

Minutes of the October 21st, 2014
Meeting of Trappe Borough Planning Commission

WORK SESSION: N/A

REGULAR MEETING:

Chairman, Wayne Headman, called to order the regularly-scheduled meeting of the Trappe Borough Planning Commission at 6:30 p.m. at Trappe Borough Hall, 525 West Main Street, Trappe, Pennsylvania. The Pledge of Allegiance followed, led by Chairman, Wayne Headman.

Attendance was taken by Trappe Borough Administrative Assistant, Joan Holley, serving as substitute recording secretary in the absence of Planning Commission Secretary, Isis Levengood. Those present were: Chairman, Wayne Headman; Matthew Caffrey; Barry Flicker; Jeffrey Rahm, Brett Yeagley; substitute Borough Council Liaison, Fred Schuetz; Borough Manager, Robert Layman. Excused: Isis Levengood, Planning Commission Secretary.

APPROVAL OF MINUTES:

Approval of minutes of the January 21, 2014 meeting was postponed until the next Planning Commission meeting.

AGENDA ITEMS:

Preliminary to having presentations & discussions on either of the items on the Agenda, Chairman, Wayne Headman approved a request by Fred Schuetz to make a brief explanation containing the following points:

- *Pyong Sun Isaacs Conditional Use* – The request is for a change of use from a “by-right” use to a conditional “Class 1” use of “personal service” (Spa) which requires Borough Council approval. An initial hearing was conducted before Borough Council on October 7, 2014 at 6:30 p.m. The Planning Commission’s role is advisory to Borough Council on this matter.
- *Old School New House Rezoning* – The property under consideration (29 East First Avenue) lies in two districts: approximately three (3) acres are in VC Village Commercial, and approximately seven (7) acres are in R-2 Residential. The request is to have the entire area zoned to VC Village Commercial. Sketch plans have been reviewed by the Borough Solicitor and Engineer. The Planning Commission’s role is to make a recommendation to Borough Council on this matter.

PUBLIC FORUM:

Having learned that most of the audience was present due to interest in the re-zoning matter, Chairman, Wayne Headman, made the decision to move the Public Comment period prior to the presentations. The comments made are listed below, not chronologically but according to the issue to which they refer:

Comments regarding Conditional Use – 753 West Main Street

- Bill King of Collegeville Eye Physicians & Surgeons, one of the tenants at 753 West Main Street, shared that Collegeville Chiropractic Medical Center – another tenant in the complex – has recently hired a masseuse. To allow a massage parlor would have a negative impact on the medical practice and parking.
- Brandon Scott of Collegeville Medical Center, tenant at 753 West Main Street, stated the business has added a physical medicine practice just recently. The addition of a massage parlor might

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hinder their business. Chairman, Wayne Headman, asked if there was a process in place for certification of masseuses/therapists.

- Dave Perlin, 116 Joan Drive, shared he had called the Pennsylvania Licensing Bureau. The difference, as was explained to him, is that a massage therapist is licensed and required to take continuing education courses and maintain license. It is the Board of Ethics who does licensing.

