

Meeting Minutes
City of Reading Planning Commission
April 27, 2021

Members Present:

Lee Olsen, AIA, Chairman
Wayne Bealer, Vice Chairman
Will Cinfici
Philip Ashear
Robert Conklin, AIA

Staff Present:

David Peris, Planning and Zoning Manager
Tim Krall, Public Works
Jerome Skrincosky, Hawk Valley Associates, Planning Consultant
Michelle Mayfield, Hartman Valeriano Magovern Lutz, Solicitor
Naomi Crimm, Planner
William Stoudt, Fire Chief

Others Present

Joe Gurney, Capital Engineering
Tony Ganguzza, Boyle Construction
Mike DiPaolo, PLS
Chuck Frantz, C2C Design
Rob Manns, Manns Woodwards Studios
Evan Gray – Manns Woodwards Studios
Molly Graver, Plunkett & Graver PC
Keith Mooney, Barley Snyder
John Muir, Kozloff Stoudt
Chris Posch

Lee Olsen called the meeting to order at 6:03pm.

Item #1 – Agenda

Commissioner Conklin made a motion to accept the April agenda. Commissioner Cinfici seconded the motion. The vote to approve the motion was unanimous, 5-0.

Item #2 - Subdivisions and Land Developments

PC-2019-109: 1375 Pershing Boulevard (Hummingbird Hill)

Mr. Mooney said that he had received Mr. Skrincosky's review letter and can comply with the revisions. He went through the comments in the letter. For Lot C, he said that they will put a note on the plan that the lot will be retained by Hummingbird Hill. The lot will be purpart in common deed with Hummingbird Hill. Lot C was originally going to Wyomissing Park Apartments, but

they are experiencing financing issues that will not allow them to take on Lot C at this time. Ms. Mayfield questioned why they are creating the lot when there will be time before it can be transferred. Mr. Mooney said that they've already put it on the plan, so they want to go ahead and create it and put it in the deed, and ten years from now it can be transferred to the owners of Wyomissing Park Apartments. Mr. Peris clarified that Lot C will go with the Hummingbird Hill Condominium parcel and that will be indicated on the plan with a hook symbol to show that they are part of the same parcel. Mr. Mooney confirmed.

Mr. Mooney said that they will submit deed descriptions. He will provide easements to Ms. Mayfield. The easements have changed slightly to take into account the change in ownership of Lot C. Mr. Mooney's office provided easement agreements that they thought addressed the city's concerns, and that gave the city blanket access to water, sewer, and other utilities. McArthur Avenue is an unopened road and has been unopened for the fifty plus years that the properties have been in existence, so it reverts back to the property owners. Therefore, there is no issue with the unopened bed of the road. The monuments and corners have already been set. The certification of accuracy and certification of ownership will be completed once they have completed the revisions to the satisfaction of the city. They owe the city four thousand dollars, which they will submit with the final submission.

Mr. Skrincosky said that he would suggest that Tract C should be conveyed to Wyomissing Park Apartments. If necessary the landowners could enter into a separate agreement to address site accessibility, utilities, and/or any financial matters. The financial aspects could be done in a separate agreement and the plan could show the property as part of Wyomissing Park Apartments. Mr. Mooney said that the property cannot be conveyed for ten years. Hummingbird Hill wants to create the tract and let it sit with the entity that currently owns it. Mr. Skrincosky asked what they would do in ten years to resolve it with the city and convey the property. Mr. Mooney said that he doesn't think the city cares who owns it, as long as it is owned by the entity that owns one of the two larger tracts. Mr. Skrincosky asked what if Wyomissing Park Apartments wanted to sell to a third party and there would be a nonconforming lot. Mr. Mooney said that the lot would be added to the larger parcel and be held in common deed. Ms. Mayfield said that Tract C can never be a standalone lot. Mr. Mooney said that they can put a note on the plan, and put a restriction on the deed. Commissioner Cinfici asked for confirmation that the lot is being created as a purpart and not as a subdivision. Mr. Mooney confirmed.

Mr. Krall said that on the draft plan there is an area tabulation that needs to be revised. Mr. Mooney confirmed that it will be revised.

Mr. Krall said that his understanding of the unopened McArthur Ave is that anything existing on the official topographic plan remains on the plan until so enacted by City Council. He doesn't know of any statute of limitation.

Ms. Mayfield said that she has not researched the issue with McArthur Avenue. She standardly agreed with Mr. Mooney's comments about the road. They can do a street vacation if necessary.

