



# *Borough of Pottstown*

*Borough Hall, 100 East High Street  
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POTTSTOWN BOROUGH PLANNING COMMISSION  
Pottstown Borough Hall Council Chambers Room  
100 E High Street  
February 26, 2009  
7:30 PM

## **MINUTES**

**Present:** Dan Weand, Chairperson, Stephen Toroney, Vice Chairperson, Terry Fetterman, Thomas Hylton & Karen Weil

**Also Present:** Charles D. Garner, Borough Solicitor  
Doug Dilliplane, P.E., Bursich Associates  
Joseph Fay, architectural consultant  
& Michelle Borzick, Zoning Work Leader

**Absent:**

Meeting called to order by Mr. Weand at 7:30 PM

### **Approval of Minutes**

Mr. Hylton motions to approve the minutes of the January 2009 Planning Commission meeting, seconded by Mr. Toroney.

Motion carried.

### **Reorganization**

Mr. Garner requests from the commission, nominations for Chairperson of the Pottstown Planning Commission.

Mr. Hylton nominates Dan Weand, seconded by Mr. Toroney.

Motion carried.

Mr. Weand requests from the commission, nominations for Vice Chairperson of the Pottstown Planning Commission.

Mr. Hylton nominates Stephen Toroney, seconded by Ms. Weil.

Motion carried.

### **538 & 540 High Street, architectural review**

M & M Construction & Stuart Smith, owner's legal representative, present to discuss the project. Mr. Fay provides brief overview of the façade including front: front yard and porch, roof walk, 2 over 2 window pattern, cast stone to be installed on the front boxes, front door 2 over 2 panel design, brick facade on larger building and stucco façade on smaller building. Side elevation: box element continues, windows the same 2 over 2, siding to include rear, 4 ½" casing around all windows and doors, all metal stairs and landings, where the mansard is ending there would be a full break with a step back. Mr. Hylton addresses the shutters and states that they should be the same size as the windows; each shutter would

equate to one half of the size of the window. Mr. McCormick acknowledged that the shutters are one half the size of the windows. The windows are 30” wide and each individual shutter is 15” wide. Mr. Fay states they do not appear to be that way according to the drawings but he will make a note of it. Mr. Fay advises the commission that HARB is requiring working drawings. Mr. Smith inquires if HARB is relying on anything historical to determine these requirements. Mr. Fay states that Mary DaNadai was consulted as a historic architect and she made the suggestions regarding the façade and he made the renderings accordingly. Mr. Fay acknowledges that he is very satisfied with what has been suggested. Mr. Hylton inquires and Mr. Garner acknowledges that the commission is reviewing the project only for the façade. Mr. Hylton deems he is satisfied with this project with clarification as mentioned regarding the size of the shutters. Mr. Fay indicates that HARB has requested working drawings regarding their concerns and then a final review of materials and this will happen prior to next month’s HARB meeting. Mr. Toroney requests clarification regarding exterior material as brick on the right and stucco on the left and inquires to recessed back of the 3 story, is that brick? Mr. McCormick advises that there is 3-story part in the back behind the 2-story addition and the 2-story addition is brick with siding on the rest of the rear. Mr. Fay & Mr. McCormick clarifies the side exterior elevations of each building and which one will be a prominent visual in the neighborhood. Mr. Fay states there would be a step back at the corner so the whole side would continue back and describes how that could be done architecturally.

Mr. Hylton motions to recommend the elevations and allow the HARB board and Mr. Fay to work out the final details, seconded by Ms. Weil.

Motion carried.

#### **79 N Evans Street, architectural review**

Brian Tate, co-owner, present to discuss project and advises the commission this was in front of the commission prior and is an attempt to create a residential look to an existing commercial exterior. Mr. Fay asks if the owner would be comfortable keeping the existing façade with the change of use? Mr. Tate prefers to eliminate the large commercial type window and replace it for residential use. Mr. Hylton advises of another building that has maintained its commercial exterior although the use was changed too residential. Mr. Tate is concerned with the comfort level and security factor for residential use. There are discussions regarding various alternatives. Mr. Fay indicates to the commission that there was letter from Ray Lopez as the Zoning Officer. Mr. Garner comments that he does recall an ordinance that refers to commercial front buildings remaining the same but that may be specific to a particular area. Mr. Toroney indicates that he does not want to go against an ordinance. Mr. Garner advised in the making of a motion it is done so with a condition and he shares his recollection of the ordinance. Mr. Tate describes address issues with the property that is recognized as both an N Evans St & Chestnut St address.

Mr. Hylton motions to recommend the façade of 334 Chestnut Street remain the way it is subject to Joe Fay working with the applicant, the commission will defer to Mr. Fay’s judgment, seconded by Mr. Toroney.

Motion carried.

#### **12 E 8<sup>th</sup> Street, architectural review**

Kevin’s Custom Carpentry, present to represent the project. Mr. Fay indicates the project is to install atrium window doors at the existing garage area as part of a rehabilitation to change it into a living space. Mr. Fay questions if the owners have considered a bow / bay window. Kevin indicates that this was proposed to the property owners. Discussions regarding use of space, façade, access & door.

