A regular meeting of the Planning Commission was held on Monday, October 11, 2021, in the Borough conference room.

The meeting was called to order at 7:02 p.m. by Mr. Fred Engelhardt, Chairperson. Members present were: Mr. Frederick Engelhardt, Mr. Tim Haring, Mr. Jeff Deitrich, Mrs. Pat Snyder and Mr. Joel Seidel. Also present: Ms. Michelle Lopez, Community Development Office. Public Attendance: Randy Marsteller and Joanne Yoder, Borough Residents and Robert Hain representing Apartments on Elm

Public Comments on Non-Agenda Items
Joann Yoder stated that she had attended the Planning Commission meeting a couple of months ago, and was interested in the walkability and parking topics. She gave each of the commission members a copy of a publication by the National Association of Realtors called “On Common Ground”. The publication topic is walkability of a municipality, and discusses possible funding sources. The commission thanks Mrs. Yoder for the information.

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

Reports
Ms. Lopez updated Planning Commission members that the Community Development Office continues to be working diligently on the influx of applications that it has been receiving. She also noted that there may be a request from the Kutztown School District to waive SALDO for a potential extension of their parking and a basketball court.

Action Items
• Continue review of Subdivision and Land Development Sketch Plan Application for “Apartments on Elm.” Extension of time for decision by the Kutztown Borough Planning Commission valid to and including December 31, 2021
Mr Hain (representing the applicant) reviewed the Zoning Hearing Board’s ruling on the requested variances. The applicant will be getting a study regarding underground stormwater, and should be able to attend the December Planning Commission meeting to present the request for Preliminary Plan Approval for review by the Commission.
The applicant will want to move forward with the preliminary plan, and it would then get reviewed by Berks County and by the borough engineer.

Motion to table the Sketch Plan Application for the “Apartments on Elm” was made by Mr. Haring, and seconded by Mr. Seidel. The motion passed by unanimous vote.

- **Take action on the application of Joey Dietrich for an open vacancy on the Planning Commission**
  
  Mr. Engelhardt spoke with Mr. Dietrich, and he has withdrawn his application.
  
  Motion to accept the withdrawal of the application was made by Mr Dietrich and seconded by Mr Haring. The motion passed by unanimous vote.

**Old Business/Updates**

- **Discuss and Develop Ordinance Amendment for Outdoor Dining**
  
  The proposed outdoor dining area Ordinance Amendment was reviewed line by line. Open items to be decided at the Workshop meeting:
  
  - Can alcohol be served without food
  - Finalization of the “minimum clearance” and “obstruction” language
  - Reworking of the Complaint and potential revocation of the outdoor dining permit language

  Motion to table the Discussion and development of the Ordinance Amendment for Outdoor Dining to the Workshop Agenda was made by Ms. Snyder and seconded by Mr. Haring. The motion passed by unanimous vote.

**New Business**

- **Review Rental Housing and Downtown Strategic Plan to identify items that the Planning Commission should address moving forward**

  Motion to table the Review of the Rental Housing and Downtown Strategic Plan to the Workshop Agenda was made by Mr. Seidel and seconded by Mr. Dietricl. The motion passed by unanimous vote.

- **Set agenda for October 25, 2021 Planning Commission Workshop Meeting**

  Agenda items discussed and decided upon were: Outdoor Dining and Review of the Rental Housing and Downtown Strategic Plan

  Motion made by Mrs Snyder to accept the agenda items of the Workshop meeting, seconded by Mr. Seidel. The motion passed by unanimous vote.

**Off Agenda**
Mr Haring submitted his resignation from the Planning Commission effective after the November meeting.

Motion to accept Mr. Haring’s resignation was made with regret by Ms. Snyder, and seconded by Mr. Seidel. The motion passed by unanimous vote.

Mr. Randy Marsteller discussed that he has submitted his application for the Planning Commission, and gave the commission a brief review of his background. Voting by the commission will take place at the November meeting.

Mr Engelhardt had a couple of topics for off agenda discussion:
- Regarding the Land Use Appeal by Duke Energy (information from Ms Ladd Kidder); the hearing will be held October 12th at the Berks County Courthouse.
- Regarding Water Privatization: this is making it more difficult for municipalities to operate profitably.
- Regarding Hi Cube Storage Construction – Mr. Engelhardt suggested that the commission may want to consider limiting the height of structures in the industrial zone. Ms. Lopez will talk to Mr. Mooney to see if he has seen similar language in any ordinances he has worked on.

**Adjournment**

With no further business to discuss, a motion was made by Mr. Seidel and seconded by Mr. Dietrich to adjourn the meeting. The motion passed by unanimous vote. The meeting adjourned at 8:25 p.m.

Respectfully Submitted,

Patricia M. Snyder

Secretary