Minutes
Regular meeting of the City of Reading Planning Commission
September 11, 2007 at 7:00 pm

Members present:

Ermete J. Raffaelli, Chairman
David N. Reppert, Vice Chairman
Michael E. Lauter, Secretary
Wayne Jonas Bealer, Assistant Secretary
Frederic dep Rothermel, Jr.

Staff present:

Andrew W. Miller, Planning Office
Michelle R. Mayfield, Department of Law

Others present:

W. Casey Deller, Jr., C.S. Davidson, Inc.
John Keegan, Reading Area Community College
Michael Hodowanec, Reading Area Community College
Michael C. DiPaolo, Michael C. DiPaolo, PLS
Wallace S. Scott
Reimundo Encarnacion
Lindsay Wagerer, McIlvried, DiDiano & Mox, LLC
John T. O'Neill, Landmark Surveying
Gary D. Kraft, Kraft Engineering
Kent D. Morey, Spotts Stevens & McCoy, Inc.
David A. Wolf, Carpenter Technology Corporation
Douglas A. Kramer, Applied Surveying Technologies, Inc.
Randy J. Dautrich, Entech Engineering, Inc.
Salvatore J. Sottosanti, Sotto Properties LLC (Sal's Landscaping & Lawn Care Service)
Carl Sottosanti, Sotto Properties LLC (Sal's Landscaping & Lawn Care Service)
Gregg A. Bogia, Bogia Engineering Inc.
Timothy S. Howe, Birchcraft Kitchens, Inc.
Mark H. Koch, Koch & Koch

Chairman Raffaelli called the September 11th meeting to order, and asked for acceptance of the agenda. Mr. Miller requested the Birchcraft Kitchens presentation be rescheduled to the end of the meeting, by request of the applicant who had a scheduling conflict. Mr. Lauter moved to accept the agenda, as amended. Mr. Rothermel seconded. And the Commission voted unanimously to approve the September 11th agenda, 4-0 (Mr. Reppert yet to arrive).

Subdivision and Land Development:

Review the **parking lot** land development plan for the **Fleetwood Parking Lot** (Reading Area Community College), off-street parking proposed at that parcel known as 105 Chestnut Street. [0:01.20]

Mr. Deller recalled the site's former manufacturing buildings, and described its current vacant condition, the vacated block of Chestnut Street, their intent to pave and provide approximately 150 new off-street parking spaces for the College, with landscaping and stormwater controls in median islands, and buffering and lighting proposed, as well. Mr. Rothermel requested a brief overview, having missed the initial presentation in July. Mr. Deller explained the site's relation to the greater campus, and its access points, characterizing it as an extension of the existing (Oritsky) parking lot to the north. He said the stalls and aisles were designed per the dimensional requirements of the Zoning Ordinance. He said total impervious cover would be reduced from 92%, with the Fleetwood Industries buildings, to 75%. He described stormwater infiltration areas, topped with decorative stone, with larger stone and a geotextile liner beneath.

Mr. Rothermel asked about landscaping along North 2nd Street. Mr. Deller indicated the mature street trees to remain, with maintenance planned, and additional shrubbery similar to that along the Competition Tire East property at 150 Franklin Street. He stated that everything would be coordinated through the Shade Tree

Commission. Mr. Rothermel asked for additional detail on the shrub plantings, and their effectiveness in screening the parking areas, recalling the priority in the former Riverfront Urban Renewal Area, especially along the "Industrial Collector" street network. Mr. Deller didn't have the full landscaping schedule available.

Mr. Rothermel asked if dimensional variances had been granted by the Zoning Hearing Board. Mr. Deller explained that the planned lot annexation and landscaping screen would resolve the setback issues.

Mr. Rothermel asked if they had an agreement with the Reading Eagle Company regarding the maintenance of the vacated Chestnut Street. Mr. Deller said the College was working toward a formal easement. Mr. Keegan stated the College's intention to maintain the Street, understanding the Reading Eagle to be moving in the near future. He said the College will need to preserve the access either way, but hadn't engaged the Reading Eagle in any discussion about cost sharing.