Mr. Hylton motions to accept as submitted or with a bay window or defer to Joe Fay, seconded by Mr. Toroney.

Motion carried.

#### **W Eighth Street, subdivision; acknowledge receipt and review**

Dave Shaner, engineer and Tina Allen, owner’s daughter, present to represent the project.  
Review of the Bursich letter dated 2/6/09:

Zoning Ordinance

Item #3 addressed by a letter from Maria Gerber, Zoning Officer.

Subdivision and Development

Item #1 applicant requesting a waiver, Doug Dilliplane indicates this can be dealt with when a building is proposed

Item #2 waiver request because there is not any construction proposed, Item #3 waiver required because no new construction is proposed.

General Comments

Item #1 will comply

Item #2 sewer and water laterals for the house at 10 rear are issues; commission advised that the laterals would be moved after discussions with the commission and members of the audience.

Comments received from resident Brian Swope, 18 W 8<sup>th</sup> St, questions the tree issues that were raised. Mr. Hylton explained there would not be any plantings. Mr. Swope also questions the encroachment issues that were mentioned. Mr. Shaner advises Mr. Swope that his garage slightly encroaches on the property that is under discussion. Mr. Garner advises that this is an issue between the property owners and the borough will not be held liable for the encroachment issues. Mr. Swope states that the existing trees are not properly marked on the plan. Mr. Shaner advises that this issue has been addressed on the revised plan.

Comments received from resident, Theresa Whinery, 8 W 8<sup>th</sup> St, expressing concern regarding the sewer lateral that encroaches on her property where she has future plans of constructing a garage. Mr. Shaner & Ms. Allen affirms that fact that they will be moving the lines.

Mr. Hylton motions to acknowledge receipt of the plan, seconded by Mr. Fetterman.

Motion carried.

Mr. Hylton motions to recommend the following waivers for the Frech property line adjustment at 10 W Eighth St: Sections 504 & 505 waiving the requirement of additional open space and street trees  
Section A402.2 waiving the requirement of contour and elevation data within 100 ft of the site.

Sections A525 & A527 waiving the requirement curb & sidewalk improvements from the new lot and deferring them to the time the land may be developed, seconded by Ms. Weil.

Motion carried.

Mr. Hylton motions to recommend to Borough Council preliminary final approval of the Frech property lot line adjustments subject to compliance of the Bursich letter dated 2/6/09 and specifically recommending the relocation of the sewer and water laterals crossing the neighboring property in accordance with the requirements of the Public Works Department, seconded by Mr. Fetterman.

Motion carried.

Mr. Shaner indicates that they have not received anything to date from the county. Mr. Ennis advises that he will be sending a letter out and his only concern was with parking which the zoning officers letter has addressed.

Ms. Whinery, resident of 8 W 8<sup>th</sup> St, questions the process in which the lines will be moved. Mr. Garner states that would have to be decided between the property owners. Further discussions ensue.

**615 High Street**, land development; acknowledge receipt and review

Mr. Saltani, owner, and Elis Conner, Storb Inc. engineer present to discuss the project. Review of the Bursich letter. It is confirmed that the original application before the commission for building elevations are included with the plans as approved. Mr. Conner discusses with the commission the Gulf station corporate logos for signage, colors are not included, also mentions the size of the signs. Mr. Garner advises the applicant that the size and number of signs would be the zoning officers determination. Color copies of the canopy and signs will be made available to the commission as per Mr. Conner.

Zoning Ordinance

Item #3 letter sent to the zoning officer from Steven Kalis, owner’s attorney.

Item #4 ok with handicapped parking

Subdivision & Land Development Ordinance

Item #2 two existing trees, no street tree planting on the Adams St side, placed a tree inside the lot on the back corner as noted on the plan.

Mr. Hylton advises they will look at that and agree it may be problematic.

Mr. Dilliplane asked that they tabulate what is required by ordinance and what is being proposed so that the waiver request is clear on the plan.

Item #3 will have reference to this on the revised plan

Item #4 will put on the plans requesting a waiver for the contour lines

Item #5 Mr. Dilliplane asked if they coordinate with the Public Works Department so that they may look at them and be satisfied that they are in good condition. They will televise the lines to see if they are cracked or broken and determine if they need to be replaced.

Item #6 will obtain this information

Items #7 & 8 feels he could get by with the High St side, the cost factor for full replacement = approximately \$30,000.00 may be able to replace it if they are given an extended time frame 2 to 3 years.

Mr. Dilliplane states that it is up to the commission and he agrees the High St is okay but with the construction already underway it may be the time to do replacement.

Item #9 Mr. Conner believes this would be a detriment to the station, explains his experience with service stations and his concerns over deliveries and traffic flow if eliminating this driveway. Discussions ensue regarding the safety issues regarding the signal and intersection, the entrances to the Sunoco station across the street, history of the station, value of the property, Pen Dot inclusions when altering the site, options regarding signage to direct traffic.

Item #10 this is a non issue for the applicant

Storm Water Management & Grading Comments

Will comply

General Comments

Will comply

Mr. Hylton motions to acknowledge receipt, seconded by Ms. Weil.

