A regular meeting of the Planning Commission was held on Monday, April 12, 2021, via Zoom Video Communications, hosted by Mr. Gabriel Khalife, Borough Manager.

The meeting was called to order at 7:02 p.m. by Mr. Fred Engelhardt, Chairperson. Members present were: Mr. Fred Engelhardt, Ms. Lisa Ladd-Kidder, Mr. Michael Blichar, Mr. Tim Haring, Mrs. Pat Snyder, Ms. Karen Feridun, and Mr. Joel Seidel. Also present: Ms. Judith Danko, Director of Community Development; Mr. Gabriel Khalife, Borough Manager; and Ms. Carolann Moody, Recording Secretary. Public Attendance: Mr. Robert Hain of Berks Surveying Engineering, Inc., and Mr. Raj Patel

Public Comments on Non-Agenda Items
There were no comments from the public.

Approval of Minutes
Mr. Engelhardt mentioned that after reviewing “Robert’s Rules of Order,” he found that meeting minutes do not need to have an official vote (a motion with a second then all in favor). He added that if there are no corrections, it could be stated that the minutes stand approved as written and if there are corrections, it can be stated that the minutes stand approved as corrected.

Mr. Engelhardt asked Planning Commission members if they all had an opportunity to read the March 8, 2021 minutes. Planning Commission members stated that they had read the March 8, 2021 minutes adding that there were no corrections. The March 8, 2021 minutes stand approved as written.

Reports
Mr. Engelhardt asked Ms. Danko if she had any Community Development Office updates as all her items on the report were agenda items. Mr. Danko mentioned that she did not have any additional updates and following a brief discussion, she added that any informational updates she has for Planning Commissioners, she would put them in the Community Development Office section of the report.

There were no additional questions of comments on any of the submitted reports.

Action Items
- Continuation Review of Subdivision and Land Development Sketch Plan Application for “South Elm Apartments”

Ms. Danko mentioned that she has been in contact with Mr. Raj Patel, the applicant for the proposed “South Elm Apartments” and Mr. Robert Hain of Berks Surveying Engineering, Inc. She stated that although she cannot speak for Planning Commissioners, it was discussed that they are looking for a plan that is more in compliance with Borough Ordinances as opposed to a list of items that would require action from the Zoning Board. Ms. Danko stated that she received a revised plan in her office today as well as a request to discuss at this meeting. Ms. Danko asked Mr. Engelhardt if Planning Commissioners would like to allow the applicant and engineer to address the Commission, although she had informed the applicant that this is not the correct
process and they must follow the correct process. Planning Commissioners agreed that the applicant must follow the correct process.

Mr. Engelhardt stated he would like to hear from the applicant and engineer, asking if the applicant wanted to withdrawal the current plan. Planning Commissions agreed that the applicant must withdrawal the current sketch plan and submit a new sketch plan.

Mr. Hain addressed the Planning Commission stating that they know they will need relief from certain sections of the Zoning Ordinance; therefore, they would like to get their plan before the Zoning Hearing Board. He added that in other municipalities, no action is taken on the sketch plan, so their goal is to get to the Zoning Hearing Board. Ms. Danko explained and Planning Commission members verified the proper procedure for having their application reviewed by the Zoning Hearing Board.

Mr. Engelhardt asked Planning Commissioners if they had any questions or feedback for Mr. Patel or Mr. Hain regarding the review from Maxatawny Township and Mrs. Snyder questioned if Maxatawny Township’s only concern was parking. Ms. Danko stated that in their review letter, Maxatawny Township did have other concerns. Ms. Ladd-Kidder reiterated that the number of items that don’t meet the Borough of Kutztown’s Ordinance requirements as well as the extent to which these items do not meet the requirements is unacceptable, adding that if their next plan doesn’t make a tremendous change, she doesn’t believe they would get much support from the Planning Commission. Mr. Seidel asked Mr. Hain if the plan would be changing drastically; and Mr. Hain stated they are looking at reducing the footprint of the building as well as the number of units; therefore, the parking lot and scale both get smaller. They had originally planned for 25 units, but reduced the number to 18, which would get them closer to the requirements in the Zoning Ordinance. Mr. Hain stated that they also changed the footprint to eliminate a setback issue. Mr. Hain added that they went from six to four Variances needed.