Comments regarding Re-zoning – 29 East First Avenue

- George Widman, 37 Marian Road, stated he felt there was little public information on the applicant or the request, and there was insufficient notice by the Borough about the meeting. He stated the value of homes would be affected by re-zoning. There is already a safety concern about the traffic volume on College Avenue; the neighborhood can't tolerate additional traffic.
- Jim Maust, 111 College Avenue, stated his house faces the exit to the parking lot of the old school. He has concerns about the traffic, road conditions, safety, and wondered if the applicant intends to put in sidewalks.
- Kris Barnhouse, 66 Ursinus Avenue, also has concerns about traffic, property values, and asked if this is the best we can do with the property.
- Mike Shirk, 60 Ursinus Avenue, asked what the motivation would be to have 29 East First Avenue re-zoned to entirely commercial. Brett Yeagley indicated that without it the lot sizes would limit density.
- Eric Burkholder, 41 Marian Road, expressed concern because the intersection of First and College Avenues is the main bus stop for the neighborhood and pointed out that the Stearly lot (120 West Main Street) is already zoned for apartments/townhouses.
- David McKeon, 54 Oak Road, stated that there is a steady stream of cars through the College Avenue and East First Avenue intersection, pointing out there were three hundred (300) cars through there this past weekend. He asked if there was a traffic survey being done.
- Amber Hauer-Frankenfield, 46 Marian Road, reiterated the point made by Eric Burkholder that the Stearly lot is already zoned for apartments/townhouses. She also made the point that additional shops (VC) are not needed.
- Chris McKeon, 54 Oak Road, expressed concerns about parking, traffic, density and safety if the re-zoning is permitted.
- David Comer, representative of the offices of Fox-Rothschild, PVSD Solicitor, was present to speak in favor of the re-zoning. He indicated the school district has been trying to sell the property since November 2006. In January 2007 there was an agreement of sale in place with the intent of tearing down the existing building and building townhouses. This deal fell through, and there was no further interest until August 2013. In November 2013 Gorski presented a Letter of Intent to the school district to purchase the property. This has been the only serious buyer with no intent to destroy the existing building. It costs PVSD approximately \$10,000.00 annually in taxes ... to sit empty. The cost to demolish the old school, built in 1939, is estimated between \$600,000.00 - \$800,000.00 if this deal fails.
- Tammy Fulmer, 46 Oak Road, stated the school district is already crowded and additional housing will likely bring in more children.
- Council member, Barry Flicker, reflectively asked if the cost of speed bumps was known.
- Anne Mantey, 24 Oak Road, President of the PVSD school board, was present to speak in favor of the re-zoning. She indicated not all schools are over-crowded. She pointed out that the traffic

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issues currently exist and are not being addressed, so additional housing cannot be blamed for the problem. There would likely be an additional \$150,000.00/year of revenue in PVSD real estate taxes from the proposed housing.

- Council member, Jeffrey Rahm, pointed out he was aware of alternate options for the property including interest in purchase by a private school. Were there any thoughts in this direction? David Comer of Fox-Rothschild responded that he was not aware of any such offers to PVSD and suggested contact be made with Jim Weaver, Business Administrator.
- Frank Anuzelli, 45 Marian Road, asked if there had ever been consideration of establishing the property as open space? He spoke of concern of traffic in the area then asked what percentage of the potential residents would have pets they would be walking along the already busy roads. He inquired if there would be sufficient sewer hook ups for the additional housing.
- Catherine S. Rapp, 75 Oak Road, stated that children love playing in the existing field, and she would like to see no construction done except to fix up the present building. She also expressed concern for the need for local police support.
- Pat Webster, 3 Center Avenue, stated that the property is partially VC Village Commercial and that there are “By-Right” uses that are permitted without Council approval. She stated that, as a Council member, she would be glad for input from the public.

PRESENTATION, DELIBERATION & VOTE REGARDING RE-ZONING:

Jerry Gorski and John Riebow, Director of Design for Gorski Engineering, made a presentation of conceptual plans and images of the proposed development for the re-zoned property.

The existing zoning splits the property. The choice to request re-zoning to entirely VC Village Commercial was made to take advantage of smaller lot size requirements. There is a Restrictive Covenant in place that would restrict the use to residential use only.

- Thirty (30) condominiums for purchase by removing the gym. Smaller places with no responsibility for care. Lot size can be smaller if connected.
- Twenty (20) duplexes on the cul-de-sac, with sidewalks on College Avenue. This is perceived as a single-family home development that fits the rest of the community. Crosswalk could be added, though not part of the concept drawings.

