

Minutes
Regular meeting of the City of Reading Planning Commission
August 23, 2016 at 7:04 pm

Members present:

Wayne Jonas Bealer, Chairman
William F. Cinfici, Vice Chairman
Michael E. Lauter, Secretary
Ermete J. Raffaelli

Staff present:

Andrew W. Miller, Planning Office
Deborah A.S. Hoag, Department of Public Works

Others present:

Bradford R. Grauel, OTM LLC
Shamarukh N. Billah, STV Group Inc.
Timothy J. Davidheiser, STV Group Inc.
Keith Mooney, Barley Snyder LLC
Dennis C. Kohl, Carpenter Technology Corporation
Aristides I. Otero, Stackhouse Bensinger Inc.
Patrick J. Dolan, Dolan Construction Inc.
Anthony M. Balistrere, Berks Catholic High School Inc.
Stephen F. DeLucas, Reading Eagle Company

Chairman Bealer called the August meeting to order and asked for acceptance of the agenda. Mr. Miller said he wasn't expecting a presentation of the 'Warren Street Dunkin Donuts' but, as a qualifying plan, preferred that it remain on the agenda and be tabled. He asked that the Commission act on a requested extension of 'Angelica Street Storage' plan. Mr. Lauter moved to accept the August 23rd agenda, as modified. Mr. Cinfici seconded. And the Commission voted unanimously to accept the August agenda.

Subdivision and Land Development:

Gehris Self Storage – revision-to-record land development plan [0:01.14]

Mr. Grauel recalled the April 26th presentation, and described an expansion of the paved portion of the site for some additional rental parking spaces. He acknowledged the Planning Office review, thinking he'd satisfied those issues, and distributed copies of a line-item response letter. He said he received the Public Works Department's review late that day and wasn't prepared to discuss but one of its comments. Referring to the previous stormwater management plan and narrative, he recalled an April 28th email exchange with Deborah Hoag indicating that she'd located that original documentation and offering a scanned copy. Asked if he'd ever received the April 26th Public Works review, he said that afternoon's review was the first feedback he'd received from the Department. Ms. Hoag offered her regrets, understanding from her internal notes that the review had been sent. Mr. Bealer asked for the latest findings related to the stormwater piping issues identified and discussed at the April presentation. Mr. Grauel explained that the infiltration beds were installed as shown on the 2012 plan, but that two of the three buildings, and part of that third, were never connected by their roof leaders. He said the current plan will correct that error and provide an additional bed to account for the additional paving. He said he spoke with the original site contractor who explained the background. Asked about the status of the erosion and sedimentation control planning, he claimed to be waiting on the Berks County Conservation District's response to their application made 'approximately three weeks ago'. Mr. Miller asked about the Pennsylvania One Call notice. Mr. Grauel said he filed it earlier that day, and hadn't before because they weren't involving any public utilities. He said the Conservation District's review wasn't initiated earlier because the original design fell short of the 5000-square-foot threshold. Mr. Miller asked about a 'mound' screening element shown at the northeast corner on the 2012 plan. Mr. Grauel explained that it was never installed, having been 'discounted' by the Zoning Office in recognition of the other improvements. He said the current plan proposes additional landscaping, unnecessary in his opinion, as the site is surrounded by fencing with screening slats. Mr. Miller said aesthetics are but one benefit of landscaping. He recommended tabling the plan, pending the Conservation District's approval of the erosion and sedimentation control design.

Mr. Lauter moved to table the 'Gehris Self Storage' revision plan. Mr. Cinfici seconded. And the Commission voted unanimously to table the expanding self-storage project at 612 McKnight Street.

