



BOROUGH OF CORNWALL

36 Burd Coleman Road

PO Box 667

Cornwall, Pennsylvania 17106-0667

Phone: (717) 274-3436 Fax (717)274-3496

PLANNING AND ZONING COMMISSION OCTOBER 4, 2010

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, October 4, 2010 at the Borough Hall. In attendance were:

Commission Members

Raymond Fratini Joe Lescisko Jim Williams Robert Simmermon

Borough Officials

Jeff Steckbeck Steve Dellinger 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)**

As of October 4th, the Final Plan had not yet been recorded. The existing water line has been relocated; the sewer line is to be relocated in the near future. A pre-construction meeting will be held prior to commencing the remaining work on the project.

The borough engineer needs to confirm with Manager Danz that the signed Developer Agreement and financial security has been provided, and if so, then the plan should be taken to the county for recording.

3. **Miners Crossing - Lot 66**

Borough Council approved the driveway design at its September 13th meeting. Hanover Engineering inspected the rough grading of the reconfigured driveway on

September 29th. Weather permitting; paving of the driveway is scheduled for the week of October 4th.

4. **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

5. **Blue Bird Inn**

1. As per Borough Council's instruction, Mr. Steckbeck performed a Traffic Study **[Report attached, 10/4/10]** to determine adequate site distance needed by vehicles entering and leaving properties (#2363, 2361, 2357 and 2353) on west side of Cornwall Road while vehicles are parked along Cornwall Road.

Jeff Steckbeck presented a two page letter report along with some maps, and some PennDOT sight distance calculation sheets for the Cornwall Road "No Parking" traffic study. The study concludes that based on PennDOT's criteria for measuring sight distance, the entire stretch of the west side of Cornwall Road from the Bluebird Inn to the north past the last residence is eligible for posting of "NO PARKING" signs. Jeff indicated that his study provides the borough with the required back up material to adopt an ordinance which prohibits parking in that area. The borough has the option to adopt the No Parking zone. They are not compelled to do so, but they are justified in doing so if the majority of Council decides that it is warranted.

2. In conjunction with this parking issue, Mr. Arnold provided the Commission with two (2) sketches **[Sketch Plan 8 (42 spaces) & 10 (52 spaces), 9/10/10]** that show potential alternatives for construction of a parking lot behind properties 2379 and 2371 Cornwall Road, with access either from Cornwall Hills Drive (Sketch 8) or Cornwall Road (Sketch 10). These are just two of many possible layouts of parking lots in that area. The construction of any such parking lots would take cars which are now parking on Cornwall Road which have been the subject of complaints from neighbors and residents who frequently travel that section of roadway and would move them off of the road right-of-way. A parking lot would alleviate the issues which have been cause of complaints and would provide for safer and more controlled parking. The Blue Bird owns all the land in question. A parking lot would be provided with landscape buffers to block the view from surrounding residential homes.

3. In order for #2, above, to happen, the Zoning Ordinance would have to be amended. Mr. Dellinger indicated that the regulations of the Residential Medium Density (RMD) zone would have to be amended to allow for off street parking for nearby or adjoining businesses as a "permitted use". The new "permitted use" could be allowed as: 1) a use by right; 2) an special exception; or 3) a conditional use. The use by right does not give the borough much control and is not advised. The Special Exception would require zoning

hearing board approval issued after a Zoning Hearing at which the applicant would have to prove that he met all the predetermined conditions for the use to be allowed. Neighbors and the Planning Commission could offer testimony at the hearing, but the ultimate decision would be by the Zoning Hearing Board. The Conditional Use option would provide for approval by Borough Council. A conditional use hearing would be required, at which neighbors and the Planning Commission could offer testimony. Council would have the approval power and would be empowered to issue special conditions to address concerns expressed by neighbors at the hearing.

Mr. Arnold provided a letter [10/4/10, attached], addressed to P&Z and Cornwall Borough Council, requesting to amend the Zoning Ordinance in Residential Medium Density (RMD) to allow construction of a parking lot.

After consideration of the sketches, Mr. Dellinger's and Mr. Steckbeck's comments, and the letter from Mr. Arnold, a motion was made by Mr. Lescisko, seconded by Mr. Williams and unanimously approved to recommend that Borough Council should approve the revision to the zoning ordinance to allow off street parking lots for existing commercial uses as a Conditional Use in the Residential Medium Density zone and that Council instructs the Planning and Zoning Commission to proceed to draft the language of the zoning amendment for presentation to Council. The P&Z Commission also recommends the Conditional Use Option as this provides more control by the Borough. If Council agrees with this recommendation, then the Blue Bird Inn will need to deliver the required \$500 fee to the borough office. This option appears to alleviate a major road hazard for Blue Bird customers parking along Cornwall Road, traffic driving along Cornwall Road, residents living along the West side of Cornwall Road and customer traffic entering and leaving the Blue Bird.

6. LCPD - Inspection

As a follow-up to last month's P&Z meeting, Mr. Fratini and Mr. Steckbeck met with Lebanon County Planning Department (LCPD) to iron out differences in the LCPD letter, dated 8/31/10. The following is a "Draft" agreement reached between Cornwall Borough officials and LCPD staff. NOTE: This agreement is only for NEW construction.

1. The builder is responsible for compliance with all requirements set forth herein.
2. The builder is responsible for compliance with all notes on the approved subdivision or land development plan which governs the construction of the building.
3. All required soil erosion and sediment control facilities shall be installed prior to stripping of topsoil or excavation for the building foundation.
4. The builder shall contact the Cornwall Borough Engineer to arrange a site coordination and inspection meeting prior to the sign-off of the foundation walls by the building inspector. Call the Cornwall Borough Office at (717) 274-3436 to obtain the borough engineer's phone number. Construction of the

building framing is not allowed until authorized by the Cornwall Borough Engineer.

5. Driveway location and slope shall not be changed from that shown on the approved subdivision or land development plan without advance approval by the Cornwall Borough Planning Commission.
6. Building elevations and grading shall not be changed from that shown on the approved subdivision or land development plan without advance permission of the Cornwall Borough Planning Commission.
7. Site grading and storm water management facilities shall not be changed from those shown on the approved subdivision or land development plan without advance permission of the Cornwall Borough Engineer.
8. Any special features required by the approved subdivision or land development plan, such as but not limited to landscape screening; drainage diversions; security fencing; handicap accessibility features; etc., shall be constructed prior to issuance of the Certificate of Occupancy.
9. The Certificate of Occupancy may be withheld if all of the requirements set forth herein are not satisfied prior to the final building code inspection.

Jeff Steckbeck indicated that if this list of requirements is found to be insufficient such that it does not suit the Borough's needs, it can easily be amended. This list of requirements, if approved by Council, will be printed on Borough letterhead with 50 copies provided to County Planning for them to include with all new building permits issued after the date of delivery.

A motion was made by Mr. Lescisko, seconded by Mr. Simmermon and unanimously approved to recommend to Borough Council approval of this agreement.

7. **Upcoming Commission Meeting**

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

8. **Adjourned 8:45 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