PHOENIXVILLE BOROUGH COUNCIL
Tuesday, January 9, 2024
7:00 PM

MINUTES
(Minutes approved by Borough Council on February 13, 2024)

I. Pledge of Allegiance/Moment of Silence

II. Roll Call – Borough Manager

Mr. Ewald, President	Present
Ms. Burckley, Vice President	Present
Mr. Carminito	Present
Ms. Dugan	Present
Mr. Kirkner	Present
Mr. Moore	Present
Mr. Strenfel	Present
Mr. Weiss	Present
Mayor Urscheler	Present
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Virtual
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

III. Presentations

IV. Public Participation

John McPhee, Business Manager of Diving Cat Studio Gallery on Bridge Street. He stated he would be out of town next week for the Parks and Recreation Committee meeting and is here this evening to provide his support for the continuation of PXV Inside Out for 2024. He stated Diving Cat has experienced increased revenue year over year and now has eleven employees, four of which are full time. He feels the street closure needs to continue and he hopes the Council will consider extending the weekends to include Mother's Day.

David Lutzker, resident and President of the Green Team. He thanked the Council for their hard work in bringing the Plastics Ordinance to fruition and wanted Council to know about an initiative by local environmental advisory commission to expand the ban to all of Chester County.

V. Approval of the December 12, 2023 Regular Meeting Minutes and the January 2, 2024 Reorganization Meeting Minutes.

Ms. Burckley made a Motion to approve the December 12, 2023 Regular Meeting Minutes and the January 2, 2024 Reorganization Meeting Minutes. Seconded by Mr. Weiss

Motion Approved 8-0.

VI. Communications/Council Participation

Mr. Moore stated he wanted to offer his appreciation for the newly completed phoenix mural on the side of the apartment building in Steelpointe. He stated it is very impressive, very distinctive and a great tribute to the former mill that was there. He didn't realize that was even going in or part of the project. He appreciates the developers deciding to invest in that kind of public art.

Ms. Burckley stated she and Mr. Ewald were speaking before the meeting about everything going on at Reservoir Park and how beautiful the work's been there. She stated she wanted to highlight the work done at the park. She knows it's the off-season for the park, but she has heard a lot of positive comments from the public about it. She thanked staff and the Borough consultants on an excellent job done to improve the park.

Mr. Ewald stated he thinks they doubled or tripled parking. Due to the demand, these renovations have been performed at that park. Many of the improvements were done by volunteer groups making Reservoir Park a great asset in the last few years.

Mr. Ewald stated he wanted to thank and congratulate Elliot Renna for his recently completed Eagle Scout Project. Last spring Elliot reached out regarding an idea he had to create a mini food pantry similar to the little free libraries around town. After some discussion with Mary Fuller at PACS and Evan Brandt with the Pottstown Mercury we developed a larger vision of reusing the old Phoenix newspaper honor boxes. Last week Elliot deployed six repurposed phoenix news boxes as mini free food pantries that will be restocked every week. Additionally, he wanted to note, and thank staff, about the continued improvements to Reservoir park- since Covid, Reservoir Park has seen the most improvements of our 16 parks, many of which were completed by volunteer groups and outside funding. Recently the upgraded fencing around the actual reservoir, the sidewalks, the walking path and the tripling of parking spots are appreciated. Truly setting this area off as an actual park and the daily demand for use is amazing to see.

Mr. Weiss reported on the Starr and Nutt intersection improvements. He stated initially when it was reopened there were some aspects that were a little less than ideal and we hope that folks are seeing all the pieces come together to get a really high efficiency and highly effective intersection up and running. He stated our contractor was out there last week and on Tuesday possibly doing some additional amendments to the to the warrants at the intersection.