Building 150 Site & Building Renovation (Carpenter) – final land development plan [0:12.30]

Mr. Mooney acknowledged the Planning Office review, characterizing his position on most of its issues as ‘will do’. He suggested that others were covered by the zoning variances since granted and asked for some clarifications. In response to a request for details on Weiser Street (turned ‘Arsenal Road’), West Marion Street and West Robeson Street, he believed they’d each been vacated, though, in the case of West Robeson Street, not apportioned equally between Carpenter and the neighboring owner. He said a 2005 condominium arrangement – the ‘Reading Industrial Complex Condominium’ declarations – establishes shared rights to the interior drives (referred to as ‘limited common areas’). He agreed to arrange an easement with O’Neill & O’Neill Realty LLC for the common access to the former West Robeson Street. He said Carpenter purchased the majority of the parcels covered by that condominium plan, and will annex the parcels covered by the current proposal. Mr. Miller asked that they at least detail the former rights-of-way and cartway widths and the legislative references to the vacating actions. Mr. Cinfici asked that they describe the concept and background of the plan, for the benefit of the public, noting that the August 9th special meeting wasn’t televised. Ms. Billah described an interior renovation of ‘Building 150’, focused at its southwest corner and including two new stair-tower additions. She said the rest of the site work involves the milling and overlay of Arsenal Road and the concrete slabs to its west (remaining from demolished buildings) for off-street parking. Mr. Davidheiser added that they weren’t intending an increase in the building’s occupant load, but proposed the parking improvements as a convenience for the ‘high executives’ expected in Building 150. Mr. Cinfici noted that the parcels were all formerly owned by Dana Corporation. Mr. Miller explained that the August 9th meeting resulted in a partial land development waiver, that they could proceed with the two stair-tower additions. He asked that their depiction remain on the plan, for the context, but characterized the matter remaining as the parking design and other site considerations. Ms. Billah said there weren’t any ‘new impervious’ surfaces proposed, rather an overlay of such existing conditions with new asphalt. She added that there was no change in the building’s use or occupancy. Mr. Bealer recalled differently, from the August 9th presentation. Mr. Davidheiser clarified that it was fully occupied by Dana, and only fully vacated by Carpenter within the last year for the renovation in anticipation of employees to be relocated from offices currently in Wyomissing. Mr. Mooney intended to research and provide the sewage flow calculations. He suggested a landscaping waiver, referring to the similar variance granted by the Zoning Hearing Board, and some containerized plantings provided instead. Mr. Miller clarified that the Planning Commission reserves input on landscaping designs and minimums. Mr. Mooney said the area of disturbance is less than requires the Berks County Conservation District’s formal review of the erosion and sedimentation control plan. Mr. Davidheiser said they submitted to the Conservation District to verify that interpretation. Mr. Miller asked that those measures be made clearer and that background summarized on the plan.

Ms. Hoag recalled possible lost manholes and other utility infrastructure now accessible in the absence of those former Dana buildings. She asked for a stormwater management report. Ms. Billah said they’d used ground-penetrating radar to survey and locate all the utilities, including those abandoned. Ms. Hoag sought some more-definitive evidence of their capping and the delineation between the publically- and privately-owned facilities. She thought the radar surveys generally reliable, but sometimes giving an incomplete or conflicting picture. Ms. Billah said that survey was cross referenced with Carpenter’s own records. About the stormwater, she described low points in the ‘patchwork’ of the remaining concrete foundations. She proposed a ‘sheet flow’ of runoff toward the western edge of the property. Ms. Hoag said that wouldn’t do anything to address the water quality and groundwater recharge requirements of the ordinance. Ms. Billah countered that they weren’t disturbing any of the existing impervious cover, thinking they might be exempt or qualified for a waiver from those requirements. Mr. Lauter suggested that situation should be mitigated and improved and noted the short distance to the Schuylkill River. Ms. Billah thought such a management feature would require a lot more disturbance and questioned the preference for any infiltration practice given the industrial history of the site. She said they weren’t proposing any changes to the drainage pattern. Mr. Davidheiser said the remaining foundations were strong enough for the parking, and that the asphalt overlay would merely serve to eliminate the trip hazards and ponding evident in the broken concrete. Asked how stormwater was managed at the time the buildings stood, Ms. Billah thought it had been piped to the storm sewer system. Ms. Hoag noted a couple manholes with many entering pipes, wondering about their origins. Mr. Miller asked if the site was covered by any environmental remediation plan or covenants. Ms. Billah didn’t think so. Mr. Lauter wondered if the paving would only have the effect of shifting the ponding condition a little further west. Mr. Miller suggested a vegetated buffer at that perimeter. Ms. Hoag agreed that some additional landscaping might serve the purpose. Mr. Davidheiser mentioned Carpenter’s intent to eventually develop the full property, hoping to avoid wasting money or limiting the flexibility of future designs by the installation of temporary stormwater features. Ms. Billah added that there was still no ‘master plan’ for the site, while assuming that a riparian-buffer element would be a part of it. Asked about their current management of the standing water issues, she referred only to the design of the overlay paving. Mr. Miller asked about the average depth/thickness of that existing concrete. Mr. Davidheiser observed eight inches at one saw cut. Ms. Billah estimated ‘a foot or more’

