

MINUTES OF THE CORNWALL BOROUGH PLANNING COMMISSION
HELD ON MONDAY, APRIL 5, 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, Jeff Snyder, John Karinch, Bruce Conrad and borough engineer Steve Dellinger

PUBLIC

Meeting attendance sheet is attached hereto.

PERMIT APPROVALS

101 IRON VALLEY

The resident is proposing to replace an existing 2,000 sq. ft. deck with a new, 1,643 sq. ft. deck and a dormer window construction. The project will reduce the impervious area on the lot and will not impact stormwater management. John Karinch made the motion, seconded by Ray Fratini, to approve the project. Motion passed.

131 JUNIPER

The resident is proposing an inground swimming pool. The water's edge will be 15 feet from the property line as is required in the ordinance and the proposed concrete also meets the required setback. The resident was reminded to construct the necessary fencing for safety. Bruce Conrad made the motion, seconded by Jeff Snyder, to approve the project. Motion passed.

1233 ASH

The resident is proposing the placement of a new 18' x 12' shed. The shed will be placed slightly in front of the front façade of the house but still meets the requirements of the zoning ordinance. Ray Fratini made the motion, seconded by John Karinch, to approve the project. Motion passed.

118 IRON VALLEY

The resident is proposing to replace an existing paver patio with concrete and adding a pavilion. The new patio will be the same size as the existing one and there are no stormwater concerns. Bruce Conrad made the motion, seconded by Ray Fratini, to approve the project. Motion passed.

221 KARINCH

The resident is proposing to replace an existing shed with a new shed. The proposed location complies with the ordinance. Bruce Conrad made the motion, seconded by Ray Fratini, to approve the project. Motion passed.

124 JUNIPER

The resident is proposing to replace an existing 10' x 16' shed with a 12' by 20' shed. The proposed location complies with the ordinance. Ray Fratini made the motion, seconded John Karinch, to approve the project. Motion passed.

341 PAMELA

The applicant is proposing the construction of a new single-family dwelling on Lot 99 of the Store Lane Development as approved in 2005. The proposed dwelling will be at the location noted on the 2005 plan. The proposed dwelling complies with the lot coverage and setback requirements in the ordinance. Provisions for the development of Lot 99 were included in the stormwater design for the entire Store Lane development. Stormwater runoff from the proposed construction should be directed to the drainage easement located along the eastern property line. Bruce Conrad made the motion, seconded by Ray Fratini, to approve the new construction. Motion passed.

126 REXMONT

The resident is proposing the placement of a new 10' x 12' shed next to a 10' x 12' shed with a 4' x 8' transition room connecting them. The proposed shed and transition room comply with the ordinance. Bruce Conrad made the motion, seconded by Ray Fratini, to approve the project. Motion passed.

116 MAPLE

The resident is proposing a 4' white vinyl picket fence extending from the front corner of the house to the property line. John Karinch made the motion, seconded by Bruce Conrad, to approve the project. Motion passed.

126 WALKER

The resident is proposing a 288 sq. ft. addition to the rear of the existing semi-detached house. The property is in the Residential Low Density (RLD) zoning district and is a nonconforming structure in terms of use, lot area and side yard setback. The proposed addition will be set back four (4) feet from the side property line (the required setback is 15 feet).

However, Section 14-2704 B. of the Zoning Ordinance allows a nonconforming structure to be extended along established, existing building lines provided:

- (1) The extension meets all other applicable yard, lot coverage and height regulations.
- (2) Extension or enlargement along the nonconforming setback shall be limited to a maximum 100 percent increase of the area of land covered by the portion of structure which is in a nonconforming status. Extension or enlargement in a conforming manner shall not be subject to the 100 percent limitation. Any extension or enlargement shall be regulated by other applicable yard, lot coverage and height restrictions.

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

1222 ASH

The applicant is proposing the construction of a new single family detached dwelling on the property. Approximately 6,500 SF of new impervious area is proposed (dwelling plus driveway). Approximately $\frac{3}{4}$ acre of total earth disturbance is proposed. No portions of the proposed development activity are proposed in areas of 15% or greater slope. The amount of proposed tree

removal will fall below the limits of Section 14-708 of the Zoning Ordinance that would require a reforestation plan.

Per Section 11A-402.E. of the Cornwall Borough Stormwater Ordinance, the building expansion, impervious area enlargement and development of existing lots is permitted conditioned on proving that the conditions set forth in the table are met by the proposed improvements. 1222 Ash Lane is a 6.33 acre lot, which requires a minimum distance to the downstream property line or environmental feature of 100 feet and allows a permitted stormwater planning exemption of 20,000 SF. Per the information provided by the applicant, the lot is proposing over 300 feet of distance to the downstream property line and the amount of impervious area proposed totals approximately 6,500 SF. Once constructed, the property would have approximately 13,500 SF of exemption credits remaining for use in the future under the exemption criteria and current SWM Ordinance.

Mr. Fratini asked if there would be a recreation fee associated with this construction. Since the plan predates the recreation fee, there would be no recreation fee.

Mr. Snyder asked if the house was 84' x 37' because the total living area listed is below that number. The builder clarified that the total area includes a large garage.

Jeff Snyder made the motion, seconded by Ray Fratini, to approve the project and recommend to borough council to approve a stormwater exemption. Motion passed.

