

**PLANNING AND ZONING COMMISSION**  
**May 4, 2009**

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, May 4, 2009 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini    Robert Simmermon    Joe Lescisko    Jim Williams    Jeff Snyder

Borough Officials

Jeff Steckbeck    Steve Dellinger    Councilman Koehler & Lazorick

Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Miners Crossing – Lot 66**  
Landmark has appealed the ruling by the District Magistrate. Last week, Sam Weiss was preparing a complaint for filing with the Court of Common Pleas.
3. **Iron Valley Estates – Lot 2**  
Site visit conducted on 4/06 to discuss placement of the required deciduous trees. The required trees have been planted, as verified in a site visit conducted on 5/04.
4. **Iron Valley Estates – Lot 27**  
Planting of required trees is scheduled “in the near future.”
5. **Steven and Bonnie Wenger – Minor Plan (Rexmont)**  
Minor subdivision/lot annexation plan received on March 20<sup>th</sup>. Review letter was issued on 4/21/09 [**see attached letter**]. Revised plans were submitted to the Borough (and Hanover Engineering) on 5/04/09.

Discussion on the Plan centered on the proposed 50-foot wide access to Rexmont Road. Mr. Wenger was in attendance and explained that the purpose of the proposed access was to facilitate the future construction of one (1) dwelling on the adjacent farm he owns in South Lebanon Township (to the north of the tract

being subdivided). The adjacent farm has an agricultural preservation easement on it, which restricts development to the construction of one (only) single family dwelling on it (and which dwelling can never be subdivided from the farm). Since only a driveway for a single dwelling could ever be constructed from Rexmont Road, it was determined that the full 50-foot width required under Section 506 F. of the Subdivision and Land Development Ordinance was not needed.

A motion was made by Mr. Fratini, 2<sup>nd</sup> by Mr. Williams and unanimously approved to recommend to Borough Council that Section 506 F of the subdivision and land development ordinance that requires an access driveway width be a minimum of 50' be waived to 30'.

#### **6. H&K Plan**

On 4/28/09, Hanover Engineering responded to zoning related several questions raised by Jeff Steckbeck and Robert Heuser (Engineer for H&K) [**see attached response**]. The questions raised included (1) interpretation as to how the “25 percent deviation” in Sections 2107 A.2. and B.2. of the Zoning Ordinance is applied; (2) the origin of the “28’ by 44’ building footprints” in Minersville and Burd Coleman; (3) interpretation as to whether or not the “25 percent deviation” requirement includes outbuildings (detached garages) and (4) application of the Historic Overlay requirements to the CR zoning district.

Mr. Steckbeck informed the Commission that H&K is scheduling with Manager Danz for their attendance at the June 1<sup>st</sup> and June 8<sup>th</sup> meetings of P&Z and Council. Mr. Danz is going to reserve the Cornwall Elementary School auditorium in anticipation of large attendance of interested citizens. H&K’s presentation will be in the form of a formal request for a Zoning Map Amendment and a Zoning Ordinance Amendment. They will present their updated concept plan which has been revised to reflect some of the comments received from eight neighborhood meetings. They will also submit the concept plan to the Borough for review along with a Traffic Impact Study and a Fiscal Impact Study. Unlike a subdivision plan filing which has a statutory 90 day review period deadline, a request for a zoning change has no compelling deadline under Pa land use law. The Borough has the right to set the schedule on its deliberation and decision on such a request. The Borough will have ample time to assign review to Hanover and Solicitor Weiss plus hire any experts such as traffic engineers or planners or special counsel. The Borough has a right to ask H&K to pay for all the bills generated by these professionals. The Borough can hold public hearings if they wish. Steckbeck offered that the appropriate time to consider Tom Smith’s traffic recommendations, (attached) comments from Ms. Koch (bypass design) about the 322/72 interchange, and any other comments from the public will be once the plan has been formally submitted and the professional advisors have been selected. All these types of comments and recommendations should be given to those professional advisors for their evaluation in their reports to Council.

A motion was made by Mr. Lescisko, 2<sup>nd</sup> by Mr. Snyder and unanimously approved to accept and agree with the 4 answers Hanover Engineering provided to H&K staff.

**7. There has been no change in status since the April 2009 meeting for the following lots/projects:**

- **Iron Valley Estates – Lot 20**
- **Iron Valley Estates – Lot 21**
- **Iron Valley Estates – Lot 52**
- **Miners Crossing –Overall Development**
- **Miners Crossing –As-Built Plans for Individual Lots**
- **Miners Crossing – Lot 59**
- **Miners Crossing – Lot 72**
- **Krissinger Property (Stoner Subdivision)**

**8. Miners Crossing – Lot 74 – Shed**

Mr. Steckbeck reported that H&K is in the process of transferring ownership of the shed to the Grandi family. It has been delayed by the legal advisors. Once the Grandis have title, it will then be appropriate for Hanover to advise the Borough on the disposition of the shed.

HEA will review the Quit Claim Deed after it is prepared and advise the Borough regarding any needed actions to be taken under the applicable ordinances.

**9. Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**

A request was made on behalf of Ms. Bollard by Mr. Steckbeck for another time extension through 8/15/09.

**10. Calvania**

A letter was received (4/29/09) from Mr. Steckbeck advising the Borough that the release of the remaining balance of the financial security is now appropriate. All the work has been performed in accordance with the approved plan. A motion was made by Mr. Snyder, 2<sup>nd</sup> by Mr. Simmermon and unanimously approved to recommend release of financial security to Borough Council.

**11. Ben Bernard – 215 Rex Street**

The Bernards contacted (Borough Zoning Officer) Julie Cheyney regarding the location of a bakery in their detached garage at 215 Rex Street (in the Village Residential District). Julie forwarded her interpretation to the Planning and Zoning Commission for input. At the meeting, Mr. Dellinger suggested an alternative approach to the application.

A motion was made by Mr. Fratini, 2<sup>nd</sup> by Mr. Snyder and unanimously approved to have Mr. Dellinger call Julie Cheyney at County Planning about what the borough believes is the proper way to pursue this home business application.

**12. Upcoming Commission Meeting**

- Monday, June 1<sup>st</sup> regular meeting @ 7:30 p.m., Cornwall Elementary School Auditorium – H & K Plan.
- Borough Council Meeting, Monday, June 8<sup>th</sup>, regular meeting @ 7:00 pm, Cornwall Elementary School Auditorium – H & K Plan.

**13. Adjourned 8:40 p.m.**

Respectfully submitted,

Joseph L. Lescisko  
Secretary

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