Following a brief discussion regarding the building height and the number of units allowable per acre, Mr. Engelhardt asked if Mr. Patel did any market research to see if there is a potential need for another development. Mr. Hain stated that Mr. Patel did call the other non-student housing properties in the Borough and found there is a six to nine month wait for housing. Mr. Engelhardt asked Mr. Patel if he planned to have the units as student rentals or if he planned to exclude students. Mr. Patel stated that he planned to exclude students. Ms. Danko stated that students should not be excluded, as that would be considered discrimination, adding that the Borough does have restrictions when it comes to student housing. Ms. Ladd-Kidder mentioned that she hoped Mr. Patel and Mr. Hain would present a floor plan on how they will develop these apartments, adding that a floor plan shows a lot about the type of person they intend to serve. Ms. Ladd-Kidder then moved to table the discussion and Ms. Feridun seconded. Mr. Seidel suggested that if Mr. Patel or Mr. Hain had anything additional to add that would be pertinent before the item is tabled, they should have the opportunity to speak before it is on hold for another month. Mr. Engelhardt stated that since a motion and second were made, there needs to be a vote. The motion failed with 2 yays and 4 nays.

Mr. Seidel asked Mr. Patel and Mr. Hain if they had any additional questions for Planning Commissioners or if they had any information to add. Ms. Danko mentioned that if they want to provide a new sketch plan, it needs to be submitted more than 28 days prior to the next meeting, adding that either they need to withdrawal the current plan or the Planning Commission needs to deny the plan. The applicant decided to withdrawal the plan and will forward a letter to Ms. Danko to that effect. The applicant intends to submit a new plan.
There was a brief discussion regarding a sprinkler system, elevator, the American Disability Act and having the Borough engineer in attendance at meetings.

**Old Business/Updates**

- **Review Proposed Ordinance Revisions in Parking Requirements for Businesses in CC and C1 Districts**

  Mr. Engelhardt opened the discussion by stating that parking needs to be addressed, adding that the proposed applications seem cumbersome and wondered if there was another way to simplify the process. Ms. Danko reviewed the application process with Planning Commissioners.

  There was a lengthy discussion regarding shared parking and eliminating parking restrictions on Main Street for a trial period as an experiment. Ms. Ladd-Kidder asked Mr. Seidel if anyone at Kutztown Community Partnership or in the business community discussed the proposed parking revisions, adding that she does not see a need to move forward until people really want it. Mr. Seidel stated that if he were a new business coming to town and the burden was put on him to find someone to share parking with, that would be difficult and he would probably take his business elsewhere. He added that if the idea is to make it easier for new businesses to come to town, he fully supports Ms. Danko’s idea of a year trial period to see if the shared parking idea works.

  Following a discussion regarding student parking, parking requirements, the revitalization of Main Street, parking for people with mobility issues, taking the ownness off of the business owner for required parking and to place it on the property owner to assist in finding parking, including the metered municipal lot, Mrs. Snyder asked if there were any hours available from Hailstone to have Ms. Shannon Calluori do some research into Nazareth Borough’s plan. Mr. Seidel stated that he believes there are not many hours left from the Hailstone Project, therefore he will reach out to Ms. Sandy Green of Kutztown Community Partnership to see if someone could reach out to Nazareth for information.

  Motion by Ms. Ladd-Kidder and seconded by Mrs. Snyder to table this discussion. The motion passed by unanimous vote.

**New Business**

- **Peach Street Bridge Replacement / Review and Acknowledge Receipt**

  Ms. Danko reviewed the information with Planning Commissioners, adding that as she gets additional information she will forward it to Planning Commissioners. She added that if the Planning Commission reviews the information and finds anything they would like to comment on, they can send a letter with those recommendations. Mr. Engelhardt stated that he will write a letter acknowledging their receipt and review of the Peach Street Bridge replacement information and will include wording that the Planning Commission will discuss at the May meeting and submit additional comments at that time. Motion my Mr. Blichar and seconded by Mr. Haring acknowledging receipt and review of the Peach Street Bridge Replacement Project. The motion passed by unanimous vote.

**Off Agenda**

Mr. Engelhardt mentioned that the Planning Commission has several projects going on stating that he is not opposed to having an additional Planning Commission meeting. Ms. Ladd-Kidder stated that this has been done in the past, adding that the workshop would need to be advertised. Ms. Danko stated that Mr.
Engelhardt would need to speak with Mr. Gabriel Khalife, Borough Manager to schedule any additional meetings/workshops, adding that she may not be available for additional meetings/workshops.

There was nothing further to discuss off agenda.

**Adjournment**
With no further business to discuss, a motion was made by Mr. Haring and seconded by Mrs. Snyder to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:46 p.m.

Respectfully Submitted,

Carolann E Moody
Recording Secretary