

**PLANNING AND ZONING COMMISSION**  
**November 3, 2008**

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, November 3, 2008 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini	Jim Williams	Joe Lescisko	Jeff Snyder
Robert Simmermon			

Borough Officials

Councilman Koehler	Jeff Steckbeck	Steve Dellinger
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Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Miners Crossing –As-Built Plans for Individual Lots**

Revised as-built plans for lots 64, 65, 66, 68, 69, 70 and 73 were received on September 11, 2008. The revised as-built plans were updated to include the locations of the underground stormwater infiltration facilities on the lots. The revised plans as submitted appear to accurately reflect the constructed locations of the required improvements. HEA personnel conducted a site visit on October 31, 2008 to verify the planting of the required replacement trees on several of the lots. The six (6) white pines (screen trees) required to be planted on Lot 68 between the driveway and the property line shared with Lot Nos. 66 and 67 appear not to have been planted. [See HEA letter dated November 1, 2008].

3. **Miners Crossing – Lot 59**

Dwelling currently under construction. No inspections have been requested to date.

**4. Miners Crossing – Lot 72**

The owner of Lot 72 requested that he be allowed to plant only one (1) tree in front of his property. The Land Development Plan calls for two (2) trees. The Planning Commission wants the homeowner to follow the plan that calls for two (2) trees to be planted. Hanover contacted the property owner to relay this decision. [See HEA letter dated October 8, 2008].

**5. Iron Valley Estates – Lot 2**

At last month's P&Z meeting a recommendation was made to modify the requirement for replacement trees on Lot 2 to require the planting of a minimum of six (6) trees along the left side of his driveway - near its intersection with Iron Valley Drive. This recommendation was confirmed by Borough Council at its October 13<sup>th</sup> meeting. A letter was sent to the property owners/builder informing them of the Borough's decision [See HEA letter dated 10/23/08]. The letter included the request for a site meeting to discuss the exact type and location of the replacement trees. NOTE: A "drive-by" of the lot on November 1, 2008, revealed that a line of six (6) arborvitae [shrubs] had been planted in this location. Steve Dellinger will send a follow-up letter to the property owners/builder regarding the requirement for the planting of deciduous trees. No release of financial security at this time.

**6. Iron Valley Estates – Lot 20**

On October 27<sup>th</sup>, following a request from Landmark Homes, HEA personnel re-inspected the driveway swale/infiltration trenches. Comment letter is attached [See HEA letter dated 11/01/08]. No release of funds at this time.

**7. Iron Valley Estates – Lot 27**

A telephone message was left for Jonathan Byler on October 7<sup>th</sup> regarding the status to the tree planting on the lot. The telephone call has yet to be returned. The requirement to plant replacement trees has been discussed since January of 2007. Numerous letters and phone calls have occurred since that time with no results.

A motion was made by Mr. Fratini, 2<sup>nd</sup> by Mr. Simmermon and carried unanimously to recommend to Borough Council that Hanover Engineering send a certified letter to Mr. Byler that states all replacement trees must be planted by Thanksgiving or the Borough will cash in the Letter-of-Credit to plant the trees.

**8. Iron Valley Estates – Lot 52**

Roof infiltration pits and driveway infiltration trenches have been installed and inspected. The driveway has also been paved.

**9. Cornwall Manor - The Woods**

A revised (smaller) unit at 539 Sassafra Drive was reviewed and approved under the new "plan deviation" guidelines [See HEA letter dated 10/22/08].

**10. Krissinger Property (Stoner Subdivision)**

Dwelling currently under construction. Infiltration trenches on site were inspected by HEA personnel on October 21<sup>st</sup>.

**Items not discussed but were part of HEA Status Report.**

- **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**  
A time extension until February 15, 2009 was granted.
- **There has been no change in status since last month's meeting for the following lots/projects:**
  - Iron Valley Estates – Lot 21
  - Miners Crossing – Lot 74

**11. 219 Burd Coleman Road**

Susan McLaughlin presented to the Commission a letter (10/17/08) written by her regarding the addition by her neighbor, Mr. Hoover at 219 Burd Coleman Road. She would like to know how he was able to receive a permit to build a 18' x 20' structure that does not have a pitch to the roof like the other additions in Burd Coleman? She feels the present structure being built will decrease the value and beauty of her property.

