



BOROUGH OF CORNWALL

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PLANNING AND ZONING COMMISSION

August 6, 2012

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, August 6, 2012 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini Robert Simmermon Jim Williams John Karinch Jeff Snyder

Borough Officials

Steve Dellinger Joe Keaney Rob Koehler

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)**

At its regular meeting on July 9, 2012, the Cornwall Borough Council discussed the status of the "temporary" driveway that was installed on the project site. The Borough Manager was directed to send the Developer a certified letter **[see attached]** directing that construction of the driveway and swale (in accordance with the previously approved Revised Plan) be completed prior to the next regularly scheduled Borough Council meeting on August 13, 2012.

The Developer, Denise Bollard, has employed Louie Hurst to get the project completed, including the two other proposed buildings. He will be pulling permits for the completion of these two dwellings. Mr. Hurst stated, "We will finish up the project. I am now the builder." He is aware of the driveway/swale issue and will attempt to have it completed prior to next Monday's council meeting (August 13, 2012). He also stated that grading and seeding will be finished in a timely manner on the first completed building, which is currently on the market for sale.

3. **Cornwall Manor – Woodside Apartments**

Preparation of the required Land Development Plan is currently underway. Paul Weidman, representing Cornwall Manor stated that there were no changes since last month.

4. **Catherine Fitzgibbons – Lot Annexation Plan**

A Lot Annexation Plan for two (2) lots owned by Catherine Fitzgibbons was submitted for review on July 17th. Hanover Engineering completed its review of the Plan on July 24th [see attached review letter].

Mr. Fitzgibbons was present at the meeting and explained that the rationale for the lot annexation is to comply with Clean and Green regulations to lower the taxes on the property (a minimum lot size of 10 acres is required to qualify for Clean and Green). Mr. Dellinger stated that there was nothing to prohibit the lot annexation in our ordinances, despite the odd lot alignment.

Lot 4 is the receiving tract
Lot 3 is the sending tract

A motion was made by John Karinch, 2nd by Mr. Fratini and passed unanimously by the other members to recommend approval of the Plan, conditioned on the receipt of an approved Non-Building Waiver.

5. **Storm Water Complaint – Iron Valley Estates – Lot 41**

Recent landscaping changes to Lot 41 in Iron Valley Estates have resulted in the alteration and/or removal of required storm water swales and retention facilities and have resulted in adverse storm water impacts on a neighboring property. A letter has been sent to the property owner requesting a site meeting with Borough officials to discuss the issue [see letter attached].

Steve Dellinger, Borough Engineer, has met with the property owners affected by the landscaping changes made by the Sharifis (owners of Lot 41). Steve Dellinger and/or Bob Lynn of Hanover Engineering will contact the homeowners next week and learn specifics of what changes were made to the property and advise the Sharifis of what needs to be done to comply with the original plan. In communicating with the homeowners, Mr. Dellinger indicated they were more than willing to correct the matter quickly.

Any expenses incurred by the Borough through Hanover's inspections and review to rectify this situation will be passed along to the Sharifis and their responsibility to make restitution back to the borough.

6. **Storm Water Management Ordinance/MS4 Permit Renewal**

Steve Shirk, representing Steckbeck Engineering (SESI) presented information on the Borough's existing MS4 Permit and proposed Storm Water Management Ordinance. The MS4 Permit Renewal Application needs to be submitted by September 14, 2012, as the permit is scheduled to expire on March 15, 2013. The renewed permit will require the adoption of updated storm water management regulations prior to March 15, 2014. As authorized by Borough Council, Steckbeck Engineering prepared a proposed Storm

Water Management Ordinance, which Mr. Shirk recommends be adopted as a “stand alone” ordinance.

A copy has been given to the Borough’s Solicitor, Josele Cleary for review. P & Z is waiting for her recommendations prior to moving the document onto Borough Council.

7. **Bill Kishbaugh – Lot Addition**

Mr. Kishbaugh, who lives on Juniper Street (Toytown), is interested in purchasing some land from an adjoining property owner to increase the size of his lot. It was determined that Mr. Kishbaugh’s property is located in the RMD Zoning District. He was provided with information regarding the required minimum dimensions for properties located in the RMD District. The Commission informed him that a Lot Annexation Plan would be required to be prepared and approved by the Borough.