Mr. Bealer asked if the Department of Public Works was satisfied with the stormwater calculations. Mr. Miller said the City Engineer had given his verbal "okay" with the extent of the planning. He asked if there had been any additional consideration of plantings, beyond the stone, for the intended filtration in the median strips. Mr. Deller said it was considered, but that bid documents had already been prepared, and would need to be altered. Mr. Miller mentioned the Conservation District's concerns about water quality. Mr. Deller said erosion and sedimentation control plans were submitted to the District August 19th, and that their review specialist, Bryon Ruhl had indicated his satisfaction with the reduced impervious cover and post-construction management, intending to issue the formal letter shortly.

Mr. Miller asked when he'd have the new legal description. Mr. Deller said about a week. Mr. Miller asked about the municipal improvements agreement. Mr. Deller believed it wasn't necessary, as all the improvements proposed were within their building envelope. Mr. Miller said the City would require a small security to cover the storm sewer connection.

Mr. Miller advised them to establish the necessary access easements with the Reading Eagle before they cease operations and market the property. He said it's no longer the City's responsibility. Asked if they perceived any problems in satisfying his August 24th review memorandum, Mr. Deller said no.

Mr. Rothermel asked about site lighting. Mr. Deller described it as similar to that in the Oritsky Lot; overhead "box" fixtures with cut-offs. He said an emergency call box is also included. Mr. Rothermel asked about signage. Mr. Deller noted stop signs at the entrance points, and "no parking" signs on the Chestnut Street frontage. He said identity signs would be handled separately.

Mr. Bealer expressed his reluctance to approve the plan without the promised legal description, because of the perceived zoning violations. Ms. Mayfield said they can make it a condition of approval, and ahead of endorsement. She alluded to the expiring time "for approval of a plat", allowed under §508 of the Pennsylvania Municipalities Planning Code.

Mr. Rothermel moved to approve the parking lot land development plan, subject to the submission of a revised deed to the Planning Office, and addressing all comments of the planning staff and the Department of Public Works. Mr. Lauter seconded. And the Commission voted unanimously to approve the Fleetwood Parking Lot plan.

Resolution #56-2007

Review the **final** subdivision plan for the **Cabrera Subdivision**, a subdivision of that parcel known as 41 North Ninth Street. [0:24.07]

Mr. DiPaolo described the property's location on the east side of North Ninth Street, between it and Moss Street, the existing building's commercial space on the first floor and apartments on the second and third, the brick garage, and two wood framed sheds attached and connected between the building and the garage. He proposed a subdivision between the two framed structures, resulting in lots equaling 1823 square feet and 2826 square feet.

Mr. Miller said the minimum lot area required prevents the Commission from acting on the proposal, but suggested they might make a recommendation to the Zoning Hearing Board on a preferred action and on immediate adjudication, in light of the circumstances. He said the garage doesn't currently serve as parking for the apartments, but would serve the needs of adjacent dwellings facing Washington Street, if transferred.

Mr. DiPaolo characterized the proposal as almost identical to the "Leonti Subdivision", neighboring to the south. Mr. Miller noted that the Zoning Ordinance's off-street parking standards don't apply to commercial uses in Commercial Residential (CR) district, but do apply to the residential uses therein. He said the garage is currently serving some other purpose.

Mr. Rothermel moved to recommend the Zoning Hearing Board favor the dimensional variance because of the garage's current utilization, and lack of any adverse impact if used to serve other residential parking needs. He further encouraged an expedited decision. Mr. Bealer seconded. And the Commission agreed unanimously to the

recommendation.

Resolution #57-2007

Mr. Bealer moved to table the subdivision plan. Mr. Lauter seconded. And the Commission voted unanimously to table the Cabrera Subdivision plan.

Review the **final** land development plan for **AutoZone Store No. 4603**, a subdivision and automotive parts retail store proposed for that parcel known as 600 Greenwich Street. [0:31.50]

Ms. Wagerer said AutoZone's business is limited to the retail of auto parts; no repairs or services offered. She said the landscaping plan had been updated per the Planning Office review, while still meeting the off-street parking standard. She confirmed that handicapped-accessible sidewalk is also provided.

