

Minutes
Regular meeting of the City of Reading Planning Commission
March 13, 2007 at 7:00 pm

Members present:

Ermete Raffaelli, Chairman
David Reppert, Vice Chairman
Wayne Jonas Bealer, Assistant Secretary
Edmund Palka

Staff present:

Andrew W. Miller, Planning Office
Michelle R. Mayfield, Department of Law
Charles M. Jones, Department of Public Works
Cynthia A. Sopka, Zoning Office

Others present:

James A. Koppenhaver, Yerkes Associates, Inc.
Sal Sottosanti, All Green Lawn & Tree Care, Inc.
Carl Sottosanti, All Green Lawn & Tree Care, Inc.
Jonathan P. Phillips, Roland & Schlegel, PC
Kent D. Morey, Spotts, Stevens & McCoy, Inc.
David A. Wolf, Carpenter Technology Corporation
Jeffery C. Euclide, Entech Engineering, Inc.
Christopher J. Fell, Interstate Resources, Inc. (d.b.a. United Corrstack, LLC)
David F. Stauffer, United Corrstack, LLC
Stephen F. DeLucas, Reading Eagle Company

Chairman Raffaelli called the March meeting to order, and introduced Ms. Sopka, the newly appointed Zoning Administrator. Ms. Sopka thanked the Commission for its acknowledgement, complimented the City's architectural heritage, and invited the members to contact her office with any concerns.

Mr. Raffaelli asked for acceptance of the agenda. Mr. Reppert moved to accept the agenda. Mr. Palka seconded. And the Commission voted unanimously to approve the March agenda.

Subdivision and Land Development:

Review the **final** land development plan for **All Green Lawn & Tree Care**, a proposed building at that parcel known as 1853 North Third Street. [0:02.01]

Mr. Koppenhaver said the name of the project had been changed to "Sotto Properties", reflecting the owners of the land. He called it an existing property, acquired by the Glidden Company and sold back to Sotto Properties, LLC. He said the plan proposes a 6000-square foot metal building in an existing parking lot, for the wholesale and warehousing of landscaping supplies.

Mr. Raffaelli asked for building elevations. Mr. Koppenhaver had none, but described the building as a rectangular, pre-engineered metal building, with steel siding, and a standing-seam metal roof, reaching 18 feet at its peak.

Mr. Raffaelli wondered why the plan was presented as "final". Mr. Koppenhaver asked that the plan be considered as a minor subdivision/land development.

Mr. Bealer wondered why the property was designated as "North Third Street". Mr. Miller referred to the County's tax mapping address, assigned to the parent Glidden tract. He said he uses those addresses for consistency when writing the agenda. Mr. Bealer asked what was determined to be the front yard. Mr. Miller said the Centre Avenue and Bern Street frontages are considered front yards. Mr. Bealer recalled an existing building. Mr. Koppenhaver pointed to the general location of the "lean-to" structure on the neighboring parcel north. Mr. Bealer asked about the possibility modifying the Centre Avenue/Bern Street intersection to stop trucks from hitting the utility pole. Mr. Jones thought they could widen the radius, with Department of Transportation approval, or move the utility pole.

Mr. Raffaelli recognized the neighborhood consistency of the use proposed, but also a "litany" of unresolved issues, according to the reviews of the City Engineer, County Planning Commission and City Planning Office. He noted the questionable subdivision effected without the City Planning Commission's review. Mr. Koppenhaver offered a letter, in response to those reviews, indicating their intentions to correct what they felt they

could. He distributed copies to the Commission members.

Mr. Raffaelli asked about the legal status of Thorn Street. Mr. Jones believed it had been formally vacated. He said new storm sewer piping had been installed in early 1980s, running north on Thorn Street from Bern, and requiring the City to establish an easement with the Glidden Company. Mr. Koppenhaver said they were interpreting Thorn as a common access/driveway.

Mr. Phillips introduced himself as an attorney recently retained by Sotto Properties. He mentioned conversations with Mr. Miller and Ms. Mayfield, and suggested Mr. Koppenhaver address some of the specific issues raised in the Planning Office review. He said they're seeking a conditional approval, and the response letter may alleviate the concerns about code compliance. He said a tenant is planning to occupy the premises in May, and they intend to comply fully with the ordinances.

Mr. Bealer called the list "significant", wondering if a revised plan had been submitted. Mr. Koppenhaver said "not yet", explaining that more field survey work was required.