8. **Alden Place Welcome Center**

On June 4th, Cornwall Associates submitted a Tentative Plan Application to construct a “Welcome Center” next to the entrance of Alden Place. Borough Council’s Public Hearing on the Application is scheduled for 6:00 PM on August 13th. Hanover Engineering prepared a review of the Tentative Plan Application [**see attached review letter**]. The property was posted on August 3rd [**see attached posting confirmation letter**].

Jim Henke, of Pioneer Management, representing Louie Hurst (who was also in attendance), presented more detailed information on the proposed Welcome Center. The Welcome Center will be condensing four model homes in the Alden Place development into one long-term management office at the site’s entrance. The four model homes are being readied for sale to the general public. In conjunction with the previous approval of the North Gate Residential Development, the property proposed for the Welcome Center was earmarked to be developed for commercial uses. Mr. Henke showed a sketch/concept plan for future commercial buildings to the east of the proposed Welcome Center, but could not give a time line for their start nor completion. It was confirmed that the Application to be acted upon by Borough Council is only for the proposed Welcome Center. The future commercial building(s) on the property will have to follow the same Tentative Plan approval process.

Discussion centered around the Welcome Center’s parking lot being a drive-through for the future commercial development to the east. No known prospects for future tenants were known at this time but due to zoning they would have to comply with local ordinances. It was confirmed that there will be no additional proposed accesses onto Rt. 419 from the property. It was the consensus of the Commission that the imposition of additional traffic fees were not warranted for the Welcome Center project, which is all that is being submitted for approval at this time.

Architectural compatibility was discussed, specifically with the Welcome Center’s design and following through with the six proposed future commercial buildings.

A motion was made to recommend approval of the proposed Tentative Plan for the Welcome Center and to defer the addressing of the Borough Engineer's detailed engineering comments until such time as a Final Plan has been submitted. Mr. Snyder made the recommendation with a 2nd by Mr. Williams. Mr. Fratini and Mr. Simmermon also voted in favor of the recommendation, with Mr. Karinch abstaining.

9. **Alden Place – Community Center**

Mr. Snyder, at last month's meeting, raised the question as to whether or not the renting out of the Community Center at Alden Place to the general public for wedding receptions, etc. was permitted under the original approval of the Alden Place Development. A copy of the original approved Tentative Plan was located and upon further review it was determined that this use was not allowed.

It was brought to Mr. Hurst's attention that according to the original Application for Tentative Approval of Planned Development of Cornwall Associates for the Alden Development the document states: *"The applicant has indicated that all common open space (and recreational facilities) will be for the express use of the residents of the development-not for the public at large."*

Mr. Hurst stated, "If we are in violation we will fix it." Mr. Hurst was directed to approach Borough Council in the event he wishes to make changes to comply with the original agreement. Mr. Hurst stated that there are currently 15-18 rentals and the building has a capacity for 250 guests. Normally there is an average of between 150-180 attendees. He stated the only on-going use of the facility is with the Good Samaritan Hospital, which holds a regularly schedule meeting/training for its staff. He stated that this is more of a community effort use of the building.

10. **The Woods – 534 Sassafras Drive, 708 Ash Court, 710 Ash Court**

Paul Weidman, representing Cornwall Manor, presented information on three (3) proposed house model changes in The Woods. The three proposed units will conform to all required building separation distances. Assuming the overall storm water design for The Woods project included allowances for the available additional features of the various cottage types offered for sale, the change of unit types should have no negative impact on the overall Land Development Plan previously approved.

A motion was made by Mr. Williams, seconded by Mr. Simmermon, and further passed by the remaining members to approve the changes under the Borough's "plan deviation" guidelines.

Due to the number of "plan deviations" that have been submitted for approval in The Woods project, the P & Z Members requested that Mr. Weidman provide Net Gain/Loss calculations related to impervious coverage assumed in the original storm water management calculations - with the identification of all changes that have been allowed from the inception of The Woods project. Mr. Weidman will provide this information to P & Z prior to the approval of any future design changes. The basis for the original impervious coverage upon which the storm water facilities were designed should be

certified by the preparer of the original SWM report so as to reflect a concrete foundation for comparison.

As was directed at last month's P & Z meeting, to avoid confusion, time delays, and for documentation purposes, Mr. Dellinger will provide a letter to county planning stating approval of these design changes.

Meeting adjourned at 8:45 p.m.

Motion was made by Mr. Snyder, 2nd by Mr. Williams to adjourn. All members voted in favor.

Upcoming Commission Meeting

Tuesday, September 4th, Planning & Zoning's regular meeting at 7:30 p.m., Borough Hall.

Respectfully submitted,

Robert Boo Simmermon
Secretary

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