

MINUTES OF THE CORNWALL BOROUGH PLANNING COMMISSION
HELD ON APRIL 1, 2024, AT 6:30 P.M.
AT CORNWALL BOROUGH HALL

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

PRESENT

Ray Fratini, Bruce Conrad, Joe Lescisko, borough alternate engineer Josh Weaber and borough zoning officer Jeff Steckbeck

ABSENT

Jeff Snyder, John Karinch

PUBLIC

Meeting attendance sheet is attached hereto.

NEW BUSINESS

KARINCH LOT ADDITION PLAN – CORNWALL HILLS

Mr. Weaber briefly reviewed the Lot Addition Plan. He did not have a review completed yet but will have it done for next month.

CORNWALL PROPERTIES SUBDIVISION -REXMONT ROAD, WAIVERS

Mike Swank, Cornwall Properties, was in attendance to review the waiver requests for the project. He stated that they recently resubmitted the plans based on Mr. Weaber's first review and are awaiting his next review.

Waiver #1 – SALDO, Section 13-402.1.A. Plan Scale – The plan shall be clearly and legibly drawn to a scale of one inch equals 50 feet or larger. The applicant requests to provide plans at a scale of 60 feet to the inch.

Justification for the waiver: The plans are proposing the use of a scale of 60 feet to the inch. The plan scale proposed is a common scale, which is clear and legible.

There was no issue with this waiver request.

Waiver #2 – SALDO, Section 13-501.1.G(1). Existing Street Improvements – All existing streets at the perimeter and/or through the development shall be improved according to Borough specifications and shall be improved to the centerline of the street. Street Improvements include road widening, curbing and concrete sidewalks. The applicant requests to maintain the existing improvements along the development's Rexmont Road and Iron Valley Drive frontage.

Justification for the waiver: The development has a very narrow frontage along Rexmont Road. The project has two sections of frontage along Rexmont Road of 50 feet and 400 feet. Any improvements proposed along this section would be out of place and not fit the character of the surrounding developed area. Rexmont Road has a current road width of 24', With no curbing or

sidewalk in the area. Iron Valley Drive is a private street and has been determined in the past that no improvements along the entire road would be necessary.

There was discussion about the three frontages and whether improvements should be completed in those areas.

There was also discussion about the dedication of Iron Valley Drive. Mr. Swank said that it wouldn't be dedicated to the borough until the project is completed, which would be six or seven years down the road. Mr. Swank stated that there is a verbal agreement between Cornwall Properties and the HOAs that would allow southern access to Boyd Street. There would be a gate placed between the two access drives of Iron Valley Golf Course and there would be a gate in the parking lot to prevent people from using it as a cut through. Mr. Conrad asked if Iron Valley Drive would be accessible for everyone. Mr. Swank said that it would remain a private drive, but residents of the new development would have access. Mr. Conrad felt installing a gate was a horrible idea.

Jeremy Zimmerman didn't think it made sense to waive the requirement for sidewalk since there are plans to expand the recreation offerings in Goosetown. He felt it would be a benefit for people traveling to that park.

Mr. Rhoads mentioned that the borough granted a deferral as opposed to a waiver for improvements for a recent project. That might be an option for this subject.

Fred Jones pointed out that the H+K plan was fully accepted then there would already be a gate on Iron Valley Drive. Mr. Fratini stated that he has always been against the gate. Mr. Jones also pointed out that the other HOA also wants a gate.

Mr. Conrad asked if the HOA owns the road. The HOA said that they own a portion of the road. Mr. Conrad asked if Cornwall Properties offered to buy the road from the HOA. Mr. Swank said that the offer was not explicitly made, but he was under the impression that the HOAs want it to remain a private road so he did not think they would sell it to make it public. Mr. Conrad felt that private roads have become a problem in the borough and would like to see it sold and dedicated to the borough.

Mr. Lescisko stated that even if Cornwall Properties would control the road, it would still need to be brought up to borough standards before it is dedicated. Mr. Swank said that they would be willing to do that.

Mr. Conrad had questions about the gate hindering fire protection and school bus access. He did not think the school district was in favor of a gate based on conversations he's had.

Amy Flick asked if Iron Valley Drive was originally constructed using HOA money or was state money or borough money used. She also asked about traffic congestion caused by the development. Mr. Swank clarified that everyone in the proposed development would have access through the gate on Iron Valley Drive.

