

**PLANNING AND ZONING COMMISSION
SEPTEMBER 8, 2009**

The regular monthly meeting of the Cornwall Borough Planning and Zoning Commission was held on Tuesday, September 8, 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 Councilman Vranesic

Public

List Attached

1. Mr. Fratini called the meeting to order at 7:30 P.M.
2. **Iron Valley Estates – Lot 27**
At the August 2nd P&Z meeting, Hanover Engineering (HEA) was directed to notify Jon Byler that the trees need to be planted and inspected (by HEA) **prior to** the October 5th Planning and Zoning Commission meeting. A letter to that effect was sent on August 8th. A “reminder” was sent on September 4th [**see attached**].
3. **Bollard-Sheridan Subdivision Plan (Granite Street Townhouses)**
At the August 10th Borough Council meeting, the review time for this plan was extended to December 31, 2009.

John Weaber of Steckbeck Engineering, presented the Bollard Subdivision Plan (9/4/09). The plan includes three (3) pairs of single family semi-detached dwellings and one (1) single family detached dwelling in the MinersVillage neighborhood along Boyd and Granite Streets. The semi-detached unit would front on Granite Street and the single detached unit would front on Boyd Street. Parking (including garages) for all seven (7) dwellings will be located in a common parking area accessed from Boyd Street. The type and size of the proposed units are designed to be consistent with the requirements of the Historic Overlay Zoning District provisions for MinersVillage.

Discussion of the submission centered around (1) the requirement for a sidewalk (or paved walkway) adjacent to Boyd Street and (2) the width of the required right-of-way for Granite Street. HEA will review the previous submissions and related information for this project and provide formal review comments on the Plan for the October 5th Planning & Zoning Commission meeting.

4. **Dedication of Granite Street**

On September 3, the Borough received a faxed request from Sheridan Corporation regarding the dedication of Granite Street to the Borough. The survey description in the draft Deed of Dedication was reviewed and is acceptable. Scheduling of a final inspection was discussed with Tom Smith. However, since Penn DOT's deadline for adding streets to the municipal list (for Liquid Fuels) is September 1st, the Borough is not interested in accepting the street (and the maintenance thereof) at this time. Mr. Dellinger will coordinate with Tom Smith to conduct an inspection and develop an updated "punch list" prior to the September 14th Borough Council meeting.

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 66
- Miners Crossing – Lot 72\
- Miners Crossing – Lot 74
- Krissinger Property (Stoner Subdivision)

6. **Tice Lane – Fairview Estates**

A sinkhole developed on Tice Lane near house 166. The storm pipe passing water from east to west side of road separated and allowed water to leak out into the stone and was the cause of the sinkhole. Resident Christine Nelson sent a letter to the borough alleging that the drainage design is deficient; that the drain swales and detention basin are silted which is causing backwater and ponding in her yard. Tom Smith and Jeff Steckbeck are investigating and will respond to Council and/or Ms. Nelson accordingly.

7. **Hartzell, Spring Hill Acres – Adverse Possession**

Lowell Hartzell bought some of the Klinger land at auction in 2007. Steve Lyter bought Klinger's other parcel at the same sale. The two tracts encompass land near Camp Kiwanis and also some of the power line east of Spring Hill Acres. There is a 3.4 acre lot between the Hartzell and

Lyter tracts. Hartzell has filed lawsuit to claim that 3.4 acre lot via adverse possession. The lawsuit process necessitates that Hartzell needed to sue all potentially interested parties, which includes the Borough. Solicitor Sam and I are working on it for the borough and will brief Council on Monday night.

8. **Fake, Silver Street, MinersVillage – Adverse Possession**

Mr. Fake sent a letter to Jeff Steckbeck's office in which he is asserting adverse possession ownership of Silver Street and some of H&K's land located near his house. Jeff sent the letter back to Mr. Fake, via certified mail, informing him that the Steckbeck office is not the repository for borough mail and he needs to mail it directly to the borough; and that he should also consider consulting an attorney in order to do it in the correct manner.

9. **2 Water Street, Rexmont**

Mr. Fratini instructed the Borough Engineer, Mr. Steckbeck, to inspect property at 2 Water Street, Rexmont, who is complaining about water coming onto his property.

