

Minutes
Regular meeting of the City of Reading Planning Commission
May 27, 2014 at 7:24 pm

Members present:

Ermete J. Raffaelli, Chairman
Michael E. Lauter, Secretary
Wayne Jonas Bealer, Assistant Secretary

Staff present:

Andrew W. Miller, Planning Office

Others present:

Scott T. Miller, Stackhouse Bensinger Inc.
Lee C. Olsen, Olsen Design Group Architects Inc.
David A. Kostival, Reading Eagle Company

After a delay in reaching a quorum, Chairman Raffaelli called the May meeting to order, and asked for acceptance of the agenda. Andrew Miller explained that both the '120 & 122 Belvedere Avenue' and the 'Homes at Riverside' plans were withdrawn at the request of their project managers, while they work through issues identified by the reviewing agencies. Mr. Lauter moved to accept the May 27th agenda, as modified. Mr. Bealer seconded. And the Commission voted unanimously to accept the revised May agenda.

Subdivision and Land Development:

MDJ 23-3-09 District Justice Office – final subdivision and land development plan [0:01.31]

Scott Miller recalled the previous presentations and the revisions to the plan since, beginning with the extension of the sidewalk from the neighboring property on the south to the proposed driveway. He said he reconfigured the trees, insofar as he could without interfering with the stormwater detention area and swale. He said they've secured the Berks County Conservation District's approval and a zoning permit. Referring to letters from the Planning Office and the Public Works Department, he characterized the remaining issues as 'addressable'. Andrew Miller agreed that his remaining requests were minor, and asked if there were any specific issues. Scott Miller said not. Asked the same about the Public Works review, Scott Miller noted the request for a 15-foot-wide drainage easement, and instead offered a blanket easement covering the entire property rather than defining bearings and distances. He noted the direction to extend the sidewalk and curbing around the property, in conflict with the Planning Commission's intent, voiced at the April meeting, to grant a waiver. He realized the City reserved the right to order the full sidewalk at anytime in the future, and offered to include a plan note acknowledging the deferment. Andrew Miller noted a similar comment from the County Planning Commission, and asked about any communication between them and the Nonprofit Development Corporation. Scott Miller wasn't aware of any, but noted the County sponsorship of the plan and again offered the note. He realized that sidewalks could be required at any time. Andrew Miller referred to a Public Works comment questioning the location of an existing sanitary sewer lateral. Scott Miller said the location shown had been 'field verified' by its partial reveal at the surface. He said they requested, but never received the City's sewer plans, and offered to revise the plat if necessary, or if further information became available. He intended to contact the acting Public Works Director. Andrew Miller referred to the Public Works and County Planning comments regarding the clear-sight triangles at the driveway opening. He noted the intermittent enforcement of such triangles at driveways, thought hardwood trees a less intrusive use of the space, and assumed a low traffic volume. Scott Miller assured that no shrubs or evergreen varieties were planned in those areas. He said the trees are proposed at a 2½-inch caliper at planting. Andrew Miller suggested they consider other, more fastigiate cultivars than the maples proposed. He thought that the developer had already been discussing trees available from the Shade Tree Administrator. Mr. Bealer agreed that the street was 'lightly traveled'. Andrew Miller clarified that the ordinances do appear to regulate driveway intersections as any other, at 75-foot minimum triangles. Asked if any free-standing signage was being considered, Mr. Olsen answered only the wall-mounted signage discussed at the April meeting. Discussing the County Planning suggestion of riprap and curb breaks to manage stormwater from the parking area, Scott Miller said it is a common practice, but one avoided by his firm in favor of other available options with lessened risks of sinkhole formation. He noted that the Conservation District approved the present plan for water-quality, nitrate control and thermal impact parameters. Andrew Miller asked about an apparent low point in the parking lot, relative to the outlet structures. Scott Miller explained it as a coincidence of the spot elevations shown, and assured the grade would promote a 'positive flow'. Asked about a note estimating sanitary-sewer loads at 400 gallons-per-day, versus other documentation projecting 160, he said the

'400' was given for consistency as the dwelling-unit equivalent. Andrew Miller asked if a storm sewer outlet structure included any sort of water-quality device requiring service. Scott Miller said not. Asked for photometric measures on the lighting plan, he said it had only recently been completed and would be added.

Andrew Miller thought that covered the current issues, and expressed his frustration with the last-minute input from the other City reviewing authorities. He suggested a conditional approval, though uncertain how the Public Works Department would respond to the developer's ideas for resolving their issues. He said there are currently three engineers sharing that function in a time of transition at the director position. Scott Miller said the client hoped to move forward, and realized the Commission wouldn't release the plans until satisfied. Mr. Olsen planned to meet with the Berks County Commissioners on June 5th, and hoped to show progress. Andrew Miller asked about the status of an improvements agreement, which was to be submitted directly to Public Works. Scott Miller said he hadn't yet, wondering what would be included and how the terms might be modified given that two *public* entities are party to it. He referred to other municipalities having an agreement in lieu of financial instruments.

Mr. Bealer moved to (1) grant a partial waiver of the §515-602.D sidewalk requirement, subject to the provision of an approximately sixty-foot section between the southern property line and the proposed North 10th Street driveway opening, with a plan note recognizing the City's right to enforce the full requirement at anytime thereafter, and (2) grant a conditional final approval to the 'MDJ 23-3-09 District Justice Office' plan, subject to revisions satisfying the Planning Office and the Public Works Department, and as well their and the Law Department's satisfaction of the terms of the municipal improvements agreement. Mr. Lauter seconded. Andrew Miller questioned the applicant's consent to the motion described. Scott Miller and Mr. Olsen each indicated their agreement. And the Commission voted unanimously to approve the District Justice Office final plan on the foregoing conditions.