Ms. Mayfield asked staff if they would like a note on the plan that says Tract C is not a building lot. Mr. Skrincosky confirmed. Mr. Mooney said that they will do so. Ms. Mayfield said that it

looks like the applicant is able to address all of the comments and will defer to staff if they'd like to see another plan before final approval or conditional final plan approval with revisions. If the latter, the Commission would need to ask for a time extension. She said that she thinks the applicant would agree to a time extension until the May Planning Commission meeting.

Chairman Olsen asked for staff's recommendation. Mr. Skrincosky said he would recommend a conditional final plan approval and make sure that the notes can be addressed before signing. Mr. Peris agreed.

Commissioner Bealer said that if the owners want to apply for a vacation of McArthur Avenue, he would have no problem with that, and if it were brought to the Commission they would have no problem with it. Mr. Mooney said that he will discuss this with the client.

Commissioner Cinfici said that he would support conditional approval and the street vacation. Mr. Mooney said that his understanding is that after twenty-one years, the city has no right, title or interest without a rededication to improve the street. Commissioner Cinfici said that it would be prudent to address Public Works' concern for vacating the street.

Commissioner Olsen called for a motion for conditional final plan approval predicated on the series of amendments and drawing changes as per discussion and agreement by Mr. Mooney. Ms. Mayfield said to add "and satisfaction of Hawk Valley's comment letter" to the motion. Commissioner Bealer suggested adding the payment of outstanding fees to the motion. Commissioner Olsen added those statements to the motion.

Action: Commissioner Bealer Wayne made the motion; Commissioner Ashear seconded the motion. The vote to approve the motion was unanimous, 5-0 (**Resolution #11-2021**).

PC-2021-100-P/F: 1201 N. 9th Street (Marion Street Fire Station)

Joe Gurney said they got zoning approvals in March. In April, they submitted to the Berks County Planning Commission, the city, Berks County Conservation District, and Pennsylvania Department of Transportation (PennDOT). They are expecting PennDOT review comments during the first week of May. They have reviewed the comments from all of the review letters. The majority of the comments are not technical in nature. There are a couple of notes to be added to the plan, but they are mostly approvals from other agencies. They have gotten a Reading Area Water Authority will-serve letter, and no planning needed from the Pennsylvania Department of Environmental Protection. They reviewed the plan with Tim Krall and have gone over his comments.

Mr. Ganguzza asked about the Berks County Planning Commission review letter. Mr. Gurney said that a lot of the comments are repeated in Hawk Valley's letter, except for relocating the BARTA bus stop. He said that it may be best to place it in front of the old fire station.

Mr. Skrincosky said that he has a series of comments regarding vehicular and pedestrian accessibility. The first comment regards the on-street parking configuration along North Mill and

Marion Street. On Marion Street the design is acceptable, except for backing out onto North Mill, but that is a controlled intersection with a stop sign so it is not an issue. In terms of parking on North Mill, the parking at the end will back out onto an uncontrolled intersection and could cause accidents. His suggestion is to angle the parking in the opposite direction. This might cause a loss of a parking space. Mr. Gurney said they discussed this with Mr. Krall last week and they came up with an idea. He shared his screen to show reconfigured parking along North Mill to take out concrete sidewalks between the spaces. This gave room to move the spaces to the north to avoid the intersection. From the curbline to the first space is a little over twenty feet. Angling it the other way would lose a space and makes access more difficult. Mr. Krall said that he would like Mr. Gurney to run this by their traffic engineer. Mr. Gurney said that they did, and he agreed that it was not the best scenario. This is the solution they came up with. Mr. Skrincosky asked if the spaces will be reserved for firemen. Mr. Ganguzza said that they would be reserved for firemen and for emergency services. Mr. Skrincosky asked what the likelihood is that the firemen leave the fire station during their shift. Chief Stoudt says that this depends on the numbers during shift changes. Right now, there are four employees on at a time. Mr. Skrincosky asked if they would anticipate anyone living in the area using the spaces. Chief Stoudt said no, as the spaces are currently marked. Mr. Skrincosky said that the space closest to the intersection on North Mill should be dedicated to someone who is not going to move frequently.

Mr. Peris said that there was originally a five-foot pathway between the parking spaces. But when it is eliminated it results in a weird resulting curb line with a raised curb close to the building and the entrance. No one would be able to walk from the corner to the door. He asked if this can be addressed. Mr. Gurney agreed that the curb line is strange – it is a product of the angled parking and catching stormwater in the curbs. He said that he can modify one of the curbs to create a walkway. They aren't entrances for the public. The fire chief is okay with this. Mr. Krall agreed that stormwater is driving the configuration. Mr. Ganguzza said that the grade of the concrete apron limits things as well. Mr. Gurney said that the existing grade drives this, along with PennDOT's requirements. Tim Krall said that he is alright with that response. He likes the idea of putting signs to indicate that the spaces are private and dedicated for the fire department.

