

PLANNING COMMISSION MINUTES
May 13, 2024

Attendees: Christopher Bennick, Chairman, April Kotsch, Patricia Lang, Parmita Perna-Rios, Matt Sherer, Brad Youst, PE, David Berger Borough Solicitor, Amy Burkhart Borough Manager, Joe Rentko Black Forest Engineering

At 7:00 p.m. Chairman Bennick called the meeting to order.

The first order of business was to approve the Meeting Minutes from March 11, 2024

	Motion	2nd	Yes	No	Abstain	Absent
Matt Sherer			x			
Parmita Perna-Rios			x			
Christopher Bennick			x			
Patricia Lang	x		x			
April Kotsch		x	x			

C. Bennick reviewed some of the history of the project. C. Bennick stated that a sketch plan had been submitted approximately a year prior. C. Bennick indicated that the applicant should review the plan, and then discuss the comments provided by the engineers.

C. Bennick introduced Joe Rentko, Black Forest Engineering, presenting the Land Development – Preliminary/Final Plan for 940 Cherokee Street Apartment Complex – Constructing a new 4-story, 22-unit apartment building in approximately the center of the site.

J. Rentko provided a history of the project and indicated that some of the initial concepts have been changed from the previous version. The project is a 22-unit apartment building with 66 parking spaces proposed. The building is on a slight slope with a retaining wall on the alley side of the property. It was noted that there is a 48-inch stormwater pipe that runs through the property. It was further pointed out that the parking is now between the buildings, making it more accessible for the occupants.

P. Lang asked about the architectural concept of the building and if it would be similar to the design of the other building. J. Rentko indicated that it would be very similar to the existing building. M. Sherer asked if there had been any considerations made to building parking into the structure of the building. P. Lang noted comments from the Fire Chief regarding 26-foot-wide lanes adjacent to the building would be required. The length of ADA parking stalls was discussed. Those stalls are a different length than other stalls and should be closer to the entrance. P. Lang stated that the engineering and zoning comments were typical, and her biggest concern would be the stormwater.

J. Rentko remarked that there may be an additional waiver request regarding the Right of Way for Cherokee Street as identified in the review letter.

B. Youst identified that in the engineering letter, Jill Smith provided the Zoning Comments while B. Youst provided the SALDO Comments. Comments from Hanover also represent Zoning Official comments.

J. Rentko reviewed Zoning Comment 6 which requires parking stalls to be 15 feet from the building. J. Rentko noted that the Zoning Hearing Board reviewed the plan which also had parking spaces within 15 feet of the building. B. Youst noted that there was a zoning ordinance change regarding parking during the previous review of this property. C. Bennick asked if the applicant would need to go to the Zoning Hearing Board for a variance.

J. Rentko reviewed Zoning Comment 17b regarding clear site triangles. Two of the proposed parking spaces encroach on the clear site triangle at Cherokee and Bishopthorpe. J. Rentko asked if there would be a need to go for zoning relief on that issue and questioned why that issue had not been identified in the initial zoning review of the previous plan. C. Bennick noted that he would need to ask for a variance or change the plan to be compliant with Zoning.

D. Berger noted that Zoning Comment 2 identified that the applicant would need to submit a letter requesting an extension on the Zoning Variance that had been previously approved.

Regarding SALDO Comment 20 J. Rentko requested a waiver for the 60 ft wide right of way on Cherokee.

J. Rentko reviewed SALDO Comment 23 Stormwater Drainage. J. Rentko and B. Youst noted the potential flow of stormwater in that area. J. Rentko outlined the grade changes on the property and noted his concerns about water infiltration on the site. It was suggested that the applicant is being burdened by that requirement. B. Youst noted that the need to convey stormwater in a way that does additionally impact other properties is important. There was a discussion regarding the stormwater flow on this site, and how the proposed development may impact that flow. B. Youst noted that the first floor of the building should take into consideration the possible depth of the water during a storm flow. J. Rentko highlighted the stormwater provisions being provided in the plan.

B. Youst noted that the property to the south of this site on Church Street has a Bilko door which would need to be considered. C. Bennick recommended adding curbing to the Church Street property may help with any stormwater impacts. B. Youst noted that the 48-inch pipe under the site is part of the stormwater system for the Borough and noted that the proposed roof drains currently go onto Cherokee Street frontage. J. Rentko noted that it would be possible to redirect the roof drains based on that information.

B. Youst noted that in the Zoning Comments setback requirements, handicapped spaces, and fire lanes were all reviewed. B. Youst also noted that the handicapped spaces needed to be located on fully accessible routes to the building. It was identified that one of the proposed handicapped spaces did not have a direct route to an entrance without accessing the drive lanes. J. Rentko reviewed how that space could have a clear path to the entrance of the building. B. Youst noted that SALDO Comment 11 identified a need for additional review about the impact on the Sanitary Sewer Systems and that a tally of the proposed apartment sizes should be indicated on the current plan. Additionally, SALDO Comment 13 identifies existing utility easements that run parallel to Pawnee. That easement

requires that no barriers prevent access. The trash enclosure for this project is proposed in that easement.

C. Bennick reviewed the idea that the Commission could possibly approve the plan conditioned on addressing the comments from the review letters. C. Bennick asked if there were any additional comments from the board. B. Youst noted that if the board votes to recommend the plan it should be contingent on addressing the comments in the review letters. He additionally stated that meeting those comments may create substantial changes to the plan. J. Rentko stated that he believed the required revisions could be quickly added in the upcoming weeks. D. Berger noted that it seems that the plan may need some additional review prior to making a recommendation to Council.

Motion for Waivers

There was a motion to recommend approval of three (3) requested waivers and an additional waiver from the cartway width and rights of way width conditioned on the additional waiver being submitted in written form.

	Motion	2nd	Yes	No	Abstain	Absent
Matt Sherer			X			
Parmita Perna-Rios		X	X			
Christopher Bennick			X			
Patricia Lang	X		X			
April Kotsch			X			

Motion for Conditional Recommendation to Council

There was a motion to recommend approval to Council conditioned on addressing comments identified in the Borough Engineer’s letter dated May 9, 2024, and the Fire Marshall’s letter of April 30, 2024. Additionally, curbing in the alley will be added to the plan.

	Motion	2nd	Yes	No	Abstain	Absent
Matt Sherer		X	X			
Parmita Perna-Rios	X		X			
Christopher Bennick			X			
Patricia Lang			X			
April Kotsch			X			

M. Sherer asked if a rendering could be provided to the Borough. J. Rentko agreed.

J. Rentko asked about the process of submitting updated information. B. Youst noted that those items should come to the Borough first, with Engineers copied on the plans.

C. Bennick opened a brief discussion regarding the best way to communicate with the Board given the transition of the Zoning Officer.

C. Bennick requested a motion to adjourn the meeting at 8:11 p.m.

	Motion	2nd	Yes	No	Abstain	Absent
Matt Sherer			X			
Parmita Perna-Rios		X	X			
Christopher Bennick			X			
Patricia Lang		X	X			
April Kotsch			X			

Respectfully submitted,

Amy Burkhart
Borough Manager / Assistant Zoning Officer

DRAFT