A regular meeting of the Planning Commission was held on Monday, November 18, 2019, at the Kutztown Municipal Building, 45 Railroad Street.

The meeting was called to order at 7:00 PM by Ms. Lisa Ladd-Kidder, Chairperson. Members present were: Ms. Lisa Ladd-Kidder, Mr. Frederick Engelhardt, Mr. Joel Seidel, Mrs. Pat Snyder, and Mr. Tim Haring. Ms. Karen Feridun and Mr. Michael Blichar were absent. Also present: Ms. Judith Danko, Director of Community Development, Mr. James Schlegel, Mayor; and Ms. Carolann Moody, Recording Secretary. Public Attendance: Mr. Pete Smith and Mr. Rich Smith representing Eagle Point Management/Georgetown Holding Group and Mr. Klaus Buschan.

PUBLIC COMMENTS ON NON-AGENDA ITEMS
There were no public comments.

PLANNING COMMISSION COMMENTS ON NON-AGENDA ITEMS
There were no comments from Planning Commission members on non-agenda items.

APPROVAL OF MINUTES
The October 14, 2019 Planning Commission minutes were reviewed by members. Motion by Mr. Seidel and seconded by Mr. Engelhardt to approve the October 14, 2019 minutes as written. The motion passed by unanimous vote.

NEW BUSINESS/ACTION ITEMS
- Review Zoning Appeal Z-19-03 for 126 W Main Street (rear) / Change of use from Retail Service to a Restaurant

Ms. Ladd-Kidder mentioned that the appellant wishes to occupy the rear building located at 126 West Main Street as an eat-in and take-out crepe shop, which would change the use from retail service (barbershop) to restaurant. She added that due to the change of use, the appellant is requesting a Variance from Section 225-29. A.(1)(b) “Off-street parking” of the Kutztown Code (change of use in CC Zoning District requires a minimum of two (2) off-street parking spaces.)

Mr. Klaus Buschan reviewed his request with Planning Commission members adding that efforts to secure adjacent property owners permission to park on their land have been unsuccessful. Therefore, he is requesting the variance.

Ms. Ladd-Kidder mentioned that due to that property being “grandfathered,” the owner is not required to provide off-street parking for the residential tenants. Ms. Ladd-Kidder stated that she requested clarification on whether the applicant for the variance should have been the property owner, Mr. Jonathan Escueta, or the proposed tenant, Mr. Klaus Buschan. She added that she will discuss this at the Zoning Hearing Board meeting on Wednesday, November 20, 2019.

Ms. Ladd-Kidder stated that it was discussed at the last Task Force meeting that focus not be placed on required parking spaces for businesses as the Borough wants to support current and encourage new business in town. Mrs. Snyder mentioned that the Task Force did discuss a specific borough or township regarding parking and it had not caused any hardship. Mr. Seidel added that it helped the town flourish. Following a brief discussion, motion by Mr. Engelhardt and seconded by Mr. Seidel that in an effort to support the business community, Planning Commission members recommend the Zoning Hearing Board approve the change of use from retail service to restaurant and grant the Variance from Section 225-29. A.(1)(b) “Off-street parking” of the Kutztown Code and to clarify if the variance is granted would it be for the property or renter.
OLD BUSINESS/UPDATES

- Review Zoning Appeal Z-19-02 / Request for a Review of a Subdivision/Land Development Plan Regarding an Annexation (Consolidation) of Multiple Parking Lots

Ms. Ladd-Kidder reviewed the request with Planning Commission members and Ms. Judith Danko. Ms. Danko presented the applicants engineered sketch plan for review and comment. Ms. Danko stated that currently there are three parcels on two deeds. Ms. Ladd-Kidder mentioned that in order to move forward, there are two requirements regarding Lot Annexations in Chapter 195-15 D of the Kutztown Borough Code. The first requirement is that the subdivision plan contain a notation that the parcel being transferred is not to be considered a separate building lot. The second requirement is that the sketch plan needs to go through an approval process of the Berks County Planning Commission and with the Borough’s Engineer, HRG, Inc. Ms. Danko stated that the plans have been sent to both the Berks County Planning and HRG, Inc. She added that if the Berks County Planning Commission or HRG, Inc. recommend any changes, she will speak with the applicants regarding those recommendations. There was a brief discussion regarding the previously approved minor subdivision of 26 S. Whiteoak St. into two parcels (the Young Ones building lot located between S. Whiteoak St. and Herring Alley and a portion of the parking lot located east of Herring Alley). At this meeting, motion by Mr. Seidel and seconded by Mrs. Snyder to recommend Borough Council approve the application to annex/consolidate the three private parking lots (between Herring Alley and Stimmel Alley into one parcel and onto one deed. This annexation would encompass, in its entirety the three existing paved parking lot as it physically exists, with the following stipulations; 1. The subdivision plan shall contain a notation that the parcel being transferred is not to be considered a separate building lot and, 2. The sketch plans go through the approval process of the Berks County Planning Commission and HRG, Inc. The motion passed by unanimous vote.

OFF AGENDA

Mr. Haring mentioned that the Task Force meeting is scheduled for Thursday, November 21, 2019 at 7:00PM

Mr. Seidel asked if there were any updates regarding the quarry and Ms. Ladd-Kidder stated that the Planning Commission took the position that they needed more expert advice and followed through with the Water/Wastewater Committee’s request for sample questions of what the Planning Commission would like to look at and resource people to contact. She still has not heard anything from the Waste/Water Committee. Ms. Ladd-Kidder mentioned that she wrote a five-and-a-half-page answer that she submitted to and was approved by the EAC. Following a lengthy discussion, Mr. Haring suggested that Ms. Ladd-Kidder bring her letter and read it into the record then Planning Commission members can decide how to follow through. It was decided that Ms. Ladd-Kidder would present her letter to Planning Commission members for discussion to determine if the letter should be forwarded to Borough Council.

ADJOURNMENT

With no further business to discuss a motion was made by Mr. Haring and seconded by Ms. Seidel to adjourn the meeting. The motion carried and the meeting was adjourned at 7:46PM.

Respectfully submitted,

Ms. Carolann Moody
Recording Secretary