Jeff Steckbeck stated that the original road, from Rexmont to the top of the hill, was put in by Bethlehem Steel. Sheridan Corporation and the golf course partners built the road from that point to Boyd Street. There was no HOA, state or borough money used in the construction. When the homes were developed on the northside, that developer paid to widen and overlay the road from the golf course to Rexmont as well as put the drainage and slant curb in. Roy McMIndes, who originally owned the land, included in every agreement that he created when transferring land or lots retained the right to use those roads. Those rights were transferred to H+K and then again to Cornwall Properties.

Bruce Conrad made the motion, seconded by Ray Fratini, to waive improvements for the 50-foot section of Rexmont Road, waive the requirement for sidewalk at the portion of Rexmont Road that will be the entrance and require the improvements to Iron Valley Drive.

Mr. Jones questioned if the improvements would even be feasible on Iron Valley Drive with the topography. Mr. Swank felt like the best option would be to defer the improvements until the borough decides if they would accept the road for dedication.

Mr. Rhoads wondered if a protected bike lane would be a suitable alternative to sidewalk on Iron Valley Drive.

After further discussion, Mr. Conrad withdrew his motion, and it was decided to table this matter until Mr. Swank can review the grading plan to see what the improvements would entail. Mr. Conrad also asked Cornwall Properties to engage with the HOAs to try to purchase Iron Valley Drive for complete dedication.

Ms. Flick asked if the residents of the proposed development would be members of the HOA. She also wondered about the traffic flow. Mr. Weaber said that the traffic study considered the current volume of traffic and the additional traffic for the proposed development. The study showed 15% of the trips traveling south on Iron Valley Drive.

Waiver #3 - SALDO, Section 13-510.4.A. Maximum Lots on a Cul-De-Sac – Cul-de-sacs shall serve a maximum of 12 lots or dwelling units. The applicant requests to provide 14 lots / dwelling units on the Road C cul-de-sac.

Justification for the waiver: The design of the cul-de-sac meets all ordinance requirements regarding maximum length. The lots along the cul-de-sac meet the minimum lot width requirements. The plan proposes 14 lots along this cul-de-sac. Other existing cul-de-sac roads in the Borough have more lots than what is proposed by this plan.

Granite Street – 15 Lots, Juniper Street – 15 Lots, Cornwall Hills Drive – 13 Lots, Bell Tower Drive – 20 Lots, Lackawanna Drive – 13 Lots

Mr. Swank stated that there are multiple cul-de-sacs in the borough that exceed the 12-lot maximum. Mr. Conrad questioned why the number is 12 when they waived the requirement for multiple other streets.

Bruce Conrad made the motion, seconded by Ray Fratini, to grant the waiver for 14 lots on the Road C cul-de-sac. Motion passed.

Waiver #4 - SALDO, Section 13-510.7.A. Cul-de-Sac Radii – Paved cartway widths shall be 100 feet at the cul-de-sac turn around along with a right-of-way of 120 feet at the turn around. The applicant requests to provide 80 feet at the cul-de-sac turnaround along with a right-of-way of 100 feet at the turnaround.

Justification for the waiver: It is our opinion that the required 100-foot diameter turnaround is excessively large. To reduce pavement, the plan proposes an 80-foot diameter turn around with a 100-foot Right-of-Way diameter. Below is a screen shot of a typical 42' long fire apparatus negotiating the cul-de-sac with a diameter of 80'.

Mr. Swank said that they can do the 100-foot diameter but in the interest of lessening the amount of pavement they were requesting the waiver to shorten the cul-de-sac to an 80-foot diameter.

Matt Tsirnikas, fire company president, reviewed their apparatus and if they would be able to navigate the cul-de-sac. It was also noted that any on-street parking would lower that diameter as well.

After some discussion, it was agreed that the diameter would remain at 100 feet.

Bruce Conrad made the motion, seconded by Ray Fratini, to deny the waiver. Motion passed.

Waiver #5 - SALDO, Section 13-511.2.B. Sidewalks on both sides of Street – Sidewalks shall be installed on both sides of all streets in residential and nonresidential subdivisions and land development as specified herein. Sidewalks shall be located, if possible, within the street right-of-way line. The applicant requests to provide sidewalk along only one side of the proposed residential streets within the proposed development.