Mr. Skrincosky said that there are nine by eighteen typicals for the driveways. He asked if a twenty-foot vehicle would extend into the cartway on Marion or North Mill. Mr. Gurney said that a twenty-foot vehicle might extend. They are putting bumper blocks on North Mill Street. He said that Marion Street is pretty wide for a city street. The curb is doing some protection and there is a stop condition. They will put an ADA curb ramp on the Marion and North Mill intersection. Mr. Krall said that they are not changing the cartway configuration and there is a parking lane as well so there is plenty of space. Mr. Skrincosky said that he is more concerned about North Mill Street. Mr. Gurney said that it is only sixteen feet. Mr. Skrincosky asked if a twenty-foot vehicle will stick out. Mr. Gurney said that there is a utility pole there. Mr. Skrincosky said he is satisfied with the utility pole being there. Mr. Ganguzza clarified that the number of parking spaces (ten) is based on the ordinance requirements.

Mr. Krall asked about the use of the parking spaces along Marion Street and the right of way for the sidewalk. Those are both on private property and he is most concerned about the sidewalk.

He asked about the easement. Mr. Gurney said they will make a vehicular/pedestrian easement that allows the public to walk across the property. He said that they will define this on the next iteration of the plans. Ms. Mayfield cautioned about using the term vehicular unless specifically referencing the parking spaces. Mr. Krall told Mr. Gurney to contact him to talk to someone at BARTA/SCTA (Berks Area Transportation Authority/South Central Transportation Authority) about relocating the bus stop. They tend to like to go on the far side of the intersection for safety reasons.

Commissioner Bealer said that usually when a PennDOT highway occupancy permit is required, the Commission usually does not grant a waiver to review the plan as a preliminary/final plan. He said that the city has revised the subdivision and land development ordinance, so Mr. Skrincoosky is correct in pointing out that the Commission shouldn't approve a waiver for a preliminary/final plan. He stated that he drove past the site the other day and saw kids playing on the broken slabs. He asked the city to remove them before any kids get injured.

Commissioner Cinfici asked if curb cuts on North 9th Street be retained from the existing station. He asked if PennDOT has to approve that. Mr. Ganguzza stated that they don't have an application with PennDOT to put a standard curb there. The fire station will be in operation until the new one is built. After relocating, the city may wait to determine what they will do with that parcel and the curb cuts. It is not part of this application.

Commissioner Cinfici stated that the stormwater management report from April 1 referred to Willow Ave. He asked if that is from another plan. Mr. Gurney said there might be a misprint.

Commissioner Cinfici asked if the applicant should apply for a waiver from the sidewalk requirement on North Mill Street. Mr. Gurney said that there is sidewalk all the way around the property. Commissioner Cinfici said that it is not a walkable sidewalk on North Mill Street. Mr. Peris said that the sidewalk requirement applies to public streets. North Mill is considered an alley and isn't subject to the sidewalk requirements under the zoning ordinance. Mr. Krall said that he thought it is a street, but even if it is, there are no existing sidewalks so the applicant is not required to install something when there isn't anything to connect to.

Commissioner Cinfici stated that he saw that the zoning hearing board granted setbacks. He asked if there would be sound mitigation measures taken for the generator. Mr. Ganguzza said that it is their intention to do that.

Commissioner Cinfici asked about the line of sight on Marion Street. He asked for guidance from Public Works on how to assure that there are clear lines of sight through the parking spaces on Marion Street. Mr. Krall said he never had that question before with parked cars.

Commissioner Cinfici asked if there is anything the city could do about this. He asked if there enough space to turn a vehicle around on Marion Street. Mr. Gurney said that Sheets LD 10 and 11 show how vehicles enter and exit the fire station. They are shown per requirements for PennDOT. Mr. Gurney indicated how the vehicles will make the turns on the plan exhibits. Chief Stoudt confirmed that the vehicles back in now to the fire station. There was a discussion of ingress and egress and turning radii. Chief Stoudt said that the fire truck primarily enters going northbound on North Ninth Street.

Mr. Krall asked if curb cuts have been installed at the Ninth and Marion intersection as PennDOT is paving 9th Street. Mr. Gurney said that they did and that the ADA ramps will remain.

Chairman Olsen asked for a recommendation from staff as to the next steps. Mr. Gurney said they are asking for a waiver to review plan as a preliminary/final plan. He explained why – it's an existing lot, they are not building any new streets, and there are no new sanitary or water mains. The plan as submitted is really a final plan.

