A regular meeting of the Planning Commission was held on Monday, August 10, 2020, via Zoom Video Communications, hosted by Mr. Gabriel Khalife, Borough Manager.

The meeting was called to order at 7:00 p.m. by Ms. Lisa Ladd-Kidder, Chairperson. Members present were: Ms. Lisa Ladd-Kidder, Ms. Karen Feridun, Mr. Frederick Engelhardt, Mr. Joel Seidel, Mr. Michael Blichar and Mrs. Pat Snyder. Mr. Tim Haring was absent. Also present: Mr. Gabriel Khalife, Borough Manager, Ms. Judith Danko, Director of Community Development, Ms. Shannon Calluori representing Hailstone Economic, Craig Summers, Chief of Police, and Ms. Carolann Moody, Recording Secretary. Public Attendance: Ms. Phila Back

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

**Comments from Planning Commission Members**
There were no comments from Planning Commission members.

**Approval of Minutes**
The July 13, 2020 members reviewed Planning Commission minutes. Motion by Ms. Feridun and seconded by Mr. Blichar to approve the July 13, 2020 minutes as written. The motion passed by unanimous vote.

**New Business/Action Items**
- **Update on Sacony Creek Issues**
  Ms. Ladd-Kidder mentioned that she forwarded copies of the memos from Mr. Todd Underwood, Chair of the Kutztown Environmental Advisory Commission, regarding Sacony Creek to Planning Commission members. She added that Mr. Underwood noted two issues of concern; the first one being the turbidity of the discharge water from the quarry. She stated that Mr. Underwood is working with the DEP to address the possibility of installing a turbidity meter. The second concern was the amount of discharge water coming into the creek. Ms. Ladd-Kidder stated that she contacted the Water/Wastewater Committee with a few questions relative to the water being discharged into the creek, adding that their meeting is scheduled for Wednesday, August 12, 2020. She stated that she would get back to Planning Commission members at the September meeting with an update.
Ms. Ladd-Kidder noted the flooding on August 4, 2020 when the Sacony Creek overflowed and flooded roads and homes. She added that the DEP revised permit in 2017 allowed the quarry to increase the amount of discharge water into the Sacony by more than 60%. She stated that she would discuss with the Water/Wastewater Committee regarding how the Borough will be keeping records of the impact of this change in water capacity for the creek. Ms. Ladd-Kidder stated that she would follow up with Planning Commission members in September when she has clarification of her questions to the Water/Wastewater Committee.

**Update on Request from Duke Energy to Supply Water outside the Borough of Kutztown**

Ms. Ladd-Kidder reviewed the request stating that this issue was brought up to the Kutztown Municipal Authority. She added that she would ask the Water/Wastewater Committee to clarify some questions regarding the process. Ms. Ladd-Kidder stated that she expressed concern at the meeting regarding extending the supply of water outside of the Borough. She said that not knowing the impact of the new permit in terms of amount of discharge water into the creek and what it will do to the water table when they dig down, adding that they have permission to dig the pit down another 75’. Ms. Ladd-Kidder expressed there needs to be concern for the protection of the aquifer. She stated that she would follow up with Planning Commission members at the September meeting.

**Discuss Multimodal Transportation Grant and Provide Courtesy Review**

Ms. Judith Danko mentioned that Ms. Sandy Green of Kutztown Community Partnership has been working with Mr. Gabriel Khalife, Borough Manager to secure an application for the Multimodal Transportation Grant that, if awarded to the Borough of Kutztown, would have funds to use on projects such as sidewalks and making the Borough walkable. She mentioned that the project would come out in phases. Phase 1 would include sidewalk connectivity, sidewalk ADA compliance, pedestrian friendly streetlights, crosswalks with pedestrian signs, pathway to the Keith Haring statue and streetscape design consultant fees.

Mrs. Danko stated that Mr. Khalife is in contact with HRG Consulting for a quote from them to write the grant, which would be proposed to Kutztown Borough Council for their final decision. She added that when writing a grant such as this, PennDOT looks for Planning Commission thoughts and recommendations. She mentioned that the deadline for the grant is in September, which is why it is being presented to the Planning Commission at this time.