Mr. Kirkner stated he has heard from people about not having a left green arrow on Nutt Road eastbound approaching Starr Street. He stated he was glad to hear the issue is already being addressed. He stated he can see the Reservoir Park improvements from his office window and deck, and he still can't get used to how much improved the park looks. He stated the resurfacing of High Street is quite an improvement. He expressed his gratitude to Borough Staff, Public Works Department and our engineer and contractors for getting the work done.

VII. Mayor's Report

Mayor Urscheler reported on the preview of the independent film "Scrambled" and the Mayor's New Year's Eve party at the Colonial Theatre. He congratulated the newly elected and reelected officials throughout the Commonwealth, reminded the Council and the public on the upcoming Town Hall with Chrissy Houlihan on January 16, 2024, and lastly, he stated the Taste of Phoenixville would be held at Franklin Commons and will benefit the Good Samaritan Services.

VIII. Appointments

A. Call for Residents interested in being appointed to various Boards and Commissions. Current vacancies exist on the Civil Service Commission, Human Relations Commission, and Tree Advisory Commission.

Mr. Ewald encouraged residents to continue to apply for openings on the various Boards and Commissions and stated openings can be found on the Borough's Website.

B. Motion to adopt a Resolution appointing David Petty to the Zoning Hearing Board for a new term expiring January 31, 2029.

Ms. Burckley made a Motion to adopt a Resolution appointing David Petty to the Zoning Hearing Board for a new term expiring January 31, 2029. Seconded by Mr. Weiss.

Motion Approved 8-0.

C. Motion to reappoint Amara Thornton-Brown to the Civil Service Commission for the new term expiring January 31, 2030.

Mr. Kirkner made a Motion to reappoint Amara Thornton-Brown to the Civil Service Commission for the new term expiring January 31, 2030. Seconded by Ms. Burckley.

Motion Approved 8-0.

D. Motion to appoint Susmita Sukla to the Human Relations Commission for a term expiring March 31, 2027.

Ms. Burckley made a Motion to appoint Susmita Sukla to the Human Relations Commission for a term expiring March 31, 2027. Seconded by Mr. Weiss.

Motion Approved 8-0.

Ms. Burckley made a Motion to recess into Executive Session. Seconded by Mr. Weiss.

Motion Approved 8-0.

Recess at 7:17 PM

Return at 7:28 PM

Ms. Burckley made a Motion to resume the Public Meeting. Seconded by Mr. Weiss.

Motion Approved 8-0.

IX. New Business

A. Motion to appoint Conflict Solicitor.

Ms. Burckley made a Motion to appoint Robert C. Jefferson, IV, Esquire as Conflict Solicitor. Seconded by Mr. Weiss.

Motion Approved 8-0.

X. Resolutions/Ordinances

A. Motion to adopt a Resolution acknowledging Jessie Webb for her two years of service on Borough Council.

Mr. Weiss made a Motion to adopt a Resolution acknowledging Jessie Webb for her two years of service on Borough Council. Seconded by Ms. Burckley.

On the Question:

Mr. Ewald read the Resolution aloud for the record.

Motion Approved 8-0.

B. Motion to adopt an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics.

Mr. Kirkner made a Motion to adopt an Ordinance amending Chapter 10, Health and Safety, by adding a new Part 5 Plastics. Seconded by Mr. Weiss.

On the Question:

Ms. Burckley explained the history behind the discussions held at the Policy Committee as many from the public may feel this is being passed very quickly. She stated many businesses and residents expressed their concerns and support of the Ordinance. She agrees this needs to be something looked at on a broader range either regionally or state wide. She stated she spoke with the Codes Department about educating the businesses and that the conversation will happen in a friendly manner and less as an enforcement measure.

Ms. Dugan stated she feels this is an issue for the state legislature and not a burden of the Borough and its businesses and residents. She stated this feels a little like government overreach and will not be voting in favor of the Ordinance tonight.

Mr. Weiss thanked everyone who worked so hard on this Ordinance. He stated there was a lot of work that went into getting the Ordinance across the finish line and a lot of engagement and communication that happened with the folks in the community, business owners, individuals. He stated this is a great example of bringing all those groups together to have meaningful conversations to move things forward.

