

**PLANNING AND ZONING COMMISSION
AUGUST 3, 2009**

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Monday, August 3, 2009 at the Cornwall Borough Hall. In attendance were:

Commission Members

Raymond Fratini Robert Simmermon Joe Lescisko Jim Williams Jeff Snyder

Borough Officials

Jeff Steckbeck Steve Dellinger Councilman Koehler Vranesic Lazorick

Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Iron Valley Estates – Lot 27**
At the July 6th P&Z meeting, it was reported that the replacement trees were planted – but at the wrong location. By letter dated July 9th [see attached letter] Mr. Byler was notified of the problem. In a telephone conversation on July 23rd, Mr. Byler indicated that an additional 8 to 10, 4-5 foot evergreens would be planted this fall. He will coordinate with Hanover and the neighbor to clearly mark the required planting area. The Commission directed Mr. Dellinger to notify Mr. Byler that the trees need to be planted and inspected by HEA prior to the October 5th P&Z meeting.
3. **Steven and Bonnie Wenger – Minor Plan (Rexmont)**
Recommendation letter to Borough Council was issued on 7/08/09. Council granted conditional approval at its July 13th meeting [see attached letter].
4. **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**
The review time for this plan expires on August 15, 2009. Mrs. Bollard is requesting a five month extension through December 31, 2009.

5. There has been no change in status since the June 2009 meeting for the following lots/projects:

- Iron Valley Estates – Lot 20
- Iron Valley Estates – Lot 21
- Iron Valley Estates – Lot 52
- Miners Crossing – Overall Development
- Miners Crossing – As-Built Plans for Individual Lots
- Miners Crossing – Lot 59
- Miners Crossing – Lot 72
- Miners Crossing – Lot 74
- Krissinger Property (Stoner Subdivision)

6. Hill Top Estates – Lot 18

Mr. Brandt approached the commission about a two-story house he will be building on Lot 18 in Hill Top Estates. Since the commission does not allow for as-built plans and Mr. Brandt wants to move the house back 50 feet from the approved location, a motion was made by Mr. Snyder, 2nd by Mr. Simmermon and approved unanimously to agree to the change. All ground moved will be dumped across the street on the Steep lots. Mr. Steckbeck and Chairman Fratini signed Mr. Brandt's revised site sketch plan in the spaces marked "recommended" and "approved" respectively.

7. H & K Plan – the Preserve at Historic Cornwall Village

Mr. Vranesic provided an update from the July 30th Ad Hoc Executive Session Meeting with Special Counsel – Josele Cleary and Steve Dellinger from Hanover. The full P&Z Commission will receive copies of the meeting minutes once they are finalized. At that meeting the committee received a 1st Draft from H & K on a Planned Development Overlay (PDO) District and corresponding letter (7/13/09). Ms. Cleary then presented legal information relating to options regarding changing the zoning map for the H & K project.

Also received at that meeting were the fiscal impact study prepared by H & K and the concept plan drawings. Ms. Cleary will be sending a letter to H & K after she reviews the proposed PDO with her comments/deficiencies. H & K will then be required to resubmit a 2nd Draft for review. Mr. Vranesic again stressed that council has not endorsed the plan.

- Mr. Scheib asked whether the Borough Engineer had examined the "By Right" Plan to determine whether or not the number of homes projected in the By-Right plan is reasonable – based on the topography of the site, to which Mr. Vranesic responded that Alternate Borough Engineer Mr. Dellinger will be assigned that task and he has not yet done an analysis at this time. This will be part of the review process. Mr. Steckbeck will not be acting in the role

of Borough Engineer for this project, as he has recused himself. Nor will he be participating in the ad-hoc committee meetings or the Council's deliberation meetings for this project.

- A letter was received (8/2/09) from Mr. and Mrs. Heine, 221 West Elm Street, Palmyra, PA, regarding the project in which they expressed their concerns that the Borough will regret allowing the project. A person in the audience supported the concerns raised in the Heine letter.
- Mr. Callahan presented H & K's update as to what they have done:
 - a. Escrow Agreement was signed off by the Borough and initial Escrow check was received by the Borough
 - b. Latest sketch plan was provided to Borough Officials
 - c. Thursday, August 6th at 9:00 a.m., H & K staff will meet with hired Borough consultants to take a tour of the proposed site, and
 - d. Monday, August 10th, H & K will sign off with Elizabethtown Authority for land and water rights on the open pit.
 - e. A letter (7/13/09) was sent to Borough Council and county planning to petition for change of zoning map and zoning ordinance. County Planning responded with a letter on 7/28/09 [note: this letter was not discussed at the meeting].
 - f. H&K is working to link its website (www.HKGroup.com) to the Borough's website (www.cornwall-pa.com), so that copies of all the documents will be available for public review.
- Tom Sheridan indicated that he was not in favor of the "By Right" Plan and prefers a plan which is negotiated between H&K and the Borough.
- In response to a question raised by Steve Lazorcik, Mr. Callahan indicated that the number of dwelling units and square footage of non residential buildings in the "By Right" Plan was based on the current topography of the site.
- Stan Alekna asked if the "By Right" Plan was viable if the hotel/water park project is not allowed. And Mr. Callahan responded that the development partners would possibly rethink the project and would likely sell the individual tracts. Mr. Alekna then said that if H&K sold off the tracts, the borough would not have any control over who buys it or who the builder would be, and thus he agrees with Mr. Sheridan and believes it better to negotiate the revised zoning so the borough can work with H&K and incorporate controls to protect the quality of the development.

8. Verizon Cell Tower

County Planning declined to conduct the Conditional Use hearing. Solicitor Weiss will conduct the hearing, which has tentatively been set for the evening of August 20th. Mr. Steckbeck will be posting the property and will work with Sam and Steve Danz to send out the required certified mail notices to neighboring properties.

9. Upcoming Commission Meeting

- Tuesday, September 8th Planning & Zoning regular meeting @ 7:30 p.m., Borough Hall.

10. Adjourned 8:30 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