

**PLANNING AND ZONING COMMISSION**  
**April 7, 2008**

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, April 7, 2008 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
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Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.

2. **Restricting the # of Driveways**

As a result of questions raised at the P&Z Public Meeting on the Ordinances, Borough Council asked that the Commission revisit the regulations related to the number of driveways allowed for a residential lot (Section 2408 of the Zoning Ordinance). After some discussion, a motion was made by Mr. Fratini and 2<sup>nd</sup> by Mr. Williams and carried unanimously recommending to Borough Council that the maximum number of driveways per lot shall be as follows:

- a. If the frontage of the lot is less than one hundred-fifty feet (150') wide, only one driveway is allowed.
- b. If the frontage of the lot is equal to or greater than 150' wide, one additional driveway is allowed.

3. **Wolf Subdivision**

A subdivision plan was received for review on 3/10/08. The purpose of the plan is to subdivide a flag lot from an existing 3-acre lot located on Zinns Mill Road (east of Cornwall Road). Hanover reviewed the plan and provided comments in a letter dated 4/03/08. Discussion was tabled until next month's meeting.

**4. Blue Bird**

The Commission received a letter (3/17/08) from Andrew Arnold again asking why the sidewalk (15', no curb) on Cornwall Hills Road hasn't been completed. Mr. Karinch who was present wasn't aware that the Blue Bird did their prep work so that the sidewalk could be completed. Karl still doesn't think that enough regrading has been done to pour the sidewalk. The Borough Engineer and Mr. Karinch will meet at the site Tuesday, April 8<sup>th</sup> to review the project. Karl reminded the Commission that once the sidewalk is completed the snow plow should not push snow on the sidewalk.

**5. Signature Bond**

Borough residents Donald Stoner and Steve Lazorcik, as well as Ned Krissinger have recently had trouble obtaining financial security for the Stoner 2 lot subdivision. They stated that their banks have told them they are no longer issuing letters of credit to individuals – they only issue them to businesses. They have therefore requested relief from the requirement to provide financial security, citing that they have no intention to build on these two lots at this time, and that providing cash into a restricted escrow account is not viable for them and that keeping the money tied up for a prolonged period of time would be unfair.

Mr. Steckbeck had e-mailed Council and the Commission about this subject several weeks ago. He provided a copy of County Planning's "Signature Bond", aka "Integrity Bond". The county allows a subdivider to use the Signature Bond, which is a personal guarantee contract between the land owner and the county, for smaller subdivisions of \$7,500 or less. The county developed this bond for the very reasons cited by Msrs. Stoner, Lazorcik and Krissinger. Steckbeck believes that it would be consistent for the Borough to authorize the use of the Signature Bond to match county's procedures. The Commission discussed and agreed that it is a good idea.

Lazorcik and Krissinger then spoke and indicated that the \$7,500 limit is too low. For the Stoner subdivision, the improvements cost more than \$17,000 for one single lot. After discussion, the Commission indicated that a hybrid procedure, more stringent than the county's would have to be adopted.

A motion was made by Mr. Lescisko and 2<sup>nd</sup> by Mr. Fratini and carried unanimously to recommend to Borough Council that a Signature Bond/Integrity Bond be allowed to be used for individual lot subdivisions whereby the property owner guarantees at the time a building permit is pulled that one of the other already approved legal financial instruments (CD, letter of credit, restricted escrow account, etc.) would have to be substituted for the Signature Bond. The building permit would not be allowed to be issued until the replacement financial security was provided to the Borough and to the Zoning Officer. Mr. Steckbeck will prepare this resolution for the Monday Borough Council Meeting.

**6. Grish Subdivision**

Greish owns a duplex in Anthracite Village. It had been combined into a single deed by the prior owner. Greish desires to again separate it into two separate deeds. This is allowed by ordinance, and would result in two lots which would match the other duplexes in the village. Steckbeck indicated that the county review and his review will be complete before next meeting, and the plan will likely be ready for approval at the May meeting.

**7. Blouch Subdivision**

Representatives from Prudential Realty (Scott Boger & Theresa Richardson) approached the Commission with a sketch plan for the 100+ acre property that Blouch owns. The investor is proposing to build 12 single family homes on 39 acres in the RF District similar to a cul-de-sac design. The residual land would be for a one (1) lot subdivision. Sketch plans were turned over to Hanover Engineering for their comments.