Mr. Kirkner stated as a follow up to Ms. Burckley, this has been a months long process in the Policy Committee with business owners and members of the Green Team and ReReRe Plastics providing support and expressing concerns. Borough Staff and the Solicitor worked to make all the changes to bring this before us tonight. He hopes this initiative will help eliminate the plastics and reduce the number of plastic bags that litter the Borough.

Mr. Moore stated he has given it some thought and asked the Solicitor if the Council has the authority to enact this Ordinance.

Mr. Denlinger explained it is permitted under Municipal Code.

Mr. Moore explained why he is in support of the Plastics Ordinance. He stated he recently was shopping in Philadelphia and they have a similar ban. He made his purchase at Wawa, where he had to purchase a reusable bag. He still has and uses the bag he received and he feels once this is embraced reusable bags will become part of what people keep in their cars, not unlike a window scraper in the winter.

Mr. Carminito explained his concerns with all of the business community being aware of the coming changes and wanted to make sure they had ample time to review the final draft of the Ordinance. He stated he is not opposed to the banning of plastics, he just feels this final draft of the Ordinance feels rushed.

Mr. Denlinger stated the Ordinance was duly advertised in The Pottstown Mercury and can be acted on tonight by the Council.

Motion Approved 6-2. Mr. Carminito and Ms. Dugan voting No.

C. Motion to schedule and advertise an Ordinance amending Chapter 15, Motor Vehicles.

Ms. Burckley made a Motion to schedule and advertise an Ordinance amending Chapter 15, Motor Vehicles. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the normal process for advertising is to go through the Policy Committee before coming to Borough Council. He explained all the changes including the direction of travel on Dean Street, No Left Turn on Nutt Road onto Valley Road and the signage changes for Fillmore and Franklin as it relates to student drop off and pick up.

Mr. Moore stated during drop off for Renaissance Academy on Fillmore Street looks like a parking lot. Vehicles stop to drop off and vehicles then try to go around the stopped cars in the opposing lane.

Mr. Kirkner asked why the signage proposed is no stopping or standing. When a similar issue occurred on Grant Street the signs posted said no student pickup or drop off. Can these be used on Fillmore Street and can the parking spots adjacent to the Fillmore Village community be posted as No Student Pickup or Drop Off?

Mr. Krack explained the signage on Grant is different as there are no dedicated parking spots on Grant Street. Fillmore Street does have the spots there and because of this the No Stopping or Standing signs are the correct ones for the area where no parking spots exist. The parking spots on Fillmore are part of the Subdivision and Land Development plans for Fillmore Village and are available for anyone to park. The Borough can’t limit or restrict the use of those spots.

Mr. Kirkner expressed his concerns with the use of the Recreation Center Parking by the parents as well as the employees of the businesses and schools in Franklin Commons. He has witnessed first hand people parking and walking across to the building, just leaving their cars in the parking lot all day and reducing the amount of available parking at the Recreation Center.

Mr. Ewald stated this change is not to scold Renaissance Academy itself. Our Police Chief and Borough Manager have actually met with the school's executive team who are in support of the Ordinance. The school has tried to communicate the no stopping and standing needs to stop but to no avail it continues to occur and this action is needed to stop the bad behaviors.

Motion Approved 8-0.

XI. Public Hearings

XII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve/deny the Certificate of Appropriateness for renovations for 99 Bridge Street as recommended by the HARB in their Action Memo of January 9, 2024.

   Ms. Dugan made a Motion to approve Certificate of Appropriateness for renovations for 99 Bridge Street. Seconded by Ms. Burckley.

   On the Question:

   Ms. Dugan explained she voted no at the HARB meeting citing her concerns with the original approval of the bank building and the new design of this building matches the recently approved Bluebird Distilling design. She is concerned that every approval is going to be a stepping stone and there's no way to claw it back to make sure the look of the downtown stays true to the historical nature of the town. She stated she agrees this is an improvement to the building.