Justification for the waiver: Sidewalks on one side of the street is adequate for pedestrian travel throughout the development. Additional sidewalks would pose additional maintenance costs on future Borough residents. The reduction of impervious surface also serves a public benefit through the reduction of stormwater runoff. By reducing the amount of impervious sidewalk on the site the environmental impact can be reduced by installing less pavement and reducing the amount of stormwater runoff from the parking lot. This serves a valid public purpose.

Per the Department of Environmental Protection, Bureau of Watershed Management, Pennsylvania Stormwater Best Management Practices Manual dated December 30, 2006 reducing parking imperviousness is an encouraged Stormwater Best Management Practice. As identified in Best Management Practice 5.7.2, "Reducing parking imperviousness performs valuable stormwater functions in contrast to conventional or baseline development: Increasing infiltration; Decreasing stormwater runoff volume; Increasing stormwater time of concentration; Improving water quality by decreasing the pollutant loading of streams; Improving natural habitats by decreasing the deleterious effects of stormwater runoff; Decreasing the concentration and energy of stormwater. Imperviousness greatly influences stormwater runoff volume and

quality by facilitating the rapid transport of stormwater and collecting pollutants from atmospheric deposition, automobile leaks, and additional sources. Increased imperviousness alters an area's hydrology, habitat structure, and water quality."

Mr. Swank noted that this would reduce the impervious area and noted that some homeowners do not want sidewalks.

Aimee Schmitt noted that there is material now that allows water to permeate sidewalks. Mr. Weaber said that they would have to look further into that because depending on the base and slope of the sidewalk, that could cause issues.

Stan Alekna asked why the ordinance requires sidewalks on both sides in the first place. Mr. Steckbeck said planners in the 60s and 70s slowed down growth by making it expensive. Regulations were put in that required wide roads with curbs, sidewalks, street trees and streetlights, thinking it would slow down growth and save open space. However, it just made housing less affordable. Then when it came time for municipalities to repave the roads, the costs were much higher and has led to efforts to take an approach favoring conservation. Mr. Steckbeck said former commissioner Ray Bender wanted the ordinance to be as tough as it could be so they could give relief if they felt it was warranted. Mr. Steckbeck said that this has led to Cornwall granting more waivers than other municipalities.

Mr. Steckbeck said that Julia Lane and Cornwall Hills Drive were only required to have sidewalks on one side while Granite Street and the new development on Palmer Street have sidewalks on both sides.

Mr. Conrad said that if the borough is giving out this many waivers, it should consider looking at the way things are being done.

Bruce Conrad made the motion, seconded by Joe Lescisko, to grant the waiver to allow sidewalks to be on one side of the street as opposed to both sides. Motion passed.

Waiver #6 - SALDO, Section 13-511.3.C. Use of Slant Curb – Standard straight curb shall be required along all State highways and along all Borough streets. Other types of curbing are not permitted unless matching an existing condition or a waiver is requested and granted by Borough Council. The applicant requests to provide slant curb throughout the development.

Justification for the waiver: The use of slant curb is common. This allows a little flexibility in the placement of homes and driveways well after the curbing has been installed. This will allow a much cleaner look at the end of the project. This has been approved in other Borough developments.

The commission agreed that slant curb is common and has been used in other developments in the borough.

Ray Fratini made the motion, seconded by Joe Lescisko, to grant the waiver to provide slant curb throughout the development. Motion passed.

Waiver #7 - SALDO, Section 13-512.1 & 512.2. Concrete Monuments – Permanent concrete monuments shall be accurately placed along at least one side of each street at the beginning and end of all curves and at all angles. At least one monument shall be placed for every two lots or every 200 feet of streets, whichever requirement is less. The applicant requests to provide 8 concrete monuments throughout the development in the locations shown on the plans.

Justification for the waiver: The amount of concrete monuments required by ordinance is excessive. With today's modern survey equipment and technology, it's recommended only a few monuments be placed throughout a development. Eight (8) monuments are proposed throughout this development.

With upgrades to technology, the need for concrete monuments is not as prevalent.

Ray Fratini made the motion, seconded by Joe Lescisko, to grant the waiver conditioned on there being 16 monuments in the development. Motion passed.

Waiver #8 - SWM, Section 11A-309.2.B. Pipe Size – Pipes proposed for dedication to the Borough shall have a minimum diameter of 18 inches. Fifteen-inch diameter drainage pipes may be allowed at the discretion of the Borough Engineer.