Mr. Bealer noted the Department of Public Works' recommendation for a shared driveway. Ms. Wagerer contended that AutoZone wants to preserve an independent access, in case of any changes to the neighboring property. Mr. Miller noted the same recommendation from the County Planning Commission, recognizing the potential conflicts, but admitting there were no ordinances preventing it. Ms. Wagerer indicated the distance between the existing and proposed driveways on the plat. Mr. Rothermel agreed it would present a problem. Mr. Bealer suggested moving the proposed driveway eastward. Ms. Wagerer said they had originally shown it there, until Public Works objected to an opening so close to the Reading Station Outlet Center's driveway.

Mr. Bealer wondered, with a shared service access in the rear, if a cross-access easement was already in place. Ms. Wagerer said no agreement covered that area. Mr. Rothermel suggested that AutoZone investigate a permanent easement covering a common driveway. He cited the Berkshire Mall West as a working example of a mall with limited access points to public streets. Mr. Lauter added that two drivers exiting the existing and proposed driveways simultaneously would likely be focusing on passing traffic, and not each other. Mr. Rothermel noted the curve in Greenwich Street, and its traffic patterns, as additional drawbacks. Mr. Bealer noted other complicated patterns caused by the North 6th and Greenwich Streets intersection. Ms. Wagerer reiterated AutoZone's position, wondering if it were possible to move the driveway some ways east. Mr. Miller thought any repositioning to alleviate the current concern would again trigger the former concern at the Outlet Center entrance. Mr. Rothermel deferred to the traffic professionals with Public Works and the County Planning Commission, and their concurrence. He said he wouldn't second-guess their judgment, advising AutoZone to discuss alternatives with them. He cited the access to the 7th and Penn Streets "State" Lot and service entrance for the Reading State Office Building facing Cherry Street, as a precedent for combining vehicular access points across property lines.

Mr. Rothermel moved to table the final plan, pending further discussion of appropriate driveway designs. Ms. Wagerer stated that AutoZone doesn't generate alot of traffic, or experience any "peak" rush. Mr. Rothermel appreciated the fact, but again noted the concurrence between City and County officials. Mr. Bealer seconded. And the Commission voted unanimously to table the AutoZone Store No. 4603 plan.

Review the **final** land development plan for **Slovak Catholic Sokol – Addition and Alterations**, a proposed expansion of the Home Association's building at those parcels known as 411-427 Crestmont Street. [0:51.10]

Mr. Kraft introduced himself as the project engineer, described the gymnasium planned in the addition, and delineated the existing and proposed buildings on the plan. Turning to the floor plans, he indicated the gymnasium portion. He explained the off-street parking area, and the access proposed through an adjacent alley.

Mr. Miller noted numerous Zoning Ordinance issues; direct public street access from off-street parking areas, maximum driveway width, screening and lighting details, and shade trees required within the parking lot. Mr. Kraft wasn't sure of a design solution. He said the same plan was presented at the zoning hearing. Mr. Miller added "maximum lot coverage" as another issue not addressed in the Zoning Hearing Board's decision.

Mr. Kraft noted an existing four-foot, chain-link fence with lattice screening along the property's north, east and west perimeter, proposing to remove the portion fronting Crestmont Street, and replace it with vegetative screening. He intended to keep some openings for security concerns. He felt the parking on-street would itself serve as additional screening of vehicles parked in the lot.

Asked about dimensions, Mr. Kraft answered 9-foot by 18-foot parking stalls, and a 22-foot aisle width. He said the Hearing Board stipulated 26 spaces, with a minimum setback of 3 feet from proposed sidewalk along Crestmont. Mr. Rothermel asked about the setback required in the zoning district. Mr. Miller noted the use variance. Mr. Rothermel criticized the unanswered questions caused by the practice. Mr. Miller read the shallowest allowed in the R2 district to be 15 feet, while most uses required 20- to 40-foot front yards. He said the Hearing Board did address the front yard setback, in terms of distance from the sidewalk, but did not address impervious cover or the screening/landscaping requirements.