There are options possible under current zoning – that is, “by-right uses” – that would not require Council approval:

- Remove the school and “duplex” building
- Leave the building as a school – though traffic would be more intense than with developed housing

A report of a site assessment performed by McMahon Associates, Inc. (Transportation Engineers & Planners) was left for the Planning Commission’s and Borough Council’s consideration.

Following the presentation by Jerry Gorski and John Riebow there was a period of deliberation by the Planning Commission:

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- Matthew Caffrey asked about the terms of the Restrictive Covenant – how does “then owner” apply? Both the Borough and the property owner – regardless of whether or not there has been a change in ownership – must agree to a change of the terms of the Covenant.
- Jeffrey Rahm stated that in the past the response to a request to re-zone any area was always, “No. No. No.” So, why is this now different?
- It was pointed out that, no matter whether or not the re-zoning is permitted, Old School New House will still have to go through Land Development.

On a motion made by Barry Flicker, seconded by Jeffrey Rahm, the Planning Commission voted to provide a negative recommendation to Borough Council on the matter of re-zoning 29 East First Avenue to entirely VC Village Commercial by a vote of 3 to 1, citing the following concerns:

- There is already an abundance of commercial space, much of it vacant
- There has been significant concern expressed about safety
- There exists the possibility that in the future the terms of the Restrictive Covenant may change and the area no longer remain exclusively residential

PRESENTATION, DELIBERATION & VOTE REGARDING CONDITIONAL USE:

Damien Brewster of Keenan Ciccitto & Associates, attorney for the Applicant, spoke briefly in response to the comments made during the Public Forum:

- The proposed business is a spa, though they plan to offer relaxation massages, not therapeutic massage directed to a particular medical need.
- They do not anticipate competition for clientele with the medical practice
- There is a proposed sauna with four (4) small rooms for massage
- They do not anticipate an impact on parking, but foresee use of four (4) spaces at a time

Mr. Brewster’s comments were followed by a period of deliberation by the Planning Commission including the following points:

- Barry Flicker inquired about the terms of the general lease – how long did the tenant propose to stay?
- Fred Schuetz asked the hours of operation. Hours would be from 9 a.m. to 11 p.m.
- Wayne Headman contemplated how many other places in Trappe offer the same service. By his count, there are six (6) other places which offer the same service.
- Matthew Caffrey asked for clarification on the sauna and shower: there would be no “table showers,” or this would constitute “adult use.” Right?
- Wayne Headman pointed out that, according to Gilmore & Associates’ report, nine (9) spaces are needed including spaces for staff.
- Brett Yeagley inquired if Pyong Sun Isaacs intended to maintain residence in Detroit.

On a motion made by Barry Flicker, seconded by Matthew Caffrey, the Planning Commission voted to provide a negative recommendation to Borough Council on the Conditional Use request by Pyong Sun Isaacs to open a personal service spa at 753 West Main Street by a unanimous vote of 4 to 0, citing the following concerns:

- Insufficient parking
- Hours of operation

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- Insufficient lighting for safe crossing of the parking lot

OLD BUSINESS: N/A

NEW BUSINESS:

Borough Council President, Nevin Scholl, informed the Planning Commission that application has been made to PennDOT by Council for grant money to exchange existing street lights with LED lights and asked that the Planning Commission consider writing a letter of recommendation to PennDOT in support of the application.

Wayne Headman asked if the plan would end without the grant money and about the payback time. Nevin responded that without this grant money there would not be funds to re-lamp. He also replied that there are 72 decorative lights and 150-160 Cobra lights throughout the Borough. Payback period for Cobra lights only would be seven or eight years.

On a motion by Brett Yeagley, seconded by Barry Flicker, the Planning Commission voted unanimously to draft a letter to PennDOT in support of Council's application for grant funding.

ADJOURNMENT:

There being no further business to conduct, a motion to adjourn was made at 8:30 p.m. by Brett Yeagley, seconded by Matthew Caffrey. Motion carried 4-0.

Respectfully submitted,

Joan Holley
Trappe Borough Administrative Assistant