



BOROUGH OF CORNWALL

36 Burd Coleman Road

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PLANNING AND ZONING COMMISSION AUGUST 2, 2010

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, August 2, 2010 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini Joe Lescisko Jim Williams Robert Simmermon

Borough Officials

Jeff Steckbeck Steve Dellinger

Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**
 - The developer's agreement was approved by Borough Council at the July 12th meeting. The remaining conditions of Final Plan approval included (1) payment of recreation fees; (2) preparation of a shared access agreement for the driveway/parking area; and (3) provision of financial security.
 - A motion was made by Mr. Williams, seconded by Mr. Fratini and unanimously approved to have Hanover Engineering contact Bob Brandt (Builder) for a pre-construction meeting.
 - Mr. Steckbeck indicated that Denise Bollard had submitted the executed Developer's Agreement and Letter-of-Credit information to the Borough Office. The recreation fees for the seven (7) dwelling units were acquired from Sheridan Corporation (credits for Sheridan's dedication of recreation land to

the Borough in Miners Village). Mr. Steckbeck also indicated that he would contact Tony Fitzgibbons to prepare the shared access agreement. (subsequently learned that Bollard already had Attorney Christianson prepare the shared driveway agreement)

3. **Dedication of Granite Street**

- At the July 12th meeting, Borough Council adopted Ordinance 2010-2, accepting dedication of Granite Street.

4. **Miners Crossing – Lot 66**

- A mediation session with Judge Charles was held on July 7th. An agreement was reached whereby Landmark and the Cooks will work together to design a driveway that will comply with the Borough's maximum slope of 15 percent. Hanover Engineering will review/recommend approval of the design prior to construction. The redesigned driveway will be constructed by Landmark.

5. **212 Burd Coleman Road – Garage**

- At the July 6th P&Z Meeting, Mr. Gruber requested information on the requirements for construction of a detached garage on the property at 212 Burd Coleman Road. A memorandum detailing the requirements of the Zoning Ordinance was prepared [see HEA Memorandum dated 07/12/10]
- P&Z recommends that Mr. Steckbeck contact H&K and ask them to consider reverting Iron Alley back to the Borough. By doing so this will preserve the off-street parking for the residents on East side in Burd Coleman.

6. **There has been no change in status since the last meeting for the following lots/projects:**

- Iron Valley Estates – Lot 52
- Miners Crossing –As-Built Plans for Individual Lots

7. **Northgate – Lot 21**

- Chairman Fratini and Steckbeck reviewed a revised lot layout plan for Lot 21. The driveway was flipped to the opposite side of house. All else remained the same. The revision was approved and a building permit was issued.

8. **Ridge At Iron Valley**

- Per the July P&Z meeting, Mr. Steckbeck was instructed to talk to Mr. Byler about the mud issue along Iron Valley Road and Valley View Road. Mr. Steckbeck reported that Mr. Byler will try to put the finish coat of macadam on Valley View Road this year.

9. Building Permits

- Council instructed P&Z to develop a procedure that ties together the County's building permit process with Borough's requirements. Although a directive was sent to County Planning on 7/16/07 [**attached**] that addressed the Borough's requirements, the problem with the Iron Valley Estates Lot 66 driveway calls for additional measures to ensure that houses (and driveways) are built as designed. P&Z made the following recommendations: (1) the Borough **should** be notified and sent a copy of all building permits at the time they are issued, and (2) that County Planning building inspectors should henceforth sign-off on all site work at the time of their routine building inspections, typically when they perform their first footer inspection, to include the following: 1) property line setbacks; 2) 1st floor elevation; 3) building location; 4) driveway location and 5) tree removal. The additional wording will be added to the 7/16/07 Borough letter and reissued to County Planning upon approval by Borough Council.

10. Zoning Officer vs Contract Position

- In light of the proposed H&K development and 590 homes planned to be built, and the additional work that Council wants County Planning to perform, the question was raised whether it is financially feasible for the Borough to (1) hire their own Zoning Officer or (2) Contract with an outside firm to do the Borough specific work [**see #9, Building Permits**]?
- Mr. Steckbeck indicated that the current zoning permit is about \$30 and the building code inspection fee is \$0.25 per square foot of finished floor area including decks and patios. A "typical" house might generate a total permit fee of \$500 to \$600. If you assume that a zoning officer's salary and benefits would add \$40,000 to \$50,000 expense to the borough budget, then it would require a range of 70 to 100 new houses per year to cover the new expense. Steckbeck does not recall that volume of house construction ever occurring in the borough, therefore a zoning officer would be a net drain on the borough's budget. He recommends that the borough take no action to hire a zoning officer at this time, but should revisit the issue if the housing market takes off again and when H&K's project gets underway.

11. Act 46 – Permit and Approval Extension Act

- Act 46 of 2010 [**signed July 6, 2010**] is an amendment to the state's Fiscal Code pertaining to the finances of state government. Article 16-1 was added to provide relief to developers and applicants whose developments have been stalled during the present economic downturn. The article stipulates that many permits, approvals, authorizations or agreements relating to a development that were issued or would expire between December 31, 2008 and July 2, 2013 by the state or local government will be automatically extended until July 2, 2013. It also contains specific notice publication requirements and deadlines [**7/30/10 – see page 109-110**], limitations and specifications on fees, and other procedural matters. The Department of

Community and Economic development (DCED) has prepared a “blanket” notification to comply with the Act’s specific notice publication requirement.

12. Stone Artisans – Savoye Property

- A complaint was received by Mr. Fratini regarding noise and dust from the stone cutting work on the Savoye property in Burd Coleman. The complainant feels that the use is not a permitted use in the Residential Village District. The commission recommends that Julie Cheney be contacted to review and interpret the Zoning Ordinance, if possible by Monday’s Council meeting.

13. Upcoming Commission Meeting

- Tuesday, September 7th, Planning & Zoning regular meeting at 7:30 p.m., Borough Hall

14. Adjourned 8:37 p.m.

Respectfully submitted,

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

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