Mr. Bealer asked if the alley was public or private. Mr. Miller said the City rarely claims right-of-way over alleys, but other legal interests are still at play. Mr. Kraft said the alley is mostly grassed, but actively used, proposing to pave the length to the proposed parking lot entrance. Mr. Rothermel asked about required permits. Mr. Kraft wasn't aware of any. Mr. Bealer felt there were several legal questions to be answered, recalling the complexity of similar issues affecting the Cotton Street Subdivision. Ms. Mayfield recommended investigating the matter.

Mr. Kraft said design revisions might compromise the parking quantity. Mr. Miller wondered how the parking requirement was calculated. Mr. Kraft, having only become involved since the zoning appeal, said the presentation to the Hearing Board showed 26 spaces, and their decision stipulated them. Mr. Miller couldn't find any such language in the decision, and suspected extra parking. He wondered, if exceeding the parking standard, how one could argue a hardship in a zoning appeal. He asked if the Sokols even expected to use the lot to capacity. Mr. Kraft agreed a reduction in the number of spaces would only assist in the design flexibility, intending to consult the Zoning Administrator.

Mr. Rothermel asked about the actual use of the facility. Mr. Kraft called the proposed addition youth-oriented, for athletic programs, with a pool table, lounge, and meeting room in the existing building. Mr. Rothermel suggested the cost savings that would result from a smaller parking design.

Asked for a recommendation, Mr. Miller advised tabling the plan. He said he still needed the actual parking calculation. He said if the 'proposed' is shown to exceed the 'required', that he objected to the variance. He acknowledged the proposed use of semi-pervious concrete, a mitigating factor if properly maintained.

Mr. Bealer moved to table the final plan. Mr. Rothermel seconded. And the Commission voted unanimously to table the Slovak Catholic Sokol land development plan.

Review the **final** land development plan for **Proposed Building 143 – Alloy Storage**, a storage building proposed at that parcel known as 101 Bern Street. [1:20.40]

Mr. Morey, recalling the July presentation, said the plans have been completed, as directed. He offered signed and sealed plans, identifying the relocation of the pedestrian corridor as the only remaining issue. He asked for conditional approval, suggesting the Planning Office withhold the plans until such time as the City Engineer certifies completion, as an alternative to a municipal improvements agreement. Mr. Wolf noted a small possibility of posting the security instead, but anticipated completing the relocation ahead of their building schedule. He looked for the assurance of the conditional approval. Mr. Miller affirmed the plan's completeness.

Mr. Rothermel asked the staff's opinion of the proposed relocation. Mr. Miller noted the perceived benefits; better alignment with existing sidewalks in the neighboring FirstEnergy Stadium parking to the east, a shorter trip through Carpenter's property, with the existing security measures carried over. Mr. Rothermel asked about the extent of the use. Mr. Wolf said it varied; noting more in the summertime, as kids on bikes traveling to the Northwest Swimming Pool. Mr. Miller recommended a conditional approval. He said they'd already received erosion and sedimentation plan approval, and that the proposed building footprint had been moved to satisfy the concerns of the City Engineer.

Mr. Lauter moved to approve the final plan, conditioned on the completion of the pedestrian corridor relocation or, alternately, completion of a municipal improvements agreement. Mr. Reppert seconded. And the Commission voted unanimously to approve Carpenter's Proposed Building 143 land development plan.

Resolution #58-2007

Mr. Rothermel said the corridor dates back to Carpenter's request to vacate River Road, as mitigation for the lost access. He felt it important to continue maintaining it, and the legal agreement establishing it. Mr. Miller said Carpenter had taken some responsibility upon themselves, referencing the agreement on the plan's cover sheet.

Review the **final** land development plan for **Sotto Properties LLC** (formerly known as **All Green Lawn & Tree Care**), a proposed building at that parcel known as 1853 North Third Street. [1:27.10]

Mr. Kramer recalled the August presentation, noting the revisions made since, and a letter he sent to Metropolitan Edison Company regarding the condition of the utility pole, and the Commission's concerns. Mr. Dautrich offered documentation from the Water Authority confirming their new service. Mr. Kramer said they were still waiting on approval of the erosion and sedimentation control plan, having already been through one revision, and the legal representatives working toward resolution of shared access arrangements with the neighboring Glidden property.