Mr. Engelhardt suggested referencing the Comprehensive Plan that is already on file and complete the projects listed in there. Mr. Khalife stated that grant would be used to target items that are listed in the Comprehensive Plan as well as the Hailstone Plan and current Parks Plan, which include enhancing sidewalks and creating connectivity to the parks, Kutztown University, downtown, etc. He added that the grant is not to create a plan, but to utilize the existing plans as references and justify what the Borough wants to do. Following a lengthy discussion, motion by Mr. Blichar and seconded by Mrs. Snyder for the Planning Commission to compose a letter of support for the Borough of Kutztown Multimodal Grant Application for
Phase I as described in the list presented to Planning Commission members, which includes addressing the walkability and updating sidewalks and crosswalks for ADA compliance, including pedestrian friendly street lights within the Borough of Kutztown as identified by the engineer. The motion passed by unanimous vote.

Old Business/Updates

● Discussion with S. Calluori from Hailstone Economic Regarding Commercial Parking Requirements and Outdoor Dining

Ms. Ladd-Kidder reviewed with Planning Commission members the draft ordinance revisions as presented by Ms. Shannon Calluori. There was a lengthy discussion regarding the Minimum Parking Requirements and the Shared Parking sections of the proposed ordinance revisions draft. Ms. Danko provided the Uniform Construction Code (UCC) regulations to the Planning Commission for their convenience and mentioned that she is in full support regarding businesses to be able to come to Kutztown and be viable, while complying with the UCC. She added that when making changes to the ordinance, the Community Development Office needs to be considered as there are many different scenarios that could happen with parking and need to be addressed. Following the discussion, Ms. Calluori mentioned that she would research the distance from businesses to Borough parking lots.

Ms. Calluori reviewed the proposed addition of the Outdoor Dining Facility to the ordinance. Ms. Danko mentioned that she would like a study completed to determine if the Borough utilizes an outdoor dining ordinance, would businesses who apply for the recommended permit, be able to comply with all of the items listed. Ms. Danko added that if this proposed ordinance is to be approved, the Planning Commission needs to examine what they currently have and what could the businesses do with the changes that are being proposed. Ms. Danko stated that she is in full support of the items, but she needs to be sure that these items will work for Main Street.

Ms. Feridun questioned that since there is a lot involved and there are many concerns about whether to allow outdoor dining, would it be possible to add trial sidewalk/street barriers for a short amount of time to see if people will regularly use the outdoor dining. There was a brief discussion regarding an emergency resolution to allow restaurants to continue outdoor dining, compliance with UCC and ADA regulations, and getting feedback from businesses and residents about April to October outdoor dining. Following the discussion, Ms. Danko suggested that Mr. Seidel experiment with his business to see if he could comply with Borough and UCC regulations if a parking spot is opened up in front of his business. Ms. Danko stated that the first step is to see if businesses would be able to utilize the ordinance and comply with regulations. She added that we already know that people will come to downtown to support restaurants, but it is imperative that business owners look at their business and see if they can follow the application process and what would need to be done to comply with UCC. Ms. Danko mentioned that, if doing a trial of the outdoor dining, it is important for business to be
able to comply with regulations, what modifications they need to make in order to comply, while still keeping patrons safe.

Chief Summers mentioned that in order to install “bump outs”, there needs to be a permanent barrier because of the significant danger involved, as people will be sitting in the street. He added that places like Allentown or Bethlehem have wide streets, however, Kutztown does not.

Following a lengthy discussion, it was decided that since there is nothing that can be done regarding the outdoor dining in a short amount of time, this item would be discussed at the September meeting.

- **Review AT&T Photo Sims for Possible Project**
  Ms. Danko stated that there was no discussion needed for this item, adding updated photos were emailed to Planning Commission members for their review.

**Off Agenda**
There was nothing to discuss off agenda.

**Adjournment**
With no further business to discuss, a motion was made by Mr. Seidel and seconded by Ms. Feridun to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:43 p.m.

Respectfully Submitted,

Carolann E Moody
Recording Secretary