



BOROUGH OF CORNWALL

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PLANNING AND ZONING COMMISSION

November 3rd, 2014

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, November 3rd, 2014 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini Robert Simmermon Jim Williams John Karinch Jeff Snyder

Borough Official

Steve Dellinger

Public

List is Attached

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

2. **H&K – The Preserve at Historic Cornwall Village**

A Timber Harvest Plan for additional portions of the Preserve tract was received for review on October 17th, **[see attached]** and a review letter was issued on October 18th **[see attached]**. The Borough needs to determine that the proposed timbering in areas identified to remain wooded in the Proposed Foresting Plan **[see attached]** will not be contrary to the intent of the approved Tentative Plan for The Preserve project.

It was determined that the best course of action was to have Mr. Paul Callahan attend the Borough Council meeting next Monday, November 10, and clearly define the course of action planned for in the newly submitted Timber Harvest Plan. Steve Dellinger will contact Mr. Callahan and inform him of this request. Mr. Callahan had previously stated in email communication that he would be available on that date.

3. **Alden Place – Welcome Center**

The Developer is looking at installing the landscaping in the near future.

4. **Cornwall Manor – Health Center**

Hanover Engineering has been coordinating the required site inspections with the Contractor.

5. **Cornwall Manor – Carriage House Apartments**

Hanover Engineering has been coordinating the required site inspections with the Contractor.

6. Lebanon Valley Rail Trail – Cornwall Borough Trail Head

Additional revisions/information was received for review on October 6th; a review letter was issued on October 9th [see attached]. Revised plans and additional documentation was received on October 30th.

Mr. Dellinger, Borough Engineer, stated that everything contained in the revised plans and additional documentation seemed to be in order and that the project should now be able to proceed.

7. Sacred Heart Church – Land Development Plan

At the July 14th meeting, Borough Council approved all the requested modifications/waivers; and conditionally approved the Land Development Plan, subject to conditions in July 3, 2014 Hanover letter. A response to the comments from the July 3rd letter has yet to be received.

Via an email dated October 24th, the Developer's Engineer has indicated that the Freeman Estate trust has agreed to convey the easement and the Easement agreement has been forwarded to them for approval

On September 9th, the Applicant requested approval of temporary stormwater management facilities to allow the construction of the 40' x 70' pole building prior to the final approval of the Land Development Plan. Comments on the request were provided to the Applicant on September 10th. Revised temporary stormwater management facilities for the pole building were submitted for review via email on October 24th, and a comment letter was issued on October 29th [see attached].

John Poff, representing the Sacred Heart Church building project, was in attendance and informed P&Z members of the current status of the project. He stated that the Penn DOT Utility Crossing Permit has been received and that E&S approval should be granted early next week. He gave an update on the status of the Freeman Estate Trustee action currently taking place. He stated that the PNC Trust, which acts for the Freeman Estate, currently has the easement agreement in the hands of their attorneys for final review. He expects to have the signed easement agreement in his office early next week.

Mr. Poff clarified the intentions for building a 30' x 86' [formerly 40' x 70'] pole building with a temporary silt- soxx stormwater management system. The pole building is needed to house church property during the construction process of the new church. Approval of the stormwater management system is being sought so that a Building permit for the pole building can be obtained. Once the stormwater collection basin for the overall land development project is constructed, the temporary silt- soxx solution will be removed. It was noted that a silt- soxx stormwater management system can last 6-9 months, and is able to be added to/reinforced if need be.

A recommendation to Borough Council to approve a temporary Stormwater Management System, consisting of the silt- soxx design detailed on Plan Sheet 7A of 18 dated October 30, 2014, was made by Mr. Simmermon with a 2nd by Mr. Fratini. Mr. Karinch abstained and all other P&Z members voted in favor of the recommendation.

John Poff also stated that he would be submitting revised plans for the project in the next week or two with Hanover Engineering.

8. **Alden Place – Final Plan Phase 3 – Revised Final Plan Phase 2**

The Applicant continues to prepare revisions in response to the Borough Engineer and Borough Authority’s review comments. As a result, another offer of a time extension has been submitted **[see attached]**.

After reviewing the time extension letter, a motion was made to recommend that Borough Council accept the 90 Time Extension offer that Jim Henke had proposed. Mr. Williams made the motion, 2nd by Mr. Fratini, Mr. Karinch abstained and all other members voted in favor of this request.

Steve Dellinger, Borough Engineer, stated that he expected to have the revised plans from Jim Henke within a week or two.

9. **Yorty (Schott) Property – Stormwater Ordinance Exemption Request**

A review letter regarding the stormwater management exemption request was submitted for the proposed Yorty Residence located on Whitman Road (Leonard Schott property) was issued on September 29th and a follow-up letter was issued on October 21st. A revised stormwater management exemption request was submitted via email on October 22nd. An approval letter was issued on October 28th **[see attached]**.