Turning to the elevation drawing, Sal Sottosanti explained the embankment, a "low-profile" roof, peaking

at 20’8” and sloping to 18 feet at the eaves. For landscaping, he noted the existing flowering pear and oak trees along the street frontage, and proposed burning bushes, Stella D'ora day lilies, clusters of black-eyed susans, mellow yellow spirea, two-foot boulder walls, weeping white pines (set back in consideration of sight lines), variegated liriope, Japanese maples, and knock out roses.

Mr. Rothermel requested elevations of the façades facing Centre Avenue and Bern Street, and any fenestration thereon. Sal Sottosanti described a green band to be painted. He said LESCO, Inc. had security concerns and resisted the inclusion of windows. He said LESCO will take permitting responsibility for any proposed signage. Mr. Miller suggested some means of day-lighting, through the roll doors or otherwise, thinking it made a better shopping experience. Sal Sottosanti said they normally leave the doors open during their business hours.

Sal Sottosanti confirmed the fencing would be limited to the propane pad and dumpster areas.

Mr. Kramer said their legal counsel is confident that they’re entitled to their half of the vacated Thorn Street, and maybe an easement encompassing the whole, given its history as a public thoroughfare, and the same for the other neighboring properties. Ms. Mayfield alluded to similar conversations with Sottosanti’s attorney. Sal Sottosanti assured they’re still pursuing the matter, expecting a resolution toward the end of September. He understood his own practical need to maintain and plow the street bed.

Mr. Reppert noted the lack of any evergreen plantings. Sal Sottosanti acknowledged that, offering viburnum shrubs as a possible alternate to the burning bushes.

Mr. Lauter moved to approve the final plan, conditioned on meeting the requirements outlined in the Planning Office review. Mr. Bealer seconded. And the Commission voted unanimously to approve the Sotto Properties LLC land development plan.

Resolution #59-2007

Review the **final** land development plan for **Birchcraft Kitchens Land Development Plans**, a proposed expansion of the furnishing assembly business at that parcel listed as 1900 Madison Avenue. [1:47.55]

Mr. Bogia again presented the plan showing 10,000- and 1,960-square foot additions to the existing 18,760-square foot building. He reported the necessary agreements between Birchcraft and the United States Postal Service to be complete.

Mr. Raffaelli asked if the engineering issues had been resolved. Mr. Miller said the information supporting the sewage planning waiver was resubmitted today, those approvals necessary prior to sewer connections. He mentioned some concerns about the fate of the vacated Madison Avenue, but noted the legislative references added to the plan. He confirmed that the Postal Service had waived its interest in half of Madison Avenue, and Birchcraft would assume, and build upon the entire width.

Mr. Bealer asked if Norfolk Southern Corporation would require any fencing along their common property line. Mr. Bogia answered that it had “been that way for years”.

Mr. Bogia presented the architectural renderings, showing some color changes from the last presentation. Mr. Howe described an off-white color with green accents, similar to their green-leaf logo, and textured masonry on the office area.

Mr. Miller said they still needed a municipal improvements agreement, to cover the storm and sanitary infrastructure, at least, and the Conservation District’s approval, and would be withholding the plans. Ms. Mayfield mentioned some additional revisions, regarding title clarifications, per deed revisions between the City and Birchcraft attorneys.

Mr. Bealer moved to approve the final plan, conditioned upon sewage planning approval, deed revisions, a municipal improvements agreement, and Berks County Conservation District approval. Mr. Lauter seconded. And the Commission voted unanimously to approve the Birchcraft Kitchens land development plan.

Resolution #60-2007

Other business:

minutes-August 14, 2007 Planning Commission meeting [1:59.30]

Mr. Bealer noted some typographical errors found, offering to forward them to the Planning Office later. Mr. Raffaelli asked that page five be corrected to record his vote against the Evergreen Community Power plan.