Motion carried.

**434 West Street**, subdivision; acknowledge receipt

Mr. Hylton motions to acknowledge receipt, seconded by Mr. Fetterman.

Motion carried.

**Auto Zone**

Mr. Garner advises the commission that this was generated from the last Borough Council Meeting. This project includes the site presently owned by Creative Health; the commission should have information in their packets. Council is asking for input from the Planning Commission and HARB based on what was provided. One key component is the need from the applicant for a portion of the Lessig lot, which is owned by the Borough of Pottstown. There are discussions regarding their utilizing the existing building and use thereof, their model plan and following our processes. Mr. Garner states he believes Auto

Zone came to council because they recognized the need for borough property. Council President asked them for all of their needs and that is what initiated the presentation. Mr. Weand states that he spoke with David Garner, Council President, and he asked that the planning commission have this discussion tonight and provide Mr. Garner, our solicitor, with comments regarding the points they are concerned with.

Mr. Hylton motions to recommend to Council that Auto Zone come before the planning commission and make a presentation so that they have the opportunity to gather information, deliberate and make a recommendation to council, seconded by Mr. Fetterman.

Motion carried.

### **1127 Industrial Avenue**

Mr. Fay indicates the commission before reviewed this project. He indicates that the owners suggested design is to remove the 2<sup>nd</sup> floor roof and replace with an “A” frame roof, add siding and create an overhang on the roof. Mr. Fay indicates he would like to try and carry the design elements from the first floor to the second floor.

Mr. Hylton motions to authorize Joe Fay to work with the applicant and come to an agreement for the work to be completed. If they cannot come to an agreement the applicant must return to the commission, seconded by Ms. Weil.

Motion carried.

### **Public Comments**

#### **Old Business**

**Blighted Property Committee** – Mr. Weand informs the commission that the owner of 363 King St has begun repairs after the process was initiated on the property. 454 & 456 Chestnut St, one property with 4 buildings on it including addresses on Leshner Alley will be considered next month. In addition 824 Spruce Street will be considered for next month. Mr. Toroney comments that he has received many complaints regarding this property. He believes someone is living there. Mr. Garner indicates the committee cannot include this property as blighted if someone is living there.

**Pottstown Regional Planning** – Mr. Toroney states that there was a presentation and one comment was that there is an abundance of recreation for children of ages up to 11 & 12 in this area. Second item discussed was the rail system. The comment was that unless Route 422 is tolled the rail system would never come to this area because of funding reasons. The tolls would be utilized to fund the rails and in the future add a third lane in both directions on Route 422. The third item is that he was nominated and elected as Vice Chair for Regional Planning. Comments added were in reference to the Commerce Center adding development in Upper Pottsgrove off of Wilson Street across from Highland Memorial Park. There were discussions regarding future developments and the moving of certain business’ from Pottstown.

**Electronic Signs Zoning Ordinance amendment discussions** – Mr. Garner will email a copy of the draft ordinance to Marta Keisling, attendee representing the Tri County Performing Arts Center (Tri-PAC) @ 245 High Street, for her to read. He describes the significant changes were to remove certain items which included: police / emergency equipment, score boards including time & temperature, type of usage in the Downtown District for theatre marquee and without input he came up with a maximum sign allowance of 50 square feet. Discussions continue regarding the existing zoning ordinance and allowances for these types of signs. Ms. Keisling advises she would be interested in following the art deco style of the building to keep with an aesthetically pleasing sign that will meet the approval of HARB. She informs the commission that the performing arts center has not come up with a particular size at this time. The type of sign could vary from flat front, a two or three-sided wedge sign and may include a two-sided flat sign that attaches itself from the side of the sign to the building. Discussions ensue regarding what the allowances should be. Mr. Garner advises the commission that this ordinance is being established for more than one user. There is a recognized need for this type of sign and the planning commission should

recommend for borough council to consider a number regarding square footage. If this is not conducive for an applicant we do have a zoning variance process. Mr. Garner indicates he has checked with Phoenixville and Ms. Weil advises checking with another municipality regarding size allowances. Discussions continue regarding moving forward with this amendment.

Mr. Hylton motions to recommend approval of this ordinance as written with the exception of the maximum area to be determined by the solicitor prior to the hearing, seconded by Mr. Toroney.

Motion carried.

Ms. Keisling questioned if as a non-profit they would have to pay the fee for a zoning ordinance. Mr. Garner advised there is a fee due with application for a zoning variance.

Mr. Dilliplane advises the commission that there are not a lot of examples out there regarding measuring the light values; dimmer switches are available to tone down the light value. Mr. Ennis indicates there are standard numbers regarding foot-candle standards that are .2 for residential and .4 for non-residential, LED's are at .5. Mr. Ennis is not certain of the differences. Discussions ensue regarding neon lighting allowances and amount of signage allowed in the HARB district.

**Solar Panel review and recommendations of state comments** – Mr. Weand indicates there were conversations with Mark Connelly from the governor's office. Mr. Connelly volunteered to come out next month and review some existing ordinances from other municipalities and provide input.

## **New Business**

## **Adjournment**