10. **Alden Homes at Cornwall - Bollard Development**

Alden Homes at Cornwall has submitted plans for the single-family detached dwelling to be located at the curve on Boyd Street in the former Bollard Development **[see attached]**. The proposed construction must be reviewed and ultimately approved by Borough Council under the Architectural Compatibility provisions of the Borough Zoning Ordinance.

P&Z members had a chance to review the proposed Elevation Plans submitted by Alden Homes at Cornwall, Inc. After a brief discussion a motion was made to recommend to Council to approve the design as Architecturally Compatible within the Historic District. The motion was made by Mr. Fratini with a second from Mr. Simmermon. All members voted in favor of the recommendation, except Mr. Karinch, who abstained.

11. **Stormwater Investigation - 130 Maple Lane**

On October 15th, personnel from Hanover Engineering conducted a site investigation into a stormwater complaint at 130 Maple Lane. Bob Lynn met with Dr. Coopey, the homeowner of 130 Maple Lane. Mr. Lynn will be drafting a letter explaining his findings. Mr. Fratini has offered to share the letter, once written, with the neighbor at 128 Maple Lane.

12. **Eagle Rentals Subdivision (Alden Place)**

Glenn Hurst (Eagle Rentals) is preparing a subdivision plan for a commercial development that is located primarily in West Cornwall Township, but which also includes a portion of a parcel of land that extends into Cornwall Borough. The Developer will be submitting a request to the Borough to waive any Borough SALDO review requirements related to the project happening in the Township **[see attached]**.

13. Zehring Lot – Lynch Drive

Hanover Engineering staff responded to a request regarding the stormwater requirements applicable to the construction of a dwelling on a vacant lot in the Lynch Development (owned by Walter Zehring).

14. 122 Juniper Street - Toytown

Ed Merkey, neighbor to the property owned by Mr. Albert Wojciechowski, of 122 Juniper Street, presented information to P&Z members outlining the current and declining state of the property adjacent to his. He stated that for the past five years, the driveway and rear yard has been collecting junk and other refuse, including old washers/dryers, tires, oil tank, kerosene heater, multiple plastic containers, discarded building materials, as well as an inoperable, large “cherry picker”. There are two unregistered vehicles in the driveway which also contain boxes and other “junk”. He pointed out that the front covered patio porch also contains multiple items that can be seen from the street.

Mr. Merkey shared a copy of Rapho Township (Lancaster County) Ordinance No. 2010-5, “An Ordinance Defining and Prohibiting Nuisances He was not aware that Cornwall Borough had some similar provisions relating to vehicles and nuisances already written in the Borough’s Codes and ordinances.

A copy of a “Notice of Violation” dated October 23, 2014 from the Greater Lebanon Refuse Authority was shared with Commission members. (The Greater Lebanon Refuse Authority is responsible for solid waste management within Lebanon County.) The Notice cited several violations or potential violations of the Authority’s adopted rules and regulations, and the laws of the Commonwealth of Pennsylvania.

After some discussion among P&Z members, a motion was made to recommend to Borough Council to investigate the enforcement of several Borough Codes and Ordinances being clearly violated by the property owner of 122 Juniper Street. These codes/ordinances are (1) the Borough Zoning Ordinance, §14-2217 (Parking and Storage of Certain Vehicles); (2) Code Chapter 5 (Health and Sanitation), §5-203 (Unlawful to Accumulate or Store Certain Junked, Abandoned or Discarded Property); and Code Chapter 8 (Offenses and Nuisances), §8-201 (“Nuisance” Defined). There are also high grass and weed regulations in the Code Chapter 5, Article 4 (Grass, Weeds and Other Vegetation), that could be enforced as well.

Mr. Snyder made the motion, with a 2nd from Mr. Williams. Mr. Karinch abstained from the vote with all other members voting in favor of having Council act on this recommendation.

15. Alden Place – Lot #308 – Driveway Deviation

Josh Weaber, representing Steckbeck Engineering, asked P&Z members for approval to simply “flip” a driveway on a proposed dwelling on Lot #308 in Alden Place. As has been common practice in the past, a motion was made by Mr. Williams, 2nd by Mr. Karinch and all other members voted in favor of this request. Documentation of the approval was provided for submission to the County Zoning Office.

A motion was made by Mr. Williams and 2nd by Mr. Karinch to adjourn the meeting and was unanimously approved.

Meeting adjourned at 9:00 p.m.

Upcoming Commission Meeting

Monday, December 1st, Planning & Zoning's regular meeting at 7:30 p.m., Borough Hall.

Respectfully submitted,

Robert Boo Simmermon
Secretary

Cc: Borough Council
Jeff Steckbeck, Borough Engineer for Public Works
County Planning Department
Steven Dellinger, Borough Engineer for SLDO
Josele Cleary, Solicitor