

MINUTES OF THE CORNWALL BOROUGH PLANNING COMMISSION  
HELD ON DECEMBER 4, 2023 AT 6:30 P.M.  
AT CORNWALL BOROUGH OFFICE

Ray Fratini called the meeting to order at 6:30 p.m.

PRESENT

Ray Fratini, Bruce Conrad, Joe Lescisko, John Karinch, borough engineer Chad Smith, borough engineer Josh Weaber and borough zoning officer Jeff Steckbeck

ABSENT

Jeff Snyder

PUBLIC

Meeting attendance sheet is attached hereto.

NEW BUSINESS

NORTHGATE HOA

Jeff Steckbeck provided copies of two developer's agreements to the Commission and Northgate HOA representatives. One agreement represented a development that was to be dedicated to the borough and one agreement represented a development that was to remain private. Mr. Steckbeck pointed out that the agreement for the private development provided that the borough engineer is only to inspect completed work within 15 days of notification that the work had been completed. Mr. Steckbeck reiterated that quality control inspections on privately owned improvements are the responsibility of the developer and the developer's engineer, not the borough.

Bill Swanick, engineer from HRG Inc., was representing the Northgate HOA. He thanked Mr. Steckbeck for the explanation and said he was unaware of the difference between private and public agreements. He agreed with what Mr. Steckbeck said.

Scott Grenoble, attorney from Buzgon Davis, was also representing the Northgate HOA. He stated that they also had an issue with Harvey Turner, who owns what is known as the Alden Mansion. Mr. Grenoble said that the previous owner of the mansion and the developer entered into an agreement that restricts the use of the property further than the borough's zoning ordinance. He stated that a wedding venue is not one of the uses. Mr. Grenoble agreed that this was not a borough issue but wanted to make the commission aware of the issue.

Mr. Fratini hoped there was a way that the parties could come together and reach a decision that works for both.

Bill Cooksie said that he did not buy a house in a 55+ community with a party center in the middle. He cannot see how anyone thinks this will raise their property values as there will be additional cars, noise, and people.

Mr. Grenoble had concerns about the traffic coming off the hill late at night and causing a disturbance for the residents.

Mr. Steckbeck stated that an existing driveway or impervious surface, including stone, may be paved within the limits of what is already there. To replace grass with impervious surface, a stormwater management plan would be needed.

Mr. Grenoble referenced the Calvania agreement of 2007. At that time, it was established that before any additional change of use was made, it would require a traffic study. He was asking if the borough's position was to require another traffic study. There was some question as to whether the request was simply to create another roadblock for Mr. Turner. Mr. Swanick said that he is more concerned with the stormwater runoff if a new driveway is erected on the easement. There was discussion about how much impervious is correctly constructed on the easement. Mr. Karinch felt 50% was currently impervious surface based on his walking the property.

Mr. Steckbeck said that the 2007 decision was at the conclusion of the tentative plan and the conditions were implemented for completion before final plan approval. The developers submitted the required studies which included lighting, landscaping, conservation, and traffic. Mr. Steckbeck said one important, but common condition, in spec development is that they can't tell you for sure how many sites and uses will come about. Therefore, after the first anniversary of occupancy, the borough engineer will review to make sure the uses in the traffic study are consistent with the actual commercial uses. If the number of trips exceeds the study, a new one can be requested. Mr. Steckbeck said that he believes they can request a traffic study from Mr. Harvey, but it should happen after one year.

Mr. Steckbeck also pointed out that the Alden Place Community Center is allowed to host weddings and parties. A wedding venue is not a defined term in the zoning ordinance. There are uses allowed at the Mansion that would include weddings. Enforcing that would not be a borough matter.

One resident pointed out that the 66 homes in Northgate provide more tax revenue to the borough than the Alden Mansion does. She said they can apply to have their property values lowered or move out and the borough will see the results. She felt that should be kept in mind when bending over backwards to be nice to Mr. Turner.