Mr. Bealer disputed the treatment of the paving as a preexisting condition, given the new development of the property. Mr. Koppenhaver said they need some parking for the use itself. Mr. Miller agreed, but said development of the new property must be done in accord with the ordinances. He expressed disappointment that the same issues, thought to be resolved in meetings with the applicant, kept coming up.

Sal Sottosanti said Thorn Street is co-owned by the Glidden Company and Sotto Properties. Mr. Miller said the plan must demonstrate that. Sal Sottosanti hoped for conditional approval, fearing the loss of his tenant. Mr. Raffaelli shared his concern, but defended the procedures. He said the project is not complicated, and that the issues should have been resolved months ago. The applicant had first approached the City's "one-stop shop" on August 31, 2006, and first submitted land development plans November 21. He said there was a reluctance to follow the process, resenting any implication that the Planning Commission is the obstacle. Sal Sottosanti said the issues were only first detailed in early March. Mr. Miller said that he referenced the applicable sections of the ordinance in his correspondence back in December. He felt the lack of response shows contempt for the City's policies, and agreed that the project should not have been so delayed. Sal Sottosanti said the engineer was treating the plan as a minor subdivision/land development. Mr. Miller said it made no difference in the requirements for approval of a plat.

Mr. Bealer asked if the erosion and sedimentation control plan had been filed. Mr. Koppenhaver answered "not yet". Mr. Bealer asked if the requested stormwater calculations were provided. Mr. Koppenhaver said there was no change from the existing conditions. Mr. Bealer asked if a landscaping plan was prepared. Mr. Koppenhaver said not.

Mr. Bealer moved to table the All Green final plan, pending the preparation of a landscaping plan, the City Engineer's review of possible modifications to the Centre Avenue/Bern Street intersection, and the erosion and sedimentation control plan submission. Mr. Palka seconded. And the Commission voted unanimously to table the All Green final plan, 4 to 0.

Review the **final** land development plan for the **Building 84 Expansion**, building additions proposed at that parcel known as 101 Bern Street (Carpenter Technology Corporation). [0:31.34]

Mr. Morey said the current plan has addressed the Planning Office review, the County Planners' review, and received the Conservation District's approval of the erosion and sedimentation control plan. He described Building 84 as three interconnected buildings, with expansions planned north and south, for the additional vacuum arc remelting (VAR) and electro-slag remelting (ESR) furnaces, respectively. He showed an aerial photograph of the property for the Commission's orientation.

Ms. Mayfield asked about the other Carpenter projects. Mr. Morey mentioned that the Building 108 expansion, approved at the Commission's February 20th meeting, requires the demolition of parts of Building 16, the alloyed storage building to be reconstructed as Building 143. He said a fourth development is planned outside the City, on the Muhlenberg Township side of the property.

Mr. Bealer asked if the expansions were motivated by new technology or increasing production capacity. Mr. Morey said capacity.

Mr. Morey said the Planning Office review specified most of the same issues as had Building 108. He requested the same waivers be granted to Building 84. Mr. Miller said those sections each had something to do with the platting of boundary information and adjoining properties.

Mr. Palka asked if Mr. Miller suspected any problems with the necessary revisions. Mr. Miller said he saw most of the intended corrections by emailed images of the plan. He thought the only outstanding documentation to be the sanitary sewage planning module, expecting that requirement to be administratively waived. Mr. Morey said

the expansion would not exceed the peak employment in Carpenter's history, nor the sewer capacity previously allotted.

Mr. Miller said the waivers requested are identical to those granted Building 108, suggesting the Commission phrase its motion accordingly. He said the sections were fully documented on the plan's coversheet.

Mr. Reppert moved to grant waivers from the same sections previously waived for the Building 108 Expansion: §§22-402.4.F, -402.4.H, -402.4.K, -402.4.L.1, and -403.1.B. Mr. Palka seconded. And the Commission voted unanimously to grant the five waivers, 4 to 0.

Mr. Bealer moved to approve the Building 84 Expansion final plan, conditioned on corrections required to satisfy the Planning Office review, and resolution of the sewer planning documentation. Mr. Palka seconded. And the Commission voted unanimously to approve the final plan, 4 to 0.

Resolution #15-2007

Review the **preliminary** land development plan for **Evergreen Community Power - Power House Expansion**, a biomass-fueled power house and related improvements proposed at that parcel known as 800 South Street (United Corrstack, LLC). [0:43.42]

Mr. Euclide recalled their sketch presentation at the Commission's February meeting. He described a boiler to provide the steam and electricity needs of the adjacent paper mill. He said they had received a final approval of similar land development plans in 2004. The current plan proposes a larger boiler. He referred to the preliminary plan submitted, and the Planning Office review received. He felt most of the issues identified could be addressed satisfactorily. He mentioned the complexity of the project, and their need to start construction of the turbine generator, the fluidized-bed boiler and its housing, before designing the other parts around it.