Mr. Peris said that the issue isn't the waiver, but approving the plan with this many items still unresolved, particularly with the amount of time it takes for PennDOT review. Mr. Skrincosky said that the Planning Commission could consider preliminary plan approval tonight subject to the conditions in the review letter. The applicant could address those items and then a waiver would not be required. Mr. Ganguzza asked if a new application would need to be submitted for the final plan. Mr. Skrincosky confirmed it would. Mr. Ganguzza said that he doesn't see the plan changing. The only thing for PennDOT to review is a fifty-two foot driveway cut and there are no stormwater issues. Mr. Gurney said that they submitted a scoping document to the district, which was very minor. He suggested a tabling, rather than submit a new application.

Ms. Mayfield asked if Mr. Skrincosky conducted a review of the plan as a final plan. Mr. Skrincosky confirmed that he did.

Mr. Ganguzza said that none of the reviews will result in significant plan changes. Ms. Mayfield said that the concern is that under SALDO revisions you only have ninety days to resolve the conditions. Mr. Ganguzza said that they will get the PennDOT review letter next week and will address it on the plan. Ms. Mayfield said that she would not recommend any final approval tonight.

Commissioner Bealer said that he's heard this story over and over again that PennDOT isn't going to change anything. But there are examples of this happening. He has no problem tabling the plan but he doesn't want to do anything until they hear from PennDOT. Mr. Ganguzza agreed. Mr. Gurney said that if there is an issue they can submit a time extension.

Mr. Krall said that stormwater or municipal improvements would not apply as the city is the owner. Ms. Mayfield agreed. She asked Mr. Gurney to put a note on the plan about how the stormwater should be maintained in case the property transfers owners to a volunteer fire company.

Chairman Olsen said that the easiest course of action is to table any action and discuss at the May meeting.

Action: Chairman Olsen made a motion to table any action until the May Planning Commission meeting. Commissioner Conklin seconded the motion. The motion was approved unanimously, 5-0.

Chairman Olsen recused himself and Commissioner Bealer took over as chair. Chuck Frantz represented Habitat for Humanity.

Mr. Skrincosky went through his review letter. The applicants have gotten zoning relief so that should be noted on the plan. As part of the final plan, they will need new deed descriptions. For lots one, ten and eleven, he asked if there is a possibility of resolving the encroachments onto adjacent lots. Mr. Frantz said the encroachments are where there were party walls that were associated with previous structures that have since been demolished. Habitat for Humanity will develop and construct these lots later. It is possible that the properties will be acquired or there are some other means established to develop those lots. Mr. Skrincosky said that Mr. Frantz should do this as part of the plan view and deed description. Mr. Frantz asked if he should work with staff on this. Mr. Skrincosky said that this should be addressed now; the Zoning Hearing Board gave them a lot of flexibility. Mr. Frantz said that this will take away from the lot area. Ms. Mayfield said that this should be addressed with the preliminary plan, as with a preliminary plan approval you can construct improvements. Mr. Frantz confirmed that the plan is the result of a field survey to identify the boundaries.

Mr. Skrincosky asked Public Works to review the alley detail. Mr. Krall confirmed that they used the city's standard. Mr. Skrincosky asked that the off street parking spaces on lot nine be shifted to the left so that they are not in the access easement. Mr. Peris asked if this would add impervious coverage. Mr. Skrincosky said that it would, so the applicant will have to look at it. Mr. Frantz asked if the easement could be two or three feet. Mr. Skrincosky asked for turning movements for lots ten and eleven. Mr. Frantz agreed.

Commissioner Conklin pointed out the proposed retaining wall for the rear of the building for lot nine. There are no steps there, so people would be trespassing to get to the rear door. Mr. Frantz said that they can revisit it.

Mr. Skrincosky asked how the off-site parking spaces on the opposite side of Miltimore Street can be reserved and maintained. Mr. Frantz confirmed if Mr. Skrincosky is asking for signage. Mr. Frantz said that he will talk with Habitat to Humanity to see how they want to reserve them. He said that they'll use pervious paving and will have a maintenance schedule as part of stormwater management agreement. Mr. Krall said that he didn't see operations and maintenance for the standalone parking. They will need notes on the plan so the owners know how to maintain it.

Mr. Skrincosky asked for deed restrictions outlining what the owners can and cannot do on the parking lots and to indicate that they will be used for parking. There needs to be some limitations built in. Mr. Frantz agreed.

