

**BOROUGH OF CORNWALL 36 Burd Coleman Road PO Box
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PLANNING AND ZONING COMMISSION DECEMBER 6, 2010

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, December 6, 2010 at the Borough Hall. In attendance were:

Commission Members Raymond Fratini Joe Lescisko
Jeff Snyder

Borough Officials Jeff Steckbeck Steve Dellinger

Jim Williams Robert Simmermon

Rob Koehler

Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**

A pre-construction meeting was held on November 5th prior to commencing the remaining work on the project. Mr. Steckbeck received an e-mail [12/6/10] from Bob Brandt informing the Borough how his workers have been harassed by Frank Fiorentino and both the son and daughter of Mrs. Fiorentino in the course of constructing the townhouses.

3. **Proposed Zoning Ordinance Amendment – Blue Bird**

The draft Zoning Ordinance Amendment was modified, as discussed at the November 1st P&Z meeting. As directed by Borough Council at its November 8th meeting, the revised draft amendment was submitted to the Lebanon County Planning Department (LCPD) for the required review. A review letter from the LCPD was received on November 22nd [see attached]. Next step is for Borough Council to authorize the required legal advertising and to hold a public hearing on the proposed amendment.

4. **The Woods – 524 Sassafras Drive**
A revised dwelling type, sun room addition and a screened patio addition to a unit at 524 Sassafras Drive and was reviewed and approved under the new "plan deviation" guidelines [see revised Site Plan and HEA letter dated 11/10/10].

5. **Elizabethtown Area Water Authority – Minor Subdivision Plan**

- A Minor Subdivision Plan prepared on behalf of the Elizabethtown Area Water Authority (EAWA) was received on the afternoon of December 3rd. The purpose of the Plan is to create a 0.32 acre lot (which contains the existing EAWA pumping station adjacent to the Open Pit) – to be retained by EAWA when the Authority's remaining lands are transferred to H&K. Steckbeck provided the following reports [12/6/10] requesting the following waivers:

A. A waiver is requested of the requirement to locate and map wetlands on the proposed parcel since no development activities are proposed.

A motion was made by Mr. Fratini, seconded by Mr. Simmermon and unanimously approved to recommend approval of the waiver to Borough Council.

B. A waiver is requested of the requirement to provide a hydraulic report and erosion and sediment control plan since no development activities are proposed.

A motion was made by Mr. Williams, seconded by Mr. Simmermon and unanimously approved to recommend approval of the waiver to Borough Council.

C. A waiver is requested of the requirement to provide a detailed Grading Plan since no development activities are proposed.

A motion was made by Mr. Simmermon, seconded by Mr. Fratini and unanimously approved to recommend approval of the waiver to Borough Council.

D. A waiver is requested of the requirement to provide a Conservation Plan since no development activities are proposed.

A motion was made by Mr. Lescisko, seconded by Mr. Williams and unanimously approved to recommend approval of the waiver to Borough Council.

- A motion was made by Mr. Lescisko, seconded by Mr. Williams and unanimously approved to accept and recommend conditional approval of the minor subdivision plan to Borough Council. Conditions would include (1) receipt of notification from DEP regarding a Plan revision module for land development; (2) recording of all proposed easements concurrent with recording of the Plan; and (3) the completion of all required signatures and seals prior to final Plan recording.

6. **Karl Karinch Blue Bird Issues**

- As was mentioned in the November P&Z minutes, Karl Karinch's letter [10/27/10] was passed on to County Planning for their review and comment. As a result of personnel moves, these issues were not able to be addressed/resolved for the December meeting. Hopefully these issues will be addressed for the January meeting.

- Karl also provided additional memo's [12/1/10] that disputed the November 2010 P&Z minutes. The commission feels these are correct as written. Mr. Steckbeck stated that since his firm is now working for the Bluebird for the new parking lot, it would be appropriate for Steckbeck to excuse themselves from working for the borough on the drainage issues raised by Karl, and the borough should now appoint Hanover to handle those issues. The Commission agreed and asked Mr. Dellinger to handle that matter.