The original building permit was issued in April 2008, prior to the adoption of the architectural compatibility provisions in the Zoning Ordinance (which were adopted on June 9, 2008). There was extensive discussion as to whether or not what is actually being constructed conforms to the building permit (for replacement of an enclosed porch) – or is in fact an addition to the living space of the dwelling. If the construction is merely an enclosed porch, then the current permit is valid and the new ordinance provisions for architectural compatibility do not apply. If, however, the construction is found to be a living space addition, then the current building permit would be invalid and a new building permit will be required, which then would necessitate that construction would have to comply with the recently adopted provisions of the Zoning Ordinance. The sides of the building addition would need to comply with the provisions regarding building materials and appearance, but the rear façade would not. The roof pitch would have to comply with the slope requirements. It was the expressed opinion of the borough engineer that if this building expansion contains plumbing or has any type of HVAC then it should not be classified as an enclosed porch. Mr. Fratini will call County Planning and talk to Ed Kline (Code Enforcement Officer) and request an inspection.

**12. Miner's Crossing – Lot 66**

Steve Dellinger presented the study of possible alternatives to bring the driveway on Lot 66 into conformance with the maximum slope (15%) requirement of the Borough Subdivision and Land Development Ordinance. Six alternatives were presented and discussed, which included the following:

- **Access from the existing driveway on Lot 65 (Alternate 1)** – This is the easiest and least expensive alternative in terms of construction costs. The existing grades between the properties at the parking pad are conducive to a connection that will limit the amount of excavation, paving and tree loss when compared to other alternatives. This alternative would result in a shared driveway and would need the cooperation of the owner of Lot 65. This alternative would require a recorded access easement and a maintenance agreement between the two properties.
- **Access from the existing driveway on Lot 68 utilizing the existing garage (Alternate 2)** – This option includes the construction of a new driveway across the rear of the Cook property to the existing parking pad. This alternative provides for suitable driveway grades with limited excavation. This alternative would result in a shared driveway and would need the cooperation of the owner of Lot 68. This alternative would require a recorded access easement and a maintenance agreement between the two properties. Additional paving would be required, along with the possible relocation of the infiltration pit on the west side of the house and the loss of trees.
- **Access from the existing driveway on Lot 68 and the construction of a new garage on the east side of the house (Alternate 3)** – This option includes the construction of a new driveway at the rear of the Cook property to a new garage on the east side of the house. This alternative would result in a shared driveway and would need the cooperation of the owner of Lot 68. This alternative would require a recorded access easement and a maintenance agreement between the two properties. This alternative provides for suitable driveway grades, limited excavation, limits the loss of trees and increases the living area of the house. The critical issues of this alternative include coordination with the Lot 68 owner, the potential relocation of the underground propane tank and the cost of construction for the new garage.
- **Reconstruct the existing garage at a lower elevation** – This option includes the removal of the existing garage and reconstruction at a lower level. The new elevation would be compatible with the basement floor elevation of the house with primary access from the garage through the basement of the house. Maintaining an 8% slope on the driveway at the cul-de-sac, a maximum 15% slope of the bulk of the driveway and a 5% slope of the parking pad in front of the new garage would require that the new garage floor elevation be at least 8 feet lower than the existing floor elevation. Dropping the garage floor by 10-11 feet would result in maximum driveway slopes in the range of 10 or 11 percent. The existing garage level would be converted to living space for the house. The existing rock retaining wall along the Lot 65/66 property line would be reduced or eliminated; however, the retaining wall between the house and the driveway would likely be enlarged. All the work for this alternative would be done within the property limits. The critical issues of this alternative include the amount of excavation, the protection of the structural integrity of the house and the potential long term inconvenience for the owner.

