A regular meeting of the Planning Commission was held on Monday, July 12, 2021, at the Kutztown Train Station. The meeting was called to order at 7:03 p.m. by Mr. Fred Engelhardt, Chairperson. Members present were: Mr. Fred Engelhardt, Ms. Lisa Ladd-Kidder, Mrs. Pat Snyder, Mr. Tim Haring, and Mr. Jeff Dietrich. Mr. Michael Blichar and Mr. Joel Seidel were absent. Also present: Ms. Judith Danko, Director of Community Development; Mr. Aaron Moyer, Borough Engineer at HRG, Inc.; Mr. Gabriel Khalife, Borough Manager; and, Ms. Carolann Moody, Recording Secretary. Public Attendance: Mr. Robert Hain of Berks Surveying Engineering, Inc., Mr. Raj Patel, Mr. Prit Patel and Mr. Marvin Unger representing “Apartments on Elm”, Mr. Stephen Bensinger of Stackhouse & Bensinger, Inc., and Michele Lopez, Code Enforcement/Zoning Officer for the Borough of Kutztown.

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

Approval of Minutes
Planning Commission members reviewed the June 14, 2021 minutes. Motion by Ms. Ladd-Kidder and seconded by Mr. Haring to approve the June 14, 2021 minutes as written. The motion passed by unanimous vote.

Reports
Ms. Ladd-Kidder asked Ms. Danko if the informational item regarding 322 West Main Street would be brought to the Planning Commission for review and recommendation. Ms. Danko stated that this item is on the Community Development/Public Safety Committee agenda for the Tuesday, July 13, 2021 meeting. She stated that she will recommend that the Borough Solicitor attend the Zoning Hearing. The item will then be sent to Borough Council to decide if the Borough Solicitor should attend the Zoning Hearing or not.

Action Items
*Continue review of new plans regarding Subdivision and Land Development Sketch Plan Application for “Apartments on Elm, South Elm St., & James Alley.”
Mr. Hain stated that they took the feedback from Planning Commissioners and have submitted a new sketch plan that brings the number of units from 18 to 15 so they are closer to the 10 units per acre, and they comply with the maximum number of building square footage. He added that the number of zoning relief requests has been narrowed to three.
Following a discussion regarding setbacks, lot width, allowable units per acre and the application submitted to the Zoning Hearing Board; Ms. Ladd-Kidder mentioned that in Chapter 225, 251 there is a list of things that are requirements for low-rise apartments. Mr. Moyer stated that for low-rise apartment either a deed restriction is needed to restrict student homes or there should be conditions on the plan stipulating that there should be an on-site property manager, an office provided for the property manager to always be there and that an electronic security system should be onsite for the manager to operate. He mentioned that by adding those three items or the deed restriction, no variance would be required. Mr. Moyer added that his recommendation would be for the applicant to comply with either the deed restriction or conditions.

Following a lengthy discussion, Ms. Danko introduced Ms. Lopez to Planning Commissioners stating that she will not be at the August meeting, therefore, recommend they reach out to Ms. Lopez, Mr. Moyer as well as Mr. Gabriel Khalife, Borough Manager with any questions or concerns on this project as well as future projects.

Following a discussion regarding recommendations, motion by Mr. Haring and seconded by Mr. Dietrich to table review of the current sketch plan application with the condition that the applicant provide a copy of the application that was submitted to the Zoning Hearing Board. The motion passed by unanimous vote.

Motion by Ms. Ladd-Kidder and seconded by Mr. Haring to recommend Borough Council table this item as well should it come to them prior to preliminary plan submission. The motion passed by unanimous vote.

Mr. Danko added that the time extension provided is until December 31, 2021.

*Applicant for “Apartments on Elm” made Zoning Application to Community Development Office. No Action needed regarding this.
No action needed for this item.

*Review plans submitted regarding Subdivision and Land Development Final, Revision-Addendum to Plan of record for “Hilltop Subdivision, Section 2, Phase III.”
Mr. Bensinger reviewed the proposed changes with Planning Commissioners as well as the review comments from the Borough engineers, Spotts, Stevens and McCoy (SSM) and HRG, Inc. He added that they do not have any issues with the review letters, adding that he feels they can make all the revisions to satisfy the review comments, except the second one that addresses signature blocks because it is not a revision to a recorded plan. Ms. Danko stated that there was a discussion regarding this plan, adding that the Borough would like to see the plan recorded.
Following a brief discussion, motion by Ms. Ladd-Kidder and seconded by Mr. Dietrich to recommend Borough Council approve the revised final plan of Hilltop Subdivision and Land Development, Section 2, Phase III subject to review by Spotts, Stevens & McCoy and HRG, Inc as well as the applicant agreeing to work with both engineers to resolve issues and to abide by their recommendations. The motion passed by unanimous vote.

**Old Business/Updates**

*Review draft ordinance revisions of Parking Requirements for Businesses in C-C and C-1 Districts*

There was a lengthy discussion regarding the draft amendment to Article V, Chapter 225-29. Ms. Danko requested a redline copy of the ordinance to be able to see where the changes are being made that can then be forwarded to appropriate Borough staff as well as Barry Isett & Associates, Inc., for their input on the requested changes.

Motion by Mrs. Snyder and seconded by Mr. Haring for Mr. Engelhardt to prepare and forward a redlined copy of the ordinance to Ms. Danko for her review as well as the review of Borough staff and Barry Isett & Associates, Inc. The motion passed by unanimous vote.

**New Business**

*Set agenda for July 26, 2021 Planning Committee Workshop Meeting*

Following a discussion regarding potential items for discussion at the Planning Commission Workshop meeting it was decided to continue to discuss Outdoor Dining Requirements and the Free Blockbuster Kiosk program. Ms. Danko stated that she does have a list of items that can be discussed at future workshop meetings, adding that she will forward that list to Mr. Engelhardt.

Ms. Danko reminded Planning Commissioners that she will not be at the August meeting, and mentioned that Planning Commission members should be in contact with Ms. Lopez and Mr. Khalife regarding Community Development items. She added that any questions Planning Commissioners may have should go through Mr. Engelhardt; with Mr. Engelhardt reaching out to Mr. Khalife or Ms. Lopez as the Borough Engineers and Solicitor hours are billable to the Borough. Therefore, they should only be used after other resources have been exhausted. Mr. Khalife added that the Borough will be using HRG, Inc., as well as Barry Isett & Associates, Inc. a little more at this time.

**Off Agenda**

Mr. Haring stated that he read in the newspaper that The Edge was sold and asked if The Edge II was sold as well. It is unknow currently.
Ms. Ladd-Kidder requested clarification on getting questions answered and Mr. Khalife stated that each scenario could be different, adding that many questions can be answered through SALDO, the Municipal Planning Code or scripted elsewhere, but may need a little research, adding that all questions are not engineer related.

Mr. Engelhardt and Planning Commission members thanked Ms. Danko for the expertise and guidance she has given to the Planning Commission during her time here, adding that he and the rest of the Planning Commissioners appreciate all that she has done.

Adjournment
With no further business to discuss, a motion was made by Mrs. Snyder and seconded by Mr. Dietrich to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:51 p.m.

Respectfully Submitted,

Carolann Moody
Recording Secretary