Borough of Kutztown  
Planning Commission  
Minutes of January 11, 2021

A regular meeting of the Planning Commission was held on Monday, January 11, 2021, via Zoom Video Communications, hosted by Ms. Judith Danko, Director of Community Development.

The meeting was called to order at 7:00 p.m. by Ms. Lisa Ladd-Kidder, Chairperson. Members present were: Ms. Lisa Ladd-Kidder, Mr. Frederick Engelhardt, 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, and Ms. Carolann Moody, Recording Secretary.

Public Comments on Non-Agenda Items
There was no one from the public in attendance.

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

Approval of Minutes
Planning Commission members reviewed the September 14, 2020 minutes. Mr. Fred Engelhardt requested the last sentence of the sixth paragraph under the AT&T Update be revised for better “flow” to read, “He added that because Ms. Danko is doing her due diligence in making sure that the pole will be aesthetically pleasing and getting money for the Borough from costs and fees for the small towers, it is a positive for the Borough and a step in the right direction”. Motion by Mr. Seidel and seconded by Mr. Blichar to approve the September 14, 2020 minutes as corrected. The motion passed by unanimous vote.

Planning Commission members reviewed the October 12, 2020 minutes. Ms. Lisa Ladd-Kidder requested to add a hyphen between the C1, C2, CC1 and CC2 in the first paragraph under Old Business/Updates. Motion by Ms. Feridun and seconded by Mr. Blichar to approve the October 12, 2020 minutes as corrected. The motion passed by unanimous vote.

New Business/Action Items
● Annual Election of Officers
  Ms. Ladd-Kidder turned over the gavel and control of the meeting to Ms. Karen Feridun to declare nominations for Chair of the Planning Commission. Ms. Feridun declared the nominations open for Chair of the Planning Commission. Mr. Joel Seidel nominated Mr. Frederick Engelhardt for Chair of the Planning Commission and Ms. Karen Feridun seconded. Passed by unanimous vote.
Ms. Feridun turned the over the gavel and control of the meeting to Ms. Lisa Ladd-Kidder. Ms. Ladd-Kidder declared the nominations open for Vice-Chair of the Planning Commission. Ms. Feridun nominated Mr. Michael Blichar for Vice-Chair of the Planning Commission and Ms. Pat Snyder seconded. Passed by unanimous vote.

Ms. Ladd-Kidder declared the nominations open for Secretary of the Planning Commission. Ms. Feridun nominated Ms. Lisa Ladd-Kidder for Secretary of the Planning Commission and Mr. Tim Haring seconded. Passed by unanimous vote.

Ms. Ladd-Kidder stated that she would inform Mr. Gina Wiand, Borough Secretary, regarding the Planning Commission Officers for 2021.

- **Review Annual Report for Borough Council**
  Ms. Ladd-Kidder reviewed with Planning Commission members the draft of the annual report of activities in 2020 of the Planning Commission. Following the review and discussion, motion by Mr. Blichar and seconded by Mr. Haring to approve the report, after the discussed changes are made, and be forwarded to Borough Council.

- **Zoning Issue/High-rise Box Warehouses**
  Ms. Ladd-Kidder mentioned she had read in the newspaper that the Lehigh Valley Planning Commission having trouble with some of the warehouse developers wanting multi-story warehouses and thought it would be good for the Planning Commission to review the Zoning Ordinance Chapter 225-21B. She added that since this item was on the December 14, 2020 meeting agenda and that meeting was cancelled, she was able to review the Zoning Ordinance. Ms. Ladd-Kidder stated that the limitations in the light industrial zone is 2 stories and the limitations in the medium and heavy industrial zone is 4 stories, adding that she believes that is sufficient to guarantee that Kutztown would not end up with a 14 story building in the middle of town. There were no comments or questions from Planning Commission members.

- **Availability of Individual Borough Email Addresses**
  Ms. Ladd-Kidder requested Planning Commission members who chose to use a Kutztown Borough email address to please send an email from the new address to her and copy Ms. Carolann Moody and Mr. Engelhardt on that email. She stated that she was in a meeting and part of the discussion was about using a Borough email rather than your personal email if you are conducting Borough business. Ms. Danko stated that if anyone needs assistance setting up the email, they should reach out to Mr. David Horvath, Director of Information Technology. Ms. Danko reviewed with Planning Commission members the Right to Know Act and how information is obtained, adding that it is a good idea to keep personal email separate from Borough business email. Planning Commission members asked if it was mandatory for them to utilize the Borough provided email address. Ms. Danko stated that she would find out if Planning Commission members are required to use a Borough email address.
Need to Update the “Definitions” Section of Borough Code, Chapter 225, ZONING, Article II
Ms. Ladd-Kidder mentioned that due to the recent discussions regarding ordinance changes to parking and dining, she felt it would be cost effective to review and update the “Definitions” section of Borough Code, Chapter 225, ZONING, Article II. Following a lengthy discussion, it was decided to revisit this item at the February and/or future Planning Commission meetings.

Community Development Updates
Ms. Danko reviewed the following items that the Community Development office is currently working on:

- Simple revisions to all applications
- One housing license revocation due to multiple DCR’s at that property
- Ordinance violations
- Subdivision regarding a condominium conversion that may have had to go through planning commissions and has not
- Issues with the current use and application for the Hookah Lounge
- Working with Chief Summers to get assistance in issuing citations with issues such as high grass/weeds, vehicles in yards, etc.
- Off-Street Parking and Outdoor Dining ordinance amendments
- Discussion regarding a noise/dust ordinance on the Community Development/Public Safety January 12, 2021 Committee meeting agenda

Old Business/Updates
Update on Water Usage/Water Availability Concerns
Ms. Ladd-Kidder mentioned the information she provided in the attachment via email to Planning Commission members is a summary of what she learned that could be used as a reference if needed.

Revisiting the Proposed “Noise Ordinance” (2014)
Ms. Ladd-Kidder mentioned that she had emailed Planning Commission members a copy of a proposed noise control ordinance that had been reviewed many years ago, although not adopted. She added that the Noise Control Ordinance is a draft that was never approved due to the inability of the police department to measure decibel levels. Ms. Ladd-Kidder stated that with current technology it might be easier to measure decibel levels.

Mr. Engelhardt reviewed the quality of life concerns he feel emanate from certain businesses such as the fairgrounds and the racetrack that is on the fairgrounds. He stated that there is a model fugitive dust (dust that cannot be contained within a certain property or site) ordinance regarding construction, that was written by the Pennsylvania Department of Environmental
Protection. He added that this would be discussed at the Community Development/Public Safety meeting on Tuesday, January 12, 2021. Mr. Engelhardt stated that he would update Planning Commission members regarding this at the February meeting. Following a lengthy discussion Ms. Ladd-Kidder expressed that this is an important issue stating that the Planning Commission will revisit the draft. Ms. Danko added that her office was recently asked to look into some dust and noise ordinances in the areas of other dirt racetracks and she will be reviewing that information at the Community Development/Public Safety meeting as well.

Off Agenda
Ms. Ladd-Kidder mentioned that she emailed all Planning Commission members a copy of the EAC Annual Report.

Ms. Ladd-Kidder thanked the 2020 Planning Commission officers for their service and wished her best to the new officers. Mr. Engelhardt thanked Ms. Ladd-Kidder for her years of service as the Chair of the Planning Commission.

Adjournment
With no further business to discuss, a motion was made by Mrs. Snyder and seconded by Mr. Engelhardt to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:09 p.m.

Respectfully Submitted,

Carolann E Moody
Recording Secretary