The commission wasn't going to make any decision on a traffic study at this time and the rest of the issues are between the Northgate HOA and Mr. Turner. Mr. Steckbeck said he will issue a letter to Mr. Turner that he needs to provide proof that impervious surface existed before he repaves it and there should be an inspection to see that proof.

## CORNWALL PROPERTIES – REQUEST TO AMEND GENERAL INDUSTRIAL REGULATIONS

Josh Weaber said that there was a meeting with Cornwall Properties and their representatives, Solicitor Cleary, Mr. Rhoads and Bruce Harris. There was discussion about a couple of items that could help protect the borough while also providing a path forward for PRL at this point.

Mr. Weaber said that the outcome of the meeting was an amended revision to the zoning ordinance and there would be further discussion in the new year about the lake resort community and the Limited Industrial (LI) district.

Mr. Weaber reviewed some of the changes. The first was adding manufacturing to the General Industrial (GI) and removing it from LI. There was also the addition of a definition for parent tract. This definition allows for the borough to request a traffic study for the whole parcel as opposed to each individual project.

Section 7 added performance criteria. This requires measures to be placed to prevent truck traffic from turning west on Boyd Street.

Mr. Weaber reiterated that there will be further changes down the road, but this would allow PRL to continue to move forward with their timeline. Mr. Lescisko asked if the manufacturing uses can be added to this section. Mr. Weaber said they can request that.

Jeremy Zimmerman asked why this was a permitted use and not a conditional use. Mr. Zimmerman also asked about removing public warehousing, but that isn't in this amendment. He said that his group has presented a text amendment to move the warehousing from LI to General Commercial (GC). Mr. Weaber said that with the current timeframe, it was felt that it would be a substantial change and would restart the process. That discussion will be held later. Mr. Zimmerman felt the warehousing should be adjusted first because they presented their text amendment before PRL. He felt the priorities weren't in order.

Mr. Zimmerman asked if the current conditional uses would go away with this amendment. Mr. Weaber said that those wouldn't go away at this time. Mr. Zimmerman felt that the impact of those conditional uses should be considered along with the impact of the new development. Mr. Weaber said it was agreed to further discuss it in the second phase of amendments.

Mr. Lescisko asked if there was a public hearing in January, assuming the borough council approves it, then the land development process can start. Mr. Swank said that their plan would be to start that process immediately.

Stan Alekna asked where the mega warehouse plan stood. Mr. Weaber said that wasn't discussed at all and his understanding is that it is not being considered.

Mr. Zimmerman asked about the lot coverage. He said the coverage was 10% in the LI, but it will be 20% in the GI. He felt the percentage should remain the same. Mr. Weaber said that it was discussed. 10% and 20% are low coverages compared to other municipalities so there was no aversion for it to go to 20%.

Mr. Zimmerman asked again why manufacturing would be a permitted use instead of a conditional use. Mr. Weaber said that it can be considered in the future to make it a conditional use, but doing so now would not allow PRL to meet their timeline.

John Karinch made a motion, seconded by Joe Lescisko, to recommend that this moves to council for a decision. Motion passed.

#### CORNWALL PROPERTIES – RESIDENTIAL DEVELOPMENT

Chad Smith reviewed the project. The plan proposes 131 single-family detached homes. The property is 80% low-density residential and the other 20% is conservation recreation. The minimum lot size is 15,000 square feet.

The site proposes two access points, one on Rexmont Road and one on Iron Valley Drive. This is 100% by-right, there are no variances being requested. Mr. Weaber is still in the process of his initial view, but Mr. Smith wanted to give a high-level view for everyone.

There would be three phases to the plan. All the infrastructure would be completed in phase one. The streets would be 30 feet wide with sidewalks, stormwater and public water and sewer. The first phase would be 40 homes.

Cornwall Properties is aware that they would have to take care of any contamination found on the property.

Fred Jones said that the traffic study he reviewed had everything going to Rexmont Road and not Iron Valley Drive.

#### ADJOURNMENT

With no further business to conduct, Ray Fratini made a motion to adjourn, seconded by Bruce Conrad. Motion passed. Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Cody Rhoads  
Secretary