

MINUTES OF THE CORNWALL BOROUGH PLANNING COMMISSION
HELD ON OCTOBER 4, 2021 AT 6:30 P.M.
IN THE CORNWALL BOROUGH HALL

Chairman Ray Fratini called the meeting to order at 6:30 p.m.

PRESENT

Ray Fratini, John Karinch, Bruce Conrad, Joe Lescisko, borough engineer Steve Dellinger and borough solicitor Josele Cleary

PUBLIC

Meeting attendance sheet is attached hereto.

PERMIT APPROVALS

114 MAPLE

The applicant is proposing to install a fence. The application met all the requirements. Ray Fratini made the motion, seconded by Bruce Conrad, to approve the permit. Motion passed.

820 HOLLY

The applicant is proposing an above-ground pool. The application met all the requirements. Mr. Dellinger reminded the applicant of the safety regulations that needed to be met. Ray Fratini made the motion, seconded by Bruce Conrad, to approve the permit. Motion passed.

Mr. Carper is also proposing a home business. He has not yet submitted the conditional use application. He stated that he will only train one client at a time because he would only be able to provide one additional parking space. Mr. Dellinger clarified that the space does not need to be paved. Once the conditional use application is submitted it needs to be advertised twice, one week apart and then go before the borough council for a hearing.

CORNWALL JUNCTION

Patrick Dennis, Landmark Homes, was in attendance to request that consideration be given to erecting the development sign facing the intersection at Boyd Street and Route 419. This would be the only sign for the development. Mr. Dennis stated that this is on land currently owned by Landmark but eventually would be privately owned. He said that this would be worked out between the two parties at the time of purchase. The sign would be out of the clear sight triangle. Mr. Dellinger stated that it would be in the drainage easement even though it will be on the berm of the basin.

Mr. Lescisko asked if the water will remain in the basins as long as it does now. Mr. Dennis stated it will drain in the proper amount of time once all the infrastructure is completed. Mr. Fratini asked if the shed issue was ever rectified. Mr. Dennis stated that Landmark did not require the homeowner to move the shed.

Ray Fratini made a motion, seconded by Bruce Conrad, to approve the permit. Motion passed.

105 FAIRWAY

The applicant is proposing to construct a detached garage. Mr. Dellinger stated that the only issue he sees is that the proposed location would be over the subsurface stormwater trenches that are on the property. It was determined that further investigation was needed before granting the permit and therefore was tabled.

OLD BUSINESS

ALDEN MANSION

There was nobody representing the proposed project. Ms. Cleary stated that it is not the borough's responsibility to design something. The proposed applicant would need to submit a plan for the borough to respond to.

Ms. Cleary stated that the easement issue is a private matter between the Northgate HOA and the property owner of the mansion. Chet Bogar, the Northgate HOA president, provided Ms. Cleary with documents that included their engineer's concerns and the access easement. Ms. Cleary clarified that the borough could not deny a plan if it meets the borough's zoning ordinance because of a private agreement.

There was further discussion about the easement and what steps need to be taken in the future if the property is sold.

NEW BUSINESS

106 STORE LANE

The owners were interested in running a small retail store related to video games out of their garage. They were in attendance for information on how they might go about doing so.

Mr. Dellinger stated that the property is in the Village Residential district. He reviewed the requirements for a commercial use, which would only be permitted through conditional use. One caveat is that the business could not be in a building constructed after June 11, 2001.

Ms. Cleary reviewed some of the requirements for parking and stated that there could be building code requirements. She recommended the owners check with the county about those because they might cost prohibitive.

SPRING HILL ACRES

Ms. Cleary reviewed the definitions for home business and home occupation as they appear in the zoning ordinance.

Ms. Cleary then reviewed the process the borough should take for a formal enforcement action.

Mr. Karinch stated that the homeowner in question has equipment that is all in the individuals name, not the company's name. He stated others in Spring Hill Acres have the same type of equipment. He questioned if that was a violation?

Ms. Cleary said that if the owner has employees coming to the property and removing the equipment every morning, then it would be a violation. If the equipment does not leave the property, then it would not constitute a violation.

Mr. Karinch asked if an employee came to the property two or three times a week, is that a violation? Ms. Cleary stated that yes, it appears that would be a violation unless a home business was granted by conditional use. The property in question was granted a home occupation permit, which prohibits any employees from coming to the property.

Mr. Karinch asked if the permit could be revoked? Ms. Cleary stated that an enforcement notice would be the proper way to proceed.

Cathy Jackson, 310 Spring Hill Lane, stated that the resident still has an employee coming to and parking on the property. Ms. Jackson stated that the owner received a violation notice on August 13th, but Ms. Cleary clarified that it was a warning letter and not a notice of violation. Enforcement could not proceed until a notice of violation was given.

Mr. Karinch asked Ms. Cleary what happens if someone submits a plan for a structure, but it is built in a different location. Ms. Cleary stated that technically they are in violation of the permit then. She said then it depends on how far you want to take it. If it was moved four feet and does not impact anything, perhaps the borough would not want to do anything. If the structure was moved into a swale or if it no longer met the setbacks, then the borough might to pursue its removal.

Ray Fratini made the motion, seconded by Joe Lescisko, to recommend council take steps to enforce the zoning ordinance. Motion passed with John Karinch abstaining.

WATER STREET ISSUES

Cody Rhoads stated that an owner on Water Street has dug ponds on his property that has caused some complaints from a neighbor. Mr. Rhoads notified the county conservation district and DEP. Those two organizations are handling the matter. The owner is not violating any borough ordinances. Mr. Rhoads will keep the commission informed of any developments.

STORE LANE DEVELOPMENT WATER ISSUES

Five houses along Julia Lane have on-lot stormwater facilities. One resident has been having issues with his system and requested permission to direct the water onto the street instead. After reviewing the issue, Mr. Dellinger stated it was their opinion that the homeowner continues to utilize the on-lot facility. Joe Lescisko made the motion, seconded by Ray Fratini, to authorize Mr. Rhoads to contact the homeowner and inform him to continue using the on-lot system.

The other issue is that property at 343 Pamela is experiencing water issues since the construction of the house at 341 Pamela. Hanover is still investigating the issue and will make a recommendation once complete.

CORNWALL MANOR SIGN

The Manor wants to erect a directional sign for the Health Center near the main entrance. Mr. Fratini requested Paul Weidman attend the meeting to make the request.

PUBLIC COMMENT

Dennis Berry, Magnetite Lane, said that a tractor trailer came down the street and knocked a low hanging branch off that damaged his truck. The company is refusing to pay for damages because the branch was too low. Ms. Cleary stated that this is not a borough issue. Mr. Fratini wanted to know if there is anything in the ordinance restricting which streets tractor trailers can travel on. Ms. Cleary said that there were a few streets restricted to two axles only but that was it.

ADJOURNMENT

With no further business to conduct, John Karinch made a motion to adjourn, seconded by Bruce Conrad. Motion passed. Meeting adjourned at 8:22 p.m.

Respectfully submitted,

Cody Rhoads
Secretary