elsewhere. Mr. Cinfici noted another recent ‘positive’ test for West Nile Virus in a local mosquito. Mr. Mooney felt the stormwater planning wasn’t ‘economically feasible’ as part of the current project. Mr. Miller suggested that an incremental build out might never present an ideal time for those improvements. Mr. Mooney thought new buildings would compel the changes that are more interpretational now. He noted that, if Carpenter opted to do nothing, there would be no improvement in the existing condition. Mr. Miller noted that his review cites several sections in ‘reserve’, generally those dealing with total boundary surveys and owing to the Commission having waived them for Carpenter’s previous projects. He suggested he’d support similar waivers again, but recommended some forethought on those issues certain to be raised with the very next plan. The retaining wall, and the elevation difference between Arsenal Road and the proposed parking area, were discussed. The landscaping was described, including twenty containers along the Road and other plantings in front of the building. Mr. Bealer suggested the engineers meet to further consider and resolve the utility and stormwater issues, and recalled past projects where extra documentation was made necessary by infrastructure revealed. Mr. Mooney hoped to have that meeting in time for a September submission of the revisions. Mr. Bealer appreciated Carpenter’s presence and any efforts to repurpose underutilized and abandoned properties.

Mr. Lauter moved to table the ‘Building 150 Site & Building Renovation’ plan pending the necessary revisions, and urged some improvement in the present drainage condition. Mr. Mooney hoped for an approval contingent on working out the remaining issues with City staff. Mr. Miller resisted that approach and cited the deadline for the September 27th meeting. Mr. Raffaelli seconded the motion. And the Commission voted unanimously to table Carpenter’s 205-space parking lot plan.

Building Addition-Stadium Upgrades (Berks Catholic) – final land development plan [1:06.50]

Mr. Otero thought the plan more-or-less identical to that presented at the July 26th meeting, but revised according to the staff comments. He suggested a meeting with the Public Works Department to clarify the stormwater design and the function of the existing basin, adding that he was delaying his resubmission to the Berks County Conservation District until more confident that the stormwater plan was finalized. Mr. Lauter recalled the request for additional information regarding the available off-street parking and the provisions for ‘accessory’ uses, Mr. Miller said he was still looking for the comparative numbers and a clarification of the seating capacities in the stadium and the expanding auditorium. He understood that the plan was approved by the Zoning Office, but wanted the numbers for the supplemental information. Mr. Otero explained that the auditorium design had since been reduced from a proposed total of 969 to 898, still an additional 112 seats. There was some discussion regarding responses to the Planning Office review and their translation to notes on the plan. As for the landscaping, Mr. Miller recalled a previously-recorded design, detailing additional plantings, while recognizing the mature and maintained trees already present. Mr. Raffaelli noted the perimeter cyclone fencing and the history of the access easement through the neighboring Summit Chase subdivision. Mr. Miller thought the remaining issues identified in his review to be relatively ‘straightforward’ but, with the stormwater and erosion-control planning still pending, couldn’t recommend any action. Mr. Otero mentioned some further analysis of the existing stormwater basin, and asked if the original stormwater report was available. Ms. Hoag offered to look for it. Asked if there was any anticipated increase in the custodial staffing, Mr. Balistrere answered ‘not at this time’. Mr. Otero intended to schedule a meeting with the Public Works Department.

Mr. Cinfici moved to table the final plan for the Berks Catholic expansion and athletic field. Mr. Lauter seconded. And the Commission voted unanimously to table Berks Catholic’s ‘Building Addition-Stadium Upgrades’ final plan.

Warren Street Properties: Warren Street Dunkin Donuts – preliminary land development plan [1:30.33]

Seeing no one in attendance to present the plan, and based on an email that morning so indicating, Mr. Miller recommended the plan be tabled. He mentioned that revisions did show some improvement from the July version.

