0	62	0	0	62
08/16/11	56	0	0	0	-	56
<b>VILLAGE TOWNHOMES</b>						
01/15/10	0	23	0	0	0	23
08/16/11	0	11	0	21	-	32
<b>LAKEVIEW TOWNHOMES</b>						
01/15/10	0	0	0	0	22	22
08/16/11	0	0	18	0	-	18
<b>VILLAGE TRIPLEXES</b>						
01/15/10	0	0	0	0	0	0
08/16/11	0	0	0	48	-	48
<b>SUBTOTALS</b> 01/15/10	<b>0</b>	<b>23</b>	<b>62</b>	<b>0</b>	<b>72</b>	<b>157</b>
08/16/11	<b>56</b>	<b>11</b>	<b>18</b>	<b>69</b>	<b>0</b>	<b>154</b>
<b>LAKEVIEW MANOR HOMES</b>						
01/15/10	0	0	0	0	27	27
08/16/11	0	0	36	40	-	76
<b>MARINA CONDOMINIUMS</b>						
01/15/10	0	0	0	0	0	0
08/16/11	0	0	6	0	-	6
<b>SUBTOTALS</b> 01/15/10	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>27</b>	<b>27</b>
08/16/11	<b>0</b>	<b>0</b>	<b>42</b>	<b>40</b>	<b>0</b>	<b>82</b>
<b>TOTALS</b> 01/15/10	<b>137</b>	<b>143</b>	<b>140</b>	<b>54</b>	<b>116</b>	<b>590</b>
08/16/11	<b>158</b>	<b>149</b>	<b>120</b>	<b>163</b>	<b>0</b>	<b>590</b>