Mr. Reppert moved to approve the August minutes with change requested, and any grammatical corrections necessary. Mr. Lauter seconded. And the Commission voted unanimously to approve the August 14, 2007 meeting minutes.

Resolution #61-2007

possible violation-Lauer's Park Elementary School sidewalk/wall installation on North Third Street [2:04.14]

Mr. Bealer asked for an update on the earthworks at Lauer's Park, per the Commission's direction at the August 14th meeting (Resolution #51-2007). Mr. Miller reported the Conservation District hadn't responded, but that their City building permits were in order. He mentioned having seen River Valley Organics applying a composted ground cover for stabilization, similar to that used to stem erosion issues on the steep slopes of the U.S. Route 222 extension, and the same material filling sleeves as a more durable alternative to silt fencing. Mr. Bealer also noted the unconnected downspout from the Hoodak Stadium building. Mr. Miller said he'd like to know the Plumbing Inspector's opinion. He recalled the staffing of the Planning Office, at the time, and the fate of the lead engineering company (Vitillo Corporation) as circumstances that interfered with the normal review and approval process.

City Park Master Plan [2:07.43]

Mr. Bealer mentioned a conversation with a Penn's Common resident, who was upset about a rumored plan to remove the pond fronting the Volunteer Fireman's Memorial Band Shell. He wondered if the administration was circumventing a Planning Commission review. Mr. Miller noted other objections to removing the pond; even the Department of Public Works, which he thought interesting because he assumed it would only save them a maintenance responsibility. He alluded to another engineering firm (F. X. Browne, Inc.), working on a restoration design, in an attempt to return a functional aquatic feature. He said he's reminded those involved of the Commission's purview. He added that another suggestion: to raze the former police academy building, has faded since an architect (William J. Vitale) and a structural engineer (Arun Multani) volunteered to assess the structure, and deemed it sound. He identified Simone Collins Landscape Architecture as preparing the plan on a limited budget, but proposing sweeping changes. Mr. Raffaelli recalled the traffic modifications suggested during the initial 'walk-through'.

Blighted Property Review Committee [2:15.27]

Mr. Bealer reported that the Blighted Property Review Committee held its second meeting, reviewed by-laws, and set a regular meeting date. Mr. Miller added that they've also been assigned legal counsel.

appointment-"planning consultant selection committee" [2:16.31]

Mr. Miller requested a representative of the Commission to help review proposals in response to the City's request for professional land use services. He said the Pennsylvania Department of Community & Economic Development has offered to assist in advertising the RFP. He said he'll be looking for broader committee to review the actual work, but hoped to keep the selection committee smaller and focused. Mr. Rothermel considered himself too predisposed toward to the current Zoning Ordinance. Mr. Miller hoped to preserve and validate the better parts of it, suggesting a more pressing need to address the short-comings in its implementation. Mr. Rothermel asked if there had been any additional communication to that end. Mr. Miller countered that the burden of defending the Ordinance is neither the Commission's nor its staff's. He said the Hearing Board membership needed education. Mr. Rothermel noted the basic aim of any zoning ordinance to protect properties from the potential adverse effects from neighboring uses. Mr. Miller agreed, noting the clear guidelines set forth in the law, the burden of proof assigned and the process for adjudication. Having learned from a planner that dealt mainly in the legislative realm, he said he couldn't conceive of any consultant advising the City to weaken its regulations, but instead expected the opposite. He expected this would be a short assignment, for some interviews. He said he'd be pushing the whole Commission to participate in the drafting stages, calling it the primary duty of a planning agency.

Mr. Rothermel volunteered himself, with reservations. Mr. Bealer agreed that his planning background made him an ideal choice, and moved the nomination. Mr. Lauter seconded. And the Commission voted unanimously to nominate Fritz Rothermel as its delegate to the selection committee.

Resolution #62-2007

fence installation-High Service Pumping Station at 801 North 13th Street [2:27.12]

Mr. Raffaelli objected to the Reading Area Water Authority's installation of barbed-wire chain-link fencing around their High Service Pumping Station on the School District property at 801 North 13th Street. He said they did so without any review or permits. Mr. Miller called it a segue to his 'other business'.