10. **Verizon Cell Tower**

A conditional use hearing will be held Wednesday, September 23, 2009 at 6:30 p.m. at the Borough Hall. Applicant is seeking approval of the application and to permit the construction of a 190' cell tower at 201 Iron Valley Drive. Solicitor Weiss will be conducting the hearing. Jeff Steckbeck has posted the property with the public notice. He has also supplied information about the hearing to several of the Iron Valley residents for sharing with their neighbors.

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

Mr. Vranesic provided an update from the August 20th Ad Hoc meeting. The committee met with the Iron Valley HOA and H&K to discuss ideas on how to address traffic in relation to the proposed project. While no action was taken or recommended there were numerous suggestions regarding the dedication of Iron Valley Drive to the borough, a gate to prevent the illegal access onto Iron Valley Drive and optional construction of new roads to divert traffic.

We also met with our Traffic Consultant, Chris May from HRG, Inc. to discuss the upcoming PennDOT scoping meeting, which was held on September 1st in Harrisburg. The minutes from both meetings are **attached** and there were two waiver requests that came out of the scoping meeting in regards to the Traffic Impact Study (TIS) to be performed by TPD, Inc.

Those requests are: 1) To not include the Sunday Peak Period in the TIS, which is required by our borough ordinance 406(D) and 406(F) and 2) To not include the intersection of Lebanon Road (SR0072) and Spring Hill Lane in the TIS.

I am asking the P&Z Commission to make a recommendation to council on these two waiver requests.

A motion was made by Mr. Fratini and seconded by Mr. Snyder and approved unanimously to recommend to Borough Council that: (1) Traffic Impact Study TIS counts for Saturday only and, (2) that a traffic count be included for Spring Hill Lane and Route 72.

In addition to the traffic impact study, Steve Dellinger and his firm (Hanover Engineering) has reviewed the "By-right" plan and will be providing comments at our next Ad Hoc Meeting on the 15th of September. We received Attorney, Josele Cleary's letter in response to the zoning change request from H&K and Councilman Rob Koehler and I (Paul Vranesic) will be meeting Thursday at 10 a.m. with our Fiscal Consultant Bob Kriebel from Urban Research & Development Corp., the Cornwall-Lebanon School Superintendent and their business manager to gain their feedback on the proposed project and bring them up to date on our progress. We have also received a copy of a Market Demand Study performed by PKF Consulting in regards to the viability of an indoor water park and hotel resort, which will be handed over to our fiscal consultant to review and include in his report.

Dates and times of all our meetings (**attached**) will be posted on the Borough's website and the community is welcomed to come. We ask that any comments be submitted in writing to the borough office (cwboro@comcast.net) so that the committee can continue its work in these meetings, which are dedicated as workshops. The opportunity for the public to voice concerns and questions are at the two public meetings: 1) P&Z Commission and, 2) Borough Council each month.

At this time I will defer to you or the audience for any questions.

HEA is working on a review of the "By Right" Plan prepared by H&K. Mr. Dellinger distributed an analysis of the potential maximum number of lots, dwelling units, size of non-residential buildings allowed under current zoning. General engineering design comments are being prepared relating to potential issues with grading, steep slopes, tree removal and the like. Bob Lynn from HEA will be attending the September 15th Ad-Hoc Committee meeting to discuss the engineering aspects of the Plan.

Mr. Callahan presented a list of 23 meetings which H&K has held with neighbors, public officials, borough boards to show that they have made every effort to be sure that all interested parties are aware of their project. Their website contains minutes of meetings which document concerns of the neighbors and borough residents. It was noted that the borough has only received two written correspondence to date in which residents have expressed their concerns, and one of those letters is from a Palmyra resident. There was also one letter from a man in Lititz which was printed in the public forum. The Commission indicated that now is

the time for the Borough residents to express their opinions about the H&K re-zoning proposal and that those opinions are preferred to be in writing.

12. Regional Planning Task Force Meeting

County Planning had its fifth meeting on the Regional Planning Concept. A draft agreement between the 6 municipalities was presented, that must now be reviewed by municipality solicitor(s). Also, presented was a first draft RFP for proposals. The municipal managers in attendance will now be gathering more information on possible state and county funding sources that would keep the local cost down.

13. Upcoming Commission Meeting

- Tuesday, September 15th Ad Hoc Committee on H&K at 7:00 p.m., Borough Hall.
- Monday, October 5th Planning & Zoning regular meeting @ 7:30 p.m., Borough Hall.

14. Adjourned 8:50 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