Mr. Lauter moved to table the preliminary plan for the proposed Dunkin Donuts. Mr. Raffaelli seconded, and indicated he had a statement to make. And the Commission voted unanimously to table LGN Management’s ‘Warren Street Properties: Warren Street Dunkin Donuts’ preliminary plan.

Mr. Raffaelli said that the nature of the Warren Street Bypass is such that an ‘inherent danger’ persists and that the City should act to terminate the Allegheny Avenue and Carbon Street intersections with the Bypass. He said access would continue to and from the Butler Street connection another block to the east, and be more consistent with the design of the north side of the Bypass. He referred to the 1973 *Ayala v. Philadelphia Board of Public Education* case that abolished the concept of governmental immunity in Pennsylvania, and the 1980 Sovereign Immunity Act that followed from the state legislature and restored that immunity in statutory form. He claimed that, among the nine specified exceptions, immunity would not apply to any situation where the municipality creates an inherent

danger, which he considered the present configuration to present. He felt that danger could be drastically reduced if those intersections were closed. He said that he discussed the matter with the Pennsylvania Department of Transportation (PennDOT) and was told that such a change was the City's responsibility and option. Ms. Hoag said she researched the history of the north-side closures, finding that they had intended to follow up with Bypass-paralleling access roads, to eliminate the dead ends. She said some appeared to have been constructed and others not. She said the record didn't reveal who had the responsibility for those connections. Mr. Lauter understood the concern, but cautioned that such a closure might result in an unintended volume consequence at the existing exit ramp (Butler Street) to Schuylkill Avenue, already beset by a queue that might possibly grow back to the Bypass. Mr. Miller noted the expected route from there to the Dunkin Donuts would impact residential areas. Mr. Lauter referred to the backup observed on the north-side exit, and the conflict at Lackawanna Street. Mr. Bealer wondered why the approach to Butler Street wasn't designed with more of a deceleration lane. Mr. Miller noted that PennDOT hadn't initiated any new designs on that stretch of the Bypass, as had been suggested at the July meeting. Mr. Cinfici suggested the possibility of one-way restrictions for those intersecting streets. He asked if there had been any legal input on the Commission's options. Mr. Miller reported that advice as being consistent with his direction at the July meeting.

Other business:

§609.c review-proposed 'Wireless Communication Facilities' zoning ordinance amendment [1:52.56]

Mr. Miller referred to the County Planning Commission's review of the draft ordinance, included with the meeting materials, and the draft ordinance itself, distributed at the August 9th special meeting. He thought the County was fairly thorough in their checks for conflicts and the fit with the City's existing Zoning Ordinance. Mr. Bealer noted the limitation to four zoning districts, for tower-based facilities, and the authorization in any district for the non-tower installations. He wondered if the downtown 'Commercial Core' district should be included and raised several other proofreading-type considerations. Mr. Miller explained that the rising demand is partially explained by that population using wireless devices in lieu of any other home-based internet connection. He said the amendment is based on an ordinance already successfully defended elsewhere, and described the challenge in applying it to the local conditions and map. He noted several potential edits himself, and hoped for an opportunity for a meeting with authors to consider those issues directly before the preparation of the final draft. Mr. Bealer noted some other sections, either inconsistent or presumably missing, and questioned the sufficiency of the required bonding for work within the public rights-of-way. Mr. Miller intended to seek an opportunity for all of the identified issues to be addressed, but advised that a general statement of support might still be appropriate, if the Planning Commission was in agreement with the principle of the draft form. Mr. Cinfici mentioned a concern for the potential interference with other communications and signals, somewhat but incompletely covered by the draft language. He noted the reference to restrictions in the historic districts, wondering if it extended to the 'Queen Anne' National Register district. He considered the placement of certain provisions, relative to the 'severability' clause, and suggested they be repeated elsewhere. He questioned the required Planning Commission review of 'fencing and screening' where they're not otherwise involved in the project. Mr. Bealer noted the existing practice of reviewing new towers as 'land development'. Mr. Miller thought the amendment encouraged installations on existing structures, unsure how the Commission would recommend such treatment for facilities on existing towers or rooftops. He hoped the various reviews would result in an amendment fitting into and consistent with the existing Zoning Ordinance, avoiding the common pitfalls of amending legislation. *[recording stopped at 2:15.27 in, and picking up at 2:14.57 into the BCTV file]* Mr. Raffaelli noted that the technology is still changing, expecting that these facilities would soon be obsolete. Mr. Miller recommended support the general direction and intent of the draft amendment, while reserving the opportunity to incorporate the members' specific input prior to its enactment.