- Karl provided additional questions about the Blue Bird parking issues [12/6/10] as they relate to existing parking versus the additional parking that could be generated from the Zoning Amendment change. This memo was referred to Hanover Engineering for review; however, cost incurred by Hanover should be paid by Karl who is requesting the information. Hanover will provide Karl with an estimated cost to perform this work.

- Karl also has an issue with the existing Blue Bird parking [12/1/10] that he feels were plan alterations from the 11/20/08 As-Builts. Jeff Steckbeck will research the Borough's records to identify all approved plans that are related to the Blue Bird property. Again, in order for Hanover Engineering to do an analysis of this issue, Karl must agree to pay for Hanover's time, which would be billed to the Borough then billed to Karl. Karl indicated he would talk to Mr. Dellinger to find out an estimate of that cost before he agrees that he will pay for the services.

7. **Spring Hill Timbering** – 802 Holly Lane

- Mr. Steckbeck followed up on a complaint that a permit was not issued prior to the start of the timbering in Spring Hill Acres. Steckbeck provided a written report [12/6/10] indicating that Scott Schauer complied with procedural requirements of the zoning ordinance and obtained a Timber Harvesting Plan prepared by a professional forester; secured the required Workmen's Comp Insurance form for the logging company; and submitted them to the borough office and county planning office on November 15th and requested a permit. He was told by both offices that they don't issue permits for timber harvesting. Mr. Schauer then proceeded with the timbering operation. After cutting down 176 of the 200 trees to be harvested, he was visited by the zoning officer on Friday December 3rd and was told to halt the timbering

because he needed a permit. Steckbeck's report (which is self explanatory) indicates that Schauer has complied with the requirements of the ordinance; that his Timber Harvesting Plan warrants approval; and recommends that Council approves the plan

at their 12/12/10 meeting and immediately thereafter the Zoning Officer must issue the timbering permit. This should be on Council's agenda for their meeting.

- Mr. Richard Claypool, who resides at 1221 Ash Lane, voiced his displeasure that as a result of the owner's timbering, he believes, 1) the neighboring property values have gone down; 2) the branches that were not cleaned up off the forest floor could pose a fire hazard and 3) that the neighbors could have problems with their wells because new run-off water from the disturbed areas. After review of the ordinance requirements about timbering, it was determined that the logger is required to clean up and remove stumps, tops, and debris. The Commission requested Mr. Steckbeck to inform Schauer of these requirements.

8. **360 Boyd Street - Sheds**

Mr. Chris Thomas, who lives at 360 Boyd Street, Minersvillage, provided pictures of two very run down sheds on Gold Road. Mr. Thomas would like them taken down before the neighborhood kids get hurt playing around them. Mr. Steckbeck believes these sheds are on H&K's property. H&K will be notified of the condition of the structures.

9. **Cornwall Manor - Woodside Development**

Paul Weidman provided a marketing design **[attached]** of their latest development - Woodside Development. This development would be situated along the north side of Ironmaster Road and the back side of the Wood's residential neighborhood. The development would include 68 high-rise apartments (4 floors) with underground parking, community center (restaurant for residents, convenience store, game area, fitness area, outdoor recreation area) and a new health center. Cornwall Manor will be submitting plans to P&Z sometime during CY 2011, but can only begin construction after they have 80% commitment for the 68 unit apartments. The health center construction would not start until CY 2015. This is a \$20 million project for the Manor.

Mr. Weidman also informed the commission that Cornwall Manor has purchased the two duplex units located at 119 and 121 Ironmaster Road. As a result, the Manor now owns the entire frontage on the north side of Ironmaster Road from the Savoye lot (next to the old Baptist church) west to the Alden Place property near Route 322.

10.

11.

cc:

Upcoming Commission Meeting

- Monday, January 3rd, Planning & Zoning regular meeting at 7:30 p.m., Borough Hall
- CY 2011, all meetings to be held 1st Monday of the month except July's (Tuesday, 7/5) and September's (Tuesday, 9/6).

Adjourned 9:10 p.m.

Borough Council & Solicitor Jeff Steckbeck, Borough Engineer County Planning Department Steven Dellinger, Alternate Borough Engineer Josele Cleary, Special Counsel

Respectfully submitted,

Joseph L. Lescisko Secretary www.cornwall-pa.com