- **Reconstruct the driveway to optimize the use of the full width of the property (Alternate 5)** – This option includes the complete realignment of the existing driveway to utilize the available areas of the lot in front of the house. The retaining wall along the western property line would be moved to be directly on the line (it is currently approximately 3’ to 4’ off the line). The access at the curb line would be extended into the embankment, with the stone retaining wall being adjusted as necessary, to reduce the severity of the grade and curvature at the bottom of the driveway. The additional area along the west property line would be used to extend the length of the driveway. The parking pad would also be adjusted to an approximate grade of 7% in front of the garage doors. This alternative would be able to be completed with no loss of trees, no access from other lots and no structural alterations to the house. Critical issues with this option include the need for temporary (construction) access on Lot 65 to relocate the rock retaining wall, an increased grade from the existing 5% to 8% on the parking pad in front of the garage and the driveway will not likely achieve the 15% maximum permitted grade. It is likely that the grades will approach 20%, which would require a modification to the requirements of the Subdivision and Land Development Ordinance. Provisions of the zoning ordinance require that the relocated driveway be located at least five (5) feet from the side property line.
- **Construct a detached garage to the rear of the parking pad (Alternate 6)** – This option includes the construction of a new garage and reconstruction of the driveway. The new garage would be located to the rear of the parking pad on the west side of the house. A retaining wall would likely be necessary for the rear of the garage. The existing garage would be converted to living space for the house. This option would not include any encroachment on adjacent properties and would not require any significant structural revisions to the house. The critical issues with this option are that the new garage would need to be several feet lower than the existing garage to meet the 15% grade requirement; the infiltration pit on the west side of the house would need to be relocated. Two (2) sub-alternatives to this alternative include (a) use of the “s” configuration of the driveway and (b) construction of a driveway extending straight from the cul-de-sac. Maintaining a 8% slope on the driveway at the cul-de-sac, a maximum 15% slope of the bulk of the driveway and a 8% slope of the parking pad in front of the new garage would result in the new garage floor elevation approximately 7 feet lower than the existing garage floor in sub-alternative “a” and approximately 10 feet lower in sub-alternative “b”. Either sub-alternative may require the relocation of the snow removal easement.

During the course of the discussion of these alternatives, an additional alternative was suggested by Jeff Steckbeck. This alternative (**Alternate 7**) would include the subdivision of the existing 50-foot wide “flag pole” on Lot 65 – adding 25 feet to the western side of Lot 66. The portion of the Lot 65 driveway closest to the cul-de-sac would be shifted to the west and a new driveway for Lot 66 constructed on the eastern 25 feet of the “flag pole” (which would become part of Lot 66). The new driveway for Lot 66 would connect to the parking pad in front of the existing garage. The existing grades in the “flag pole” would allow a driveway to be constructed that would conform to the 15 percent maximum slope requirement.

The amount of excavation and tree loss would be minimal when compared to other alternatives. The critical issues of this alternative include the requirement for the preparation and approval of a subdivision plan to convey land from Lot 65 to Lot 66; the relocation and reconstruction of a portion of the existing Lot 65 driveway; the relocation of the row of evergreens located on the property line; possible relocation of the sewer lateral serving Lot 65; construction of an alternative to the stormwater swale located on the west side of the Lot 65 driveway and possible relocations of a street tree, fire hydrant and/or electrical box. This alternative would need the cooperation of the owners of Lot 65 – to agree to a subdivision of their property and the associated construction necessary to relocate a portion of the existing driveway....

**13. Municipal Planning Code Seminar**

A 3 hour 1 day workshop on how to use the Municipalities Planning Code will be held on Wednesday, November 12, 2008 @ North Lebanon Township building. The Borough will reimburse any Commission member who attends.

**14. Upcoming Commission Meeting**

- Monday, December 1<sup>st</sup> regular meeting @ 7:30 p.m. Borough Hall.

**15. Adjourned 9:20 p.m.**

Respectfully submitted,

Joseph L. Lescisko  
Secretary  
[www.cornwall-pa.com](http://www.cornwall-pa.com)

cc: Borough Council & Solicitor  
Paula Leicht, Special Council  
Jeff Steckbeck, Borough Engineer  
County Planning Department  
Steven Dellinger, Hanover Engineering