Mr. Raffaelli moved to recommend that City Council enact the proposed Zoning Ordinance amendment, effectively replacing the Part 21 'telecommunications' regulations, following a review and incorporation of the several edits and corrections suggested by the Planning Commission members. Mr. Cinfici seconded. And the Commission voted unanimously to forward their recommendation to City Council, as provided for by §609.c of the Pennsylvania Municipalities Planning Code.

Resolution #34-2016

§303.a.1 review-proposed 'West Reading Disc Golf' course

Mr. Miller explained that the proposal concerned Borough-owned land within the City's municipal jurisdiction. Mr. Bealer recalled his own children having played on another course and described the nature of the target 'baskets'. Ms. Hoag referred to another course within the City, at Angelica Park. Mr. Bealer noted the proximity to the surrounding streets. Mr. Miller mentioned that same immediate concern coming from the City's Public Works Department and risk-and-safety personnel. He said it wasn't so much an approval-denial issue for the

Planning Commission as an opportunity to air concerns. Referring to a simplified layout 'plan', Ms. Hoag suggested that the space available and the number of targets appeared a 'little tight'. Mr. Miller said the courses have proven popular elsewhere, as a low-cost recreation opportunity. Mr. Raffaelli asked about a planned skate park in the same general area. Mr. Miller said that was still in the works, but would appear to be precluded by the installation of the disc golf course. He described the skate park concept as a 'half pipe' design that might involve more 'land development' considerations, given its construction and deeper excavation. Mr. Bealer wondered if a netting backstop would resolve the concerns of errant discs. *[picking up with the second audio file – about 13½ minutes lost – where at 2:28.32 into the BCTV file]* Regarding liability issues, Mr. Bealer suggested that the indemnification concern was upon the Borough. Asked about hours of operation, Mr. Miller assumed the 'daylight' hours or whatever is the policy for Borough parks generally. He thought the situation, and the Commission's role, a little different from what typically involves their communication to their own governing body for projects on City land.

review the draft July 26, 2016 meeting minutes [0:07.00]

Mr. Cinfici moved to accept the July 26th minutes, as presented. Mr. Raffaelli seconded. And the Commission voted unanimously to accept the July meeting minutes.

Resolution #35-2016

review the draft August 9, 2016 meeting minutes [0:07.56]

Mr. Cinfici moved to accept the August 9th minutes, as presented. Mr. Lauter seconded. And the Commission voted unanimously to accept the August special meeting minutes.

Resolution #36-2016

Mr. Raffaelli commented on the deteriorating condition of the 'Cedar Street Park' between the 800 blocks of Court and Washington Streets (32 Cedar Street) and the responsible party.

Mr. Miller reported on some minor elevation adjustments proposed for the 'S. 6th Street Family Dollar' project, related to the grades between the sidewalk-driveway transitions. Ms. Hoag expected to see those changes reflected in the forthcoming as-built plans. Mr. Raffaelli doubted the capacity of the loading area construction to adequately support tractor-trailer trucks.

§508.3 agreement to review extension-Angelica Street Storage [0:15.14]

Mr. Raffaelli moved to extend the review of the 'Angelica Street Storage' plan by 90 days, as requested in an August 23rd letter emailed from the project manager. Mr. Lauter seconded. And the Commission voted unanimously to approve a 90-day extension for the final plan for a self-storage facility at 20 Angelica Street.

Resolution #37-2016

Mr. Cinfici reported on the latest determination hearing of the Blighted Property Review Committee, his first as its newest member. Some discussion followed on the share of those cases ending in demolition. Mr. Lauter mentioned the Centre Park Historic District Artifacts Bank's interest in salvage opportunities.

The look of the apparently-finished 'Reading Bicycle Pump Track', in the 900 block of Penn Street, was noted.

Mr. Lauter moved to adjourn the August meeting. Mr. Cinfici seconded. And the Commission adjourned the August 23rd meeting. – 10:00p