Mr. Euclide asked if he should address the review letter line by line. Mr. Miller said no, thinking most of the Subdivision & Land Development Ordinance issues correctable. He said the zoning issues must be reviewed by the Zoning Administrator. He said the County Planners have not yet reviewed the plan, temporarily precluding action by the municipal planners, as directed by statute. Mr. Euclide expected the Conservation District's review of the erosion and sedimentation control plan within the next couple of weeks. Mr. Miller clarified that they must allow thirty days for the input of the County Planning Commission. Mr. Euclide suggested an approval contingent on the County Planners' review. Ms. Mayfield said the law doesn't allow the action until the receipt of the County review or the expiration of the thirty-day period.

Mr. Miller asked that they further explain the phased approach. Mr. Euclide said they must finalize the design of the boiler house and its foundation, the fabrication and construction of the boiler taking longer than the construction of the related service structures, such as the fuel storage building and the interconnections. He said their designs and placements hinge on the placement of the boiler house.

Ms. Mayfield asked if they proposed two separate plans. Mr. Euclide said they were asking for a preliminary approval and a phased final approval to allow construction of the boiler house to begin in advance of the accessory structures. Mr. Miller recalled the discussion and impressions given at the City's "one-stop-shop" forum. He said that is what final planning is typically all about, especially in the sub-urban world of large subdivisions; preliminary approval of an overall form, and final approvals of more specific, constituent parts. He reminded that there are certain rights vested in preliminary approvals. Mr. Euclide said the plan shows almost everything, with some details to be added, some subject to change.

Mr. Fell said the sketch presentation at the February meeting included their intent to seek final approval of the boiler house with the preliminary approval of the land development plan. He mentioned a couple meetings with the "one-stop shop" regarding the individual structures and the overall phasing, thinking it an acceptable strategy to present the plan in phases. He said all the supporting details were included in the preliminary submittal. He said they are looking to "fix" the design of the boiler house.

Mr. Bealer asked when they hoped to begin construction. Mr. Fell called it contingent on approval of the "air plan" application, anticipated in early May. He said they need to finalize the contract documents in the meantime. Ms. Mayfield questioned the filing of the plan, and the phased approval sought. Mr. Miller suggested that if the Commission granted preliminary approval of the whole, and was satisfied with the detail provided on the boiler house, they could grant it final approval, reserving judgment on other parts. He complimented the detail of Entech's plans, but advised certain additions and revisions were still required by the ordinances. He said the County Planners must be given their due opportunity, and the Zoning Administrator must rule on the issues identified before any action by the Commission. He recognized the 'atypical' position for the Commission. He referred to the final planning requirements of the Land Development Ordinance, as his review was limited to the preliminary requirements. He directed them to submit the next version as a final plan.

Mr. Raffaelli asked about the use of the railroad. Mr. Fell said maybe someday, preferring the use of trucks for now. He said the rail distribution networks are not currently feasible, nor to the operation of their fuel supplier. Mr. Raffaelli felt rail offered better long-term economic prospects. Mr. Fell said if and when the economics dictate, they would certainly consider it. Mr. Raffaelli expressed his concern for the compounding effect of recent truck-intensive development plans in the City. Mr. Fell called the power house both an energy solution and an environmental solution to other problems of waste disposal. Mr. Raffaelli asked if any lower-cost paper production methods had been researched. Mr. Fell characterized United Corrstack's efficiency as among the top three paper mills in the United States. He said all the possible incremental improvements in energy use had been made over the last ten years. He said the mill has a 9-megawatt electrical load, and a 60,000-pound per hour steam load, produced and used at the most efficient levels possible with current fossil fuel inputs. He said they're looking to stabilize and possibly expand their manufacturing base, bucking a national trend of stagnation and contraction in the paper production industry. Mr. Raffaelli asked about "micro-mills" closer to their markets. Mr. Stauffer said Corrstack is a mini-mill, originally designed to address those issues. He said most of their customer base is within 75 miles. He said it's the pricing trend of energy, expected to rise 15% per annum, which outpaces the best efforts at increased efficiency.