Justification for the waiver: The proposed storm sewer system is designed to convey the 100-yr storm event with various sections of 15" diameter pipe.

Mr. Weaber said that the stormwater calculation showed that the 15" pipes would convey the stormwater. Mr. Fratini said that Tom Smith was fine with that if the pipes near the cleanouts are 18".

Ray Fratini made the motion, seconded by Bruce Conrad, to grant the waiver for the use of 15" pipes in the stormwater system based on the engineer's approval. Motion passed.

Waiver #9 - WM, Sections 11A-309.3.C & 11A-310.5. Gutter Spreads – For the twenty-five-year storm, the maximum allowable spread of water on proposed streets shall be 1/2 of a travel lane or one inch less than the curb depth, whichever is less. The applicant requests an increase to the maximum allowable spread of storm water along the curb line at the stormwater inlet.

Justification for the waiver: The only locations where gutter spreads exceed 1/2 of a travel lane (7.50') are low points (sag condition) within the proposed streets. The flat nature of the road in these locations results in a very shallow, but wide, gutter spread. The maximum gutter depth proposed is 0.18' (2.16 inches) which is less than half of the curb height and will pose no threat to public safety. Below is a list of the inlets that exceed the maximum. I-C28A – 8.37, I-C28B – 8.32, I-C28 – 8.88, I-B4 – 8.18, I-B3 – 7.82, I-G9 – 7.72, I-F6 – 7.59, I-E5 – 7.55

Mr. Swank explained that this was requested because there is a low point in the road and the calculations don't quite meet the requirements of the ordinance.

Mr. Weaber stated that he had no objection to this request.

Ray Fratini made the motion, seconded by Bruce Conrad, to grant a waiver to increase the maximum allowable spread of stormwater along the curb line at the stormwater inlet. Motion passed.

Waiver #10 - SWM, Section 11A-310.7. Intersection Flows – Stormwater flow across street intersections shall not exceed one inch depth for the twenty-five year storm. The applicant requests an increase to the maximum allowable flow of stormwater across a street intersection.

Justification for the waiver: There is only one proposed street intersection where flows exceed 1" in depth. At the intersection of Road B and Road D the calculated flow depth is 1.56" (0.13'). As depicted on the plan, inlets are placed on each corner of the intersection to capture as much runoff as possible. The 1.56" flow depth will pose no threat to public safety. The flow width across this intersection is less than the allowable width of 7.50". The designed flow width is 6.25".

Mr. Weaber stated that he had no objection to this request. This waiver is only applicable to one intersection and there is an inlet upslope.

Ray Fratini made the motion, seconded by Bruce Conrad, to grant the waiver for an increase to the maximum allowable flow of stormwater across a street intersection. Motion passed.

Waiver #11 - SWM, Section 11A-308.4. Fencing around basins – Interior side slopes of the impoundment area shall have side slopes of five horizontal to one vertical or flatter unless access to the basin is restricted by fencing designed to prevent access. In no case shall the interior side slopes of the impoundment area be steeper than three horizontal to one vertical. The applicant requests to construct the basin at a three horizontal to one vertical slope without the installation of fencing designed to prevent access.

Justification for the waiver: The maximum ponding depth of any of the basins is 4', from the basin bottom to the 100-yr spillway elevation. Installation of fencing is an eye sore and an issue for maintenance. Understanding the idea of fencing is to eliminate child entry. However, children are known for climbing fencing. Fencing on the top of the slope can cause issues with children trying to get out of the area and may cause issues when the basin is full.

Mr. Conrad stated that research shows fences are more dangerous than not fencing the basins.

Bruce Conrad made the motion, seconded by Ray Fratini, to grant the waiver and allow the applicant to construct the basin at a three horizontal to one vertical slope without the installation of fencing designed to prevent access. Motion passed.

Mr. Swank confirmed that there would be an HOA solely for the purpose of maintaining the stormwater basins.

CORNWALL PROPERTIES – LAKE RESORT COMMUNITY TEXT AMENDMENT

There was nothing new to report as the solicitor is working on a draft to distribute to all the parties.

ADJOURNMENT

With no further business to conduct, Ray Fratini made a motion to adjourn, seconded by Bruce Conrad. Motion passed. The meeting was adjourned at 8:12 p.m.

Respectfully submitted,

Cody Rhoads
Secretary