**8. 319 Rexmont Road – Light**

Bruce Light expressed a concern that a neighboring lot owner is intending to subdivide by using Light's private driveway as his only access to Rexmont Road. He showed the Commission the tax parcel maps, and the subdivision layout which the neighbor is proposing. The issue is the shared use of one driveway, or an alley, by multiple lots. Light does not want the subdivision to occur. It was determined by the Commission that this is a Zoning Officer issue. Mr. Light said he already talked to Gene Meade at County Planning who told Light to come to the Commission. After discussion, it was determined that it is purely a Zoning Ordinance issue, and the Zoning Officer needs to make the decision on whether a subdivision relying upon that shared driveway would be allowed. If any person does not like or agree with the Zoning Officer's decision, then they have the right to appeal to the Zoning Hearing Board.

**9. Route 72 & Route 419 Intersection**

The Commission hosted a 45 minute visitation from the Cornwall Borough Council and West Cornwall Township highway committees. They conducted their second meeting with Tom Kotay and Jon Fitzkee of the County MPO along with Jeff Steckbeck, the engineer for both municipalities and Shawn Loose of ELA Group who is the traffic engineer for both municipalities. The committees were briefed on progress since their first joint meeting held back in January. The engineers gave a Power Point Presentation of the four options for the intersection reconstruction. Of the original 3 options considered, the committees had decided to create a hybrid of two of the 3. The new option 2A was shown to the committees and to the Commission. This hybrid option 2A would result in left turn lanes being added in all four directions. There would also be right turn lanes added on Route 72 in both the north and south directions. The construction cost estimate is \$890,000. Mr. Kotay talked about the funding mechanisms available through the County MPO and PennDOT. He indicated that the municipal/county cooperation on this project has been a text book study on the right way to

approach the project, and that this intersection has been added to the MPO's 4 year plan. He believes that if the two municipalities continue with the design work and rights-of-way acquisition, then the MPO will be in a position to fund the project in 2010. There is the likelihood of a 50% match with state/federal funds. It was noted that the federal funds are cause for more detailed design and permitting work, along with prevailing wages. Environmental impact studies will be required. Based on these extra requirements, both Steckbeck and Loose stated the project cost estimate will have to be increased to approximately \$1.2 million as a rough budget. Kotay and Fitzkee agreed, and indicated that the \$600,000 matching share from the MPO is a realistic expectation. Steckbeck advised both committees that \$300,000 from each of the Borough and WC Township is a fair and reasonable budgetary commitment, given the Conditional Use processes which each has as a method to secure developer contributions. Cornwall already has commitments for \$275,000 from developers. WCT has collected only about \$45,000 but there may be other developments coming in the near future which will contribute. After further discussion, it was unanimously agreed by both committees, and by the Planning Commission, to recommend to the full Borough Council and full Board of Supervisors to proceed with full design and ROW acquisition for intersection improvement option 2A.

**10. Burning Issue**

Karl Karinch raised the issue about smoke coming from his neighbor's burn barrel.

**11. Upcoming Commission Meeting**

- Monday, May 5<sup>th</sup> regular meeting @ 7:30 p.m. Borough Hall.

**12. Adjourned 9:40 p.m.**

## **NOT DISCUSSED BUT WERE PART OF HEA STATUS REPORT**

### **13. Status of Gerald Musser Lots**

A “final” inspection of Lot No. 49 was conducted on 2/15/08. Based on this inspection, HEA cannot recommend the release of all remaining financial security for this lot. The lot will be re-inspected later this spring. As-build plans for Lot Nos. 36, 39 and 46 were received and reviewed [**See letter dated 3/17/08**].

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

Time extensions for the review of this Plan have been granted while the Zoning Ordinance amendments relating to “architectural compatibility” are reviewed and enacted.

### **15. There has been no change in status since last month’s meeting for the following lots/projects:**

- **Jesse Horst (former Scheib Subdivision)**
  
- **Iron Valley Estates – Lot 2**
- **Iron Valley Estates – Lot 20**
- **Iron Valley Estates – Lot 21**
- **Iron Valley Estates – Lot 27**
- **Iron Valley Estates – Lot 28**
- **Iron Valley Estates – Lot 52**
  
- **Miners Crossing – Lot 66**
- **Miners Crossing – Lot 68**
- **Miners Crossing – Lot 73**
- **Miners Crossing – Lot 74**
  
- **Cornwall Manor – The Woods**

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