A regular meeting of the Planning Commission was held on Monday, January 10, 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, Mr. Randy Marsteller, Mr. Jeff Deitrich, Mrs. Pat Snyder, Mr. Robert Weller and Mr. Joel Seidel. Also present: Ms. Michelle Lopez, Community Development Office. Public Attendance: Ms. Lisa Ladd-Kidder and Mr. Robert Hain, representing the Apartments on Elm

Public Comments on Non-Agenda Items
None

Approval of Minutes
Planning Commission members reviewed the December 13, 2021 Planning Commission meeting minutes. Motion to approve by Mr. Weller, seconded by Mr. Marsteller. The motion passed by unanimous vote.

Reports
Ms. Lopez updated Planning Commission members on the Community Development Office activities:
- Ms. Lopez relayed that the Hilltop Subdivision had a flooding issue at the pumping station on Kemp Road. They are now fixing it
- There continues to be applications for zoning requests.

Action Items
- **Annual Election of Officers**
  - Chairperson – Mr. Marsteller nominated Mr. Engelhardt for Chairperson, Ms. Snyder Seconded and the motion passed by unanimous vote
  - Vice Chairperson – Ms. Snyder nominated Mr. Seidel for Vice Chairperson, Mr. Marsteller Seconded and the motion passed by unanimous vote
  - Secretary – Mr. Deitrich nominated Ms. Snyder for secretary, Mr. Marsteller Seconded and the motion passed by unanimous vote

- **Review Annual Report to Borough Council**
  - Motion was made by Mr. Marsteller to recommend forwarding the Planning Commission Annual Report to Borough Council, and seconded by Ms. Snyder. Motion carried by unanimous vote

- **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.**
  - Mr. Hain updated the Commission with the following:
He is meeting with the Borough Water Committee on Wednesday to discuss changes, which included a requested change to where the water was hooking into, and a request by the fire chief related to the fire hydrant, as well as the requested waivers

- **Waivers** –
  - Allowing 24” separation from limiting zones for infiltration facility, rather than required 36” – citing that 24” is DEP compliant, and because they want to promote infiltration
  - Waiver to the required 1 foot freeboard in basin – the 1 foot freeboard requirement assumes that the basin isn’t discharging at all, and the applicant states that the data takes into account all the water that drains into the system (generated onsite, or from offsite) and that the 1 foot freeboard is not possible
    - Mr. Engelhardt asked if the system should be inspected annually and whose responsibility it is to ensure that the inspection occurs. Ms. Lopez answered that it is up to the property owner, and in this case the basin is onsite and will not be dedicated
    - It was also asked if it can be a stipulation of the final plan that some periodic inspection and report be required. Ms. Lopez will discuss a “Detention Maintenance Agreement” with the borough engineer.
    - A motion to table the full review of the plan to the February meeting was made by Mr. Seidel, and seconded by Mr. Deitrich. Motion carried by unanimous vote

**Old Business/Updates**

- Ordinance Amendment of Outdoor Dining – Borough solicitor is assembling the ordinance into the proper form, then it will be advertised and sent to Berks County Planning Commission.

**New Business**

- **Set agenda for January 24, 2022 Planning Commission Workshop Meeting**
  - Begin to discuss the Comprehensive Plan update. Mr Engelhardt asked members to review the current Plan in preparation for the meeting

**Adjournment**

With no further business to discuss, a motion was made by Mr. Seidel and seconded by Mr. Marsteller to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 7:30 p.m.

Respectfully Submitted,

Patricia M. Snyder
Secretary