§303 notification-Legal Status of Comprehensive Plan 2000 [2:28.02]

Mr. Miller recalled his promise at the July meeting to prepare a notice to relevant public officials concerning the Commission's role in modifications to public grounds and other reviews pursuant to Section 303 of the Pennsylvania Municipalities Planning Code. He said what has long been considered a courtesy to the Commission, is actually required by the Code. He said he has tried, to no avail, to convince the administration to follow the process, and suggested something more formal.

Mr. Raffaelli noted the demolition of the landscaping structures in the (100 block) Court Street pedestrian corridor. He said it cost the City about a half-million, and was under the impression that the new construction will be built up to, but not over them. Mr. Miller confirmed that they had violated the record (R/C Theatres) land development plan, and also removed shade trees without authorization. Mr. Rothermel asked "who". Mr. Miller said the demolition contractor (Irish Creek Excavating, Inc.). Mr. Rothermel asked about the Reading Parking Authority's position. Mr. Miller said they had written a letter giving permission they didn't have authority to give. He said it was all shown to remain on the record plans. Ms. Mayfield suggested the possibility of withholding the certificate of occupancy until compliant with the record plan, and issue an advance notice in warning, in the meantime. Mr. Rothermel felt the administration should be more concerned with such oversights. Mr. Miller hoped that the Commission would give serious consideration to the points made in his draft correspondence.

Mr. Raffaelli objected to the mounting examples of developers contracting and beginning construction activities ahead of Commission approvals, they assumed to be forthcoming. He suggested the Water Authority's fencing be dealt with, in the meantime.

Mr. Bealer moved to notify the Reading Area Water Authority of the required review by the Planning Commission. Mr. Rothermel seconded. And the Commission agreed unanimously to authorize the notice.

Resolution #63-2007

Mr. Lauter asked what recourse, besides issuing letters, the Commission could take. Mr. Miller noted the additional clauses in the Planning Code: (1) requiring that the Commission include with its recommendation a statement regarding a proposal's fit, or not, with the objectives of the Comprehensive Plan (§303.b), and another protecting public actions from appeals when in apparent conflict with the Comprehensive Plan (§303.c), so long as the Commission is given the review opportunity. Mr. Lauter asked about consequences for denying that opportunity. Ms. Mayfield said she'd need to research the precedent.

§303 recommendation-Antietam Valley Municipal Authority – sewer line abandonment [2:43.47]

Mr. Miller recalled the recommendation authorized at the August meeting. He said he prepared it, but hadn't submitted it, intending to withhold it, until some formal application was made. He felt it was little more than rumor, for the time being.

Mr. Miller distributed a proposed Zoning Ordinance amendment revising the "municipal buildings" amendment, originally proposed and ordered revised at the September 12, 2006 meeting. He said the revisions narrow the focus to firehouses, thinking it more palatable to the Commission. He asked the members to review it, and consider initiating the process at October meeting. Amid discussion about front yard setbacks, he suggested special driveway regulations could be inserted to cover the common form of large concrete aprons for staging apparatus.

Mr. Miller reported that Alvernia College is taking control of the Angelica Park athletic fields, under a lease negotiated by the administration. He noted a Berks County Planning Commission review, recently received, and noted another example of a City Planning Commission review denied. Mr. Rothermel objected to limiting public access for private programs, recalling public monies previously spent on a renovation project. Mr. Miller wondered about the ramifications, noting the current use by the College and 'little league' baseball programs.

Mr. Miller reported that Reading- Berks Habitat For Humanity, Inc. is looking to 'fast-track' three more land developments, wanting to begin the first by November, but needed the usually parking variances and infrastructure waivers. He expressed his reservations, given the current 'build out' of Monroe Street. Mr. Bealer suggested that Community Development contributions be employed to cover the associated infrastructure.

Mr. Bealer moved to adjourn the September meeting. Mr. Lauter seconded. And the Commission voted unanimously to adjourn the September meeting, 5 to 0. – 10:00 pm.