170 NORWAY

The resident is proposing to add a roof over an existing patio. The proposed construction will not change the total impervious coverage on the lot and will not impact stormwater management. Ray Fratini made the motion, seconded by Bruce Conrad, to approve the project. Motion passed.

106 IRON VALLEY

The resident is proposing to add a roof over an existing patio and a 16' x 16' grass area. The proposed construction will add 256 sq. ft. of impervious area but will not impact stormwater management. Bruce Conrad made the motion, seconded by Ray Fratini, to approve the project and recommend to borough council to approve a stormwater exemption. Motion passed.

384 ½ REXMONT

The owners of the lot were in attendance to discuss what type of residence could be placed on the property. One question was if they would be able to place a mobile home on the lot while they constructed their home and then allow a parent to live in the mobile home once their home was constructed. The lot is 2.02 acres, is in the Village Residential (RV) Zoning District and was created by a subdivision plan recorded in 1998.

There was discussion about the 15% slope of the driveway and what would constitute an additional EDU.

The commission recommended the owners come up with a concrete plan and come back to work through the process.

300 IRON VALLEY

The owner is proposing a new 80' x 40' garage and a new connecting driveway. The owner has not officially submitted any plans, but their engineer has been corresponding with Mr. Dellinger regarding the project. The matter was tabled until plans are submitted.

CORNWALL ELEMENTARY

Cornwall-Lebanon School District would like to construct a small driveway extension at Cornwall Elementary that connects the parking lot along Burd Coleman Road to the drop-off loop behind the school. The proposed new impervious area is 1,920 sq. ft. with 3,530 sq. ft. of total disturbance. Based on Hanover's review, the project would appear to be exempt from SWM controls and the plan submission requirements under Section 11A-402.C of the Stormwater Management Ordinance – which allows exemptions for “Regulated activities that result in cumulative earth disturbances less than 5,000 square feet and impervious area enlargements less than 2,500 square feet.”

Bruce Conrad made the motion, seconded by Ray Fratini, to recommend to borough council the approval of a stormwater exemption. Motion passed with Jeff Snyder abstaining.

NEW BUSINESS

AIRBNB ISSUE

Three residents were in attendance to discuss their concerns with a property on Cedar Street that is operating as an Airbnb. The residents said this started two weeks ago and on the first night there were 12 trucks parked on the street. They also provided a link to the listing for the property on the Airbnb website. Ray Fratini made the motion, seconded by Jeff Snyder, to recommend borough council authorize the zoning officer to issue a notice to the property owner. John Karinch abstained.

KRALL PROPERTY – MS4

The borough is proposing to buy an acre of the Krall farm to help facilitate a stream project by Trout Unlimited that would also help the borough with MS4 credits. Mr. Dellinger stated that to do an accurate survey, the entire tract would need to be surveyed. However, during initial recognizance it was discovered some of the monuments were unable to be located and are likely buried. Bob Lynn would like to have a meeting with the borough to discuss their options.

OLD BUSINESS

60 ANTHRACITE

Mr. Dellinger provided a copy of his compliance letter. All the plans and agreements were ready to be signed and recorded.

CORNWALL JUNCTION

Alex Kinzey, Steckbeck Engineering, and Patrick Dennis, Landmark Homes, were in attendance representing the project. Mr. Dellinger offered his most recent review letter and Chad Smith, Steckbeck Engineering, responded with a comment letter that was distributed. Mr. Dellinger felt that the plan was close enough for the commission to recommend conditional approval.

After discussion about the traffic study, Ray Fratini made a motion, seconded by Bruce Conrad, to recommend to borough council to waive the traffic study. Motion passed with John Karinch abstaining.

Mr. Kinzey reviewed the street trees and buffer plantings with the commission. Mr. Fratini was worried about the safety for people in the back yards along Anthracite Road. There was discussion about adding a guide rail along that stretch of the road. Mr. Dennis is going to relay that request to ownership and will further coordinate with the borough to look at the issue.

Mr. Dellinger discussed offsite improvements for water and sewer. A new water main would replace a nearly sixty-year-old line that currently runs through the wetlands on the other side of Willow Street. This improvement would be offset by a reduction in tap-in fees for the developer.

Chet Boger asked if there was anything in the development that could be self-inspected. He was informed that there was nothing that would be self-inspected. Mr. Boger asked when the plantings listed on the plan would be completed. Mr. Dennis could not specify an exact time when that would be completed.

Ray Fratini made the motion, seconded by Jeff Snyder, to recommend conditional approval for the project. Motion passed with John Karinch and Bruce Conrad abstaining.

ZONING ORDINANCE UPDATE - ENFORCEMENT

The commission received and reviewed Solicitor Cleary's comments on the proposed update. There was discussion about the role a planning commission plays in responding to complaints and following up with enforcement. There was also a discussion about the length of time it could take to address complaints with the proposed changes. The commission felt that the recent changes in the permitting process, where each project must get approved at the borough level before going to the county, addressed the concerns they previously had. Taking that into consideration, along with Solicitor Cleary's comments, the commission did not want to continue pursuing the proposed updates to the zoning ordinance.

SHORT-TERM RENTAL/GUEST HOUSE REGULATIONS

The commission briefly discussed the topic and want to continue moving forward with updating the ordinance, especially considering the latest issue on Cedar Street.

ADJOURNMENT

With no further business to conduct, Ray Fratini made a motion to adjourn, seconded by Jeff Snyder. Meeting adjourned at 8:21 p.m.

Respectfully submitted,

Cody Rhoads
Secretary