Mr. Bealer recognized their diligent consideration of transportation issues, noting the routes planned in and out of the plant. Mr. Stauffer clarified the departing route: west on Canal Street to Riverfront Drive to South Fourth Street to the Bingaman Street Bridge. Mr. Jones reminded them to consider Bogia Engineering Inc.'s traffic study. Mr. Stauffer said Corrstack has contracted Bogia Engineering to study and design improvements at the intersection of South Fifth and Laurel Streets, considering it Corrstack's responsibility.

Mr. Palka asked about the different types of combustion. Mr. Fell said their Riceboro, GA location (Interstate Paper, LLC) operates a bubbling fluidized bed (BFB) boiler on wood wastes and tire-derived fuels. He said it is about 2/3 the size of the Corrstack proposal. He said there are examples of circulating fluidized bed (CFB) technology throughout Pennsylvania, most used to burn coal waste, or "culm". He said there are few paper mills in urban environments, domestically. But installations in Europe are more common, their environmental and material-handling controls the key to their success. Mr. Stauffer noted a tissue mill in Chester, Pa (Kimberly-Clark Corporation), a 60-megawatt production capacity (bituminous coal, culm, and petroleum coke). Mr. Fell said they've been in operation for twenty years.

Mr. Bealer requested written information on discharges from the stack. Mr. Euclide said the information was filed with the Department of Environmental Protection, and the County. Mr. Fell said they will provide it, noting their application classification as a "synthetic minor permit" (Federally Enforceable State Operating Permits [FESOP]), which he called the most stringent standard.

Mr. Reppert moved to table the Evergreen Community Power preliminary land development plan. Mr. Palka seconded. And the Commission voted unanimously to table the preliminary plan, 4 to 0.

Requests for time extensions: [1:38.41]

Ms. Mayfield mentioned the three written requests for extension of the statutory-prescribed time limits on approving plats (Pennsylvania Municipalities Planning Code, Section 508).

Review the **preliminary** land development plan for the **15th Street Land Development**, a subdivision and six single-family attached dwellings proposed at those parcels known as 615 and 633 South 15th Street.

Mr. Palka moved to grant an extension to the preliminary "15th Street Land Development" plan until July 8th. Mr. Reppert seconded. And the Commission unanimously agreed to the extension, 4 to 0.

Resolution #16-2007

Review the **preliminary** land development plan for the **15½ Street Land Development**, a subdivision and eight single-family attached dwellings proposed at those parcels known as 614, 631 and 632 South 15½ Street.

Mr. Reppert moved to grant an extension to the preliminary "15½ Street Land Development" plan until July 8th. Mr. Palka seconded. And the Commission unanimously agreed to the extension, 4 to 0.

Resolution #17-2007

Review the **final** subdivision plan for the **Cotton Street Subdivision**, twelve (12) subdivisions and annexations to parcels south proposed for that parcel known as 415 South 14½ Street.

Mr. Bealer moved to grant an extension to the final "Cotton Street Subdivision" plan until the

Commission's April meeting. Mr. Palka seconded. And the Commission unanimously agreed to the extension, 4 to 0.

Resolution #18-2007

Minutes: [1:43.47]

Ms. Mayfield said the agenda item should have read February 20th, as opposed to February 13th. Mr. Reppert moved to accept the February 20th minutes. Mr. Palka seconded. And the Commission voted unanimously to approve the February 20th minutes, 4 to 0.

Resolution #19-2007

Other business: [1:44.42]

Mr. Bealer suggested a special meeting to discuss the Commission's procedural issues, previously identified by its solicitor and Planning Office. He suggested the same meeting time, in two weeks.

Mr. Raffaelli asked about the status of enforcement notices regarding zoning violations at Mimmo's Restaurant & Pizzeria, 290 Morgantown Road, and the neighboring residential property at 15 Prospect Avenue. Ms. Mayfield reported that the Zoning Hearing Board had previously affirmed an enforcement notice from then Zoning Administrator Joyce Ann Pressley. A miscommunication caused the next Administrator, James T. Mohn to issue a letter of compliance, later revoked and a new enforcement notice issued. Ms. Mayfield said that is the most current information she has.

Mr. Miller suggested a motion directing staff to advertise meeting for Tuesday, March 27th at 7:00pm in the Planning Conference Room 3-03. Mr. Bealer so moved. Mr. Palka seconded. And the Commission agreed to the public notice unanimously, 4 to 0.

Resolution #20-2007

Ms. Mayfield asked if Mr. Bealer's appointment to Blighted Property Review Committee had been communicated to the administration. Mr. Miller said he'd check.

On Mr. Palka's motion, the Commission agreed unanimously to adjourn the March meeting, 4 to 0. –
9:02 pm.