Resolution #7-2014

Other business:

§609.c review-proposed 'alternative-energy' zoning ordinance amendment [0:26.12]

Mr. Raffaelli suspected the draft was likely copied from someone else's model, and modified. Andrew Miller explained that he knew nothing of the proposal aside from an upcoming 'OneStopShop' meeting scheduled with the building inspectors, leaving him with the impression that it was intended as an amendment to the building codes. He then received a County Planning review, and realized it was a zoning ordinance, though not yet formally introduced according to the City Clerk's Office. He guessed they were after first impressions, and that a more-final version may be reviewed again later. He surmised the draft to be regulating optional systems, rather than mandating any conversions of conventional systems. Recognizing that the meeting was running ahead of schedule, he noted that representatives of the Environmental Advisory Council may attend for further explanation.

Of the specifics, Mr. Bealer considered the opening proclamation (Section 2) to be in some conflict with other sections (page 11, B.10) regarding applicability to existing systems. He suggested provisions for anaerobic digesters, commonly in use in sewage-treatment facilities, and being proposed by at least one company for residential installations and on-site energy recovery. Andrew Miller thought that, if only applicable to sewage treatment, the concept itself might be forbidden by other municipal codes. Mr. Bealer reminded that many standard practices originate as experimental applications. Mr. Raffaelli suggested noise parameters for systems other than wind turbines, noting the noise projected from the Evergreen Community Power plant. He advised further consideration and tailoring of the regulations for *residential* and *industrial* applications, especially in terms of fuel materials allowed. He questioned the height limitations (page 9, D.5), even if interpreted to measure beyond the principal building limits. Mr. Bealer thought roof-mounted solar panels should be restricted in the historic districts (page 8, C.1), and noted an apparent conflict with another section referencing the Historical Architecture Review Board (page 11, B.11). Mr. Lauter felt it should reference 'visibility from the public way' for consistency with existing regulations. Andrew Miller added the occasional confusion of *building fronts* and *front yards* in zoning matters. Mr. Raffaelli referred to his own roof-top photovoltaic panel powering an attic ventilation fan. Mr. Bealer said the requirement of 'CAD drawings' might be too specific (page 10, B.1) and bar other forms acceptable to the building inspectors. He preferred the more-generic 'architectural' term. Andrew Miller agreed, and noted that manufacturer's specifications or vendor's product data are often submitted and satisfactory for new 'systems'. Mr. Bealer questioned the required notification to the Zoning Officer following installation (page 11, B.7), thinking that more-appropriately covered by the final inspection and occupancy permitting. Andrew Miller agreed that the building inspectors were better able to verify and validate the work, and added that new *systems* may not necessarily imply new *occupancies*. Mr. Bealer identified other recommended grammatical revisions (page 11, under 'Removal'), left from the edit of the model ordinance. Andrew Miller noted the same elsewhere, and suggested a general proofreading of the final draft. Mr. Bealer questioned the definition of 'wood-fired boiler' (page 13), which

are not always in an ‘accessory structure’. Andrew Miller noted a broader challenge in the wording of an ordinance’s definitions, especially when relied upon in settling interpretations of the regulations. He suggested a general directive to prepare a summary of the conversation for forwarding to City Council, rather than trying to rework each point into a motion. He added that the Commission ‘may see it again’.

Mr. Bealer moved to direct that the Planning Office prepare and submit to City Council a summary of the Planning Commission’s review of the proposed ‘alternative-energy systems’ ordinance. Mr. Lauter seconded. And the Commission voted unanimously to communicate a summary of their comments.

Resolution #8-2014

§513.a approval reaffirmation-Iglesia Cristiana [0:53.00]

Andrew Miller briefly explained the situation of a delayed municipal improvements agreement and it preventing the plan’s recording.

Mr. Lauter moved to reaffirm the final plan approval for the Iglesia Cristiana expansion. Mr. Bealer seconded. And the Commission voted unanimously to a second reaffirmation of their June 2013 final plan approval, Resolution No. 19-2013, for Iglesia Cristiana.

Resolution #9-2014

§207 election-2014 Planning Commission office holders [0:54.49]

Mr. Bealer, reporting for the ‘nominating committee’ and having previously consulted the other members, nominated the existing officers for another year in their existing capacities.

- Chairman - Ermete J. Raffaelli
- Vice Chairman - Brian J. Burket
- Secretary - Michael E. Lauter
- Assistant Secretary - Wayne Jonas Bealer

Mr. Lauter moved to elect the slate of officers proposed. Mr. Bealer seconded. And the Commission voted unanimously to re-elect the current officers to their current offices.

Resolution #10-2014

review the draft April 22, 2014 meeting minutes [0:56.19]

Mr. Raffaelli and Mr. Bealer requested some clarifications and corrections.

Mr. Bealer moved to accept the April meeting minutes, as amended. Mr. Lauter seconded. And the Commission voted unanimously to accept the corrected April 22nd meeting minutes.

Resolution #11-2014

Mr. Bealer reported the cancellation of the Blighted Property Review Committee’s May meeting, and the anticipated business at its next. Mr. Raffaelli questioned the fencing in front of the City’s recently-acquired buildings in the 400 block of Penn Street.

Mr. Lauter moved to adjourn the May meeting. Mr. Bealer seconded. And the Commission voted unanimously to adjourn the May 27 meeting. – 8:31p