A regular meeting of the Planning Commission was held on Monday, February 14, 2022, in the Kutztown Borough Municipal Building Multi-Purpose Room.

The meeting was called to order at 7:01 p.m. by Mr. Fred Engelhardt, Chairperson. Members present were: Mr. Frederick Engelhardt, Mrs. Pat Snyder, Mr. Robert Weller, and Mr. Joel Seidel. Also present: Ms. Michelle Lopez, Community Development Office. Public Attendance: George White from HRG

**Public Comments on Non-Agenda Items**

None

**Approval of Minutes**

Planning Commission members reviewed the January 10, 2021 Planning Commission meeting minutes. Motion to approve with minor corrections by Mr. Seidel, seconded by Mr. Weller. The motion passed by unanimous vote.

Planning Commission members reviewed the January 24, 2022 Planning Commission Workshop meeting agenda. Motion to approve by Mr. Seidel, seconded by Mr. Weller. Motion carried by unanimous vote.

**Reports**

Ms. Lopez updated Planning Commission members on the Community Development Office activities:
- Ms. Lopez relayed that the Silk Mill owner has reached out for a change of use to event space, with the addition of a commercial kitchen, and will need to go to Zoning Hearing Board for some special exemptions

**Action Items**

- Review and discuss Preliminary Plan for “Apartments on Elm.” Extension of time for decision by the Kutztown Borough Planning Commission is valid to and including April 30, 2022.
  - HRG reviewed the 2 waivers that were requested by the developer – and had no issues with either being approved
    - Allowing 24” separation from limiting zones for infiltration facility, rather than required 36”
    - Waiver to the required 1 foot freeboard in basin Other items reviewed in the Preliminary Plan discussion
  - Other items discussed regarding the Preliminary Plan review
    - It was noted that plans were sent to the Fire Chief
- DEP is acknowledging the project and stating that it complies with requirements
- Fire Marshall requested a second fire hydrant
- Letters were reviewed from: DEP; Borough Engineer and Berks County Planning Commission
  - Ms. Lopez will request clarification on the Berks county Planning Commission’s “Townhomes” reference

Motion was made by Ms. Snyder to recommend to Borough Council that Preliminary Plan Approval be granted to the Apartments at Elm, subject to the provisions in the January 12, 2022 HRG letter and subject to all approvals of any other applicable regulatory agency. Motion was seconded by Mr. Seidel. Motion carried by unanimous consent.

- Review application of Stephen Fenstermacher for an open vacancy on the Planning Commission
  - Motion to approve Mr. Fenstermacher’s application was made by Ms. Snyder and seconded by Mr. Seidel. Motion carried by unanimous consent.

- Discuss update of 2012 Kutztown Borough Comprehensive Plan
  - Mr. Engelhardt discussed that at the workshop meeting, it was decided to suggest to the Commission (for discussion at the February meeting) to be added to the Borough Council February agenda to discuss the possibility of a joint regional Comprehensive Plan. As a follow up to the workshop meeting, it was determined that as the Borough Council meeting was the night following this meeting (i.e. on February 15th), there was not sufficient time to be added to the agenda, and that Mr. Engelhardt will get on the March Borough Council agenda for this topic.

Old Business/Updates
- None

New Business
- Set agenda for February 28, 2022 Planning Commission Workshop Meeting
  - Comprehensive Plan update, taking into account the Hailstone Plan and the Berks County 2020 Comprehensive Plan.

Off Agenda
- Mr. Engelhardt discussed some concern regarding the increasing number of tobacco and related retailers in vicinity of Main Street, and the potential that this is in anticipation of a potential future legalization of marijuana. He suggested that the commission should look at what the Borough can and cannot do in anticipation of this.
  - Ms. Lopez will reach out to Mr. Mooney to broach the subject of potentially limiting the number of vape shops and recreational marijuana dispensaries in the Borough.
Adjournment

With no further business to discuss, a motion was made by Mr. Seidel and seconded by Mr. Weller to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:29 p.m.

Respectfully Submitted,

Patricia M. Snyder
Secretary