Mr. Krall stated that was happy to see improvements to the alley. He wants to see notice to the owners that the improvement will be made to the alley. Even better is a written signed agreement from the owners. Ms. Mayfield said that it would be good that have something signed and

recorded so that there aren't neighbor disputes in the future. Mr. Krall said that the entrances to the alley are not to be improved and asked Mr. Frantz to explain. Mr. Frantz said that they can show improvements to the curb returns.

Mr. Krall said that there is a fee and application for stormwater management. The exemption applies, so the fee associated with the exemption applies as well. Everything looks satisfactory for stormwater. There isn't a cleanout or overflow structure for the infiltration bed. He asked where it surcharges to. The city wants a separate written operations and maintenance agreement. Mr. Krall will send Ms. Mayfield's updated version. For sewer planning, he asked Mr. Frantz to put together a narrative and a note on the plan that the narrative exists that sewer planning is not required. He asked if gas service is being provided to lots ten and eleven. Mr. Frantz said that he'll need to review that. Mr. Krall asked them to show a patch or repair to sidewalk and curb if gas is being installed for lots ten and eleven.

Mr. Frantz confirmed that his understanding was that there is no action on the plan tonight. Ms. Mayfield said that there is no conditional preliminary plan approval. Mr. Skrincoisky said that he reviewed it as a preliminary plan, but took into account issues relevant for a final plan as well. He asked if the Commission could grant preliminary plan approval subject to the applicant resolving encroaching lot approvals. Ms. Mayfield said that she doesn't see a lot of these cases. She asked if Habitat for Humanity can resolve it. Mr. Frantz said that they can. Habitat for Humanity is running up against a funding deadline. They will work with staff and the Planning Commission to resolve any issues in the interest of moving this forward.

Commissioner Bealer said that he sees no problem with granting preliminary plan approval since they will need to submit revised deeds with the final plan. Commissioner Cinfici said that he has no objection to granting a preliminary plan approval.

Mr. Frantz said that an NPDES permit is not necessary because the project is less than one acre. They submitted to the Berks County Conservation District. Mr. Krall confirmed that they only need to submit and send evidence they submitted. Mr. Frantz said they have not received an adequacy letter. Commissioner Cinfici asked if the confirmation of submission should be put as a note on the plan. Mr. Frantz said that they can put a note on the plan.

Ms. Mayfield asked if the county comments have been received and addressed. Mr. Skrincoisky confirmed they have. Ms. Mayfield said that her concern with granting preliminary plan approval is that the applicant could construct improvements, but the preliminary plan approval could be conditioned on resolving the lot line issues. Mr. Frantz said that he has no objection to that. He is trying to get something in for the May meeting and does not foresee any improvements happening under preliminary plan approval.

Commissioner Bealer asked for a motion for preliminary plan approval with the condition that the resolution of the lot lines be pursuant to staff and consultants' review. He asked about a will-serve for RAWA. Mr. Krall said that requirement is not in the ordinance.

Action: Commissioner Conklin made a motion to approve the preliminary plan with the condition that the applicant will not make improvements on the properties until the three

subdivisions are reviewed for lot line acceptance. Commissioner Cinfici seconded the motion. The motion was approved unanimously, 4-0.

Item #3 - Other Business

Chairman Olsen said that for the record he is non-voting on the prior item.

Action: Commissioner Bealer said that he submitted comments and corrections to the March meeting minutes and Naomi addressed them. Commissioner Cinfici moved to approve the minutes as corrected. Commissioner Bealer seconded the motion. The motion passed unanimously, 5-0.

Commissioner Bealer said that he put some materials together for the Riverfront Overlay District and sent them over. He thanked Commissioner Conklin for the RACC Master Plan.

Mr. Peris said that review of Alvernia CollegeTowne was waived in November. They have a small revision to their main entrance. He wanted to make the Commissioners aware of the change. They are adding a canopy and offsetting planting beds. He is proposing to have staff review the changes and have them resubmit their plan with the County Recorder of Deeds without need to come back before the Planning Commission. Commissioner Cinfici asked if the canopy will be permanent. Mr. Peris confirmed that it would be. It is about five hundred square feet total. Commissioner Cinfici said if the drawings can be passed on that would be sufficient. He does not think the Planning Commission will need to review it.

Action: Mr. Peris said that for the Medical Arts building, the applicant needs to submit something in writing to ask for an extension. Commissioner Bealer made a motion to extend the review period for the Medical Arts building once something written is received from the applicant. Commissioner Cinfici seconded. The motion was approved unanimously, 5-0.

Ms. Crimm gave an update from the Monument Review Committee on a Purple Hearts monument that will be installed at Veterans Grove in City Park.

The meeting was adjourned at 8:37pm.

Respectfully submitted by Naomi Crimm, Planner