   Mr. Ewald stated he agrees the sand brown glass glazing is not appealing and the improvements being presented by the applicant will be more appealing than what exists today.

   Motion Approved 8-0.

2. Motion to approve/deny the Certificate of Appropriateness for renovations and additions for 123 Main Street as recommended by the HARB in their Action Memo of January 9, 2024.

   Ms. Dugan made a Motion to Approve the Certificate of Appropriateness for renovations and additions for 123 Main Street. Seconded by Ms. Burckley.

   On the Question:

Ms. Dugan stated the design of the building looks lovely and she is really happy the new owner is keeping the design of the building to match the historical look of the former armory.

Motion Approved 8-0.

B. Planning Commission - Mr. Moore

1. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 785A Starr Street.

Mr. Denlinger explained the application before Council tonight is the development known as 785 A Starr Street. The application is to construct an 8,800 square foot commercial pad site along Starr Street in addition to the existing shopping center that is located on the site. The project will provide a parking area with 18 parking spaces and the realignment and elimination of some existing parking spaces for a total net gain of 11 parking spaces with new sidewalks and other related improvements. The application was before the Planning Commission several time and was recommended for approval by a vote of 6-1 at their December 14, 2023 meeting which is reflected in their action memo.

Mr. Denlinger stated public comment on this item will be accepted after the applicant has presented their Project and the Council has had a chance to ask questions of the applicant.

Adam Brower of EB Walsh and Associates and Kurt Wolter of Starr Street Partners, LLC presented to the Council.

Mr. Brower explained he and the applicant worked with the Planning Commission through several meetings to refine the design of the building proposed along Starr Street. He stated it is an 8,800 square foot building for additional retail in the shopping center. Parking will be provided in front of the building and sidewalks will be installed to be incorporated with the existing sidewalks on the site. Changes to the circulation of traffic on the site is proposed as well as a focus on enhancing the area. Currently the space is just green grass. He explained the proposed underground storm water management system that has been expanded to really limit any outflow coming from the proposed improvements and he acknowledged the drainage issues on the site.

Mr. Ewald thanked the applicant for being here this evening. He asked if the parapet on the top of the building could be extended to the fourth side

of the building to shield the HVAC systems from residents and visitors traveling east into town on Nutt Road.
Mr. Wolter stated he understands the comment and explained they did try to address the issue with the screening surround the units and leaving the parapet open on the fourth side to allow for roof access for maintenance of the units. Mr. Wolter stated they worked closely with the Planning Commission and reduced the size of the building to match the surrounding areas. A patio area was added off the side of the building to enhance the area for the community to socialize and provide seating for a food related tenant.

Mr. Moore asked for clarification on the patio area is it a potential add on or will it be built.

Mr. Brower confirmed it will be built as part of the project.

Mr. Weiss expressed his appreciation for the extent of work and focus on the Stormwater Management on the site. We have residents in the area who continuously have issues with stormwater from the site and are constantly worried about flooding.

Mr. Moore explained that much of the discussion at the Planning Commission was between the applicant and the Borough Engineering was regarding the improvement of the stormwater management on the site.

Mr. Carminito expressed his appreciation on the hard work done on the stormwater management system and asked if there was any consideration given to reducing the impervious surface on the site in less than necessary areas.

Mr. Brower explained this same issue was mentioned by a Planning Commission member and a Traffic Study was conducted for the site by Traffic Planning and Design based on the peak time design and a 1.1 ratio the project only came in with 3 extra spaces so there is concern about removing any more parking on the site.

Mr. Denlinger asked Mr. Brower to speak about the tree in the rear of the new building and the discussion held at the Planning Commission.

Mr. Brower explained there is a large diameter tree approximately 12 to 15 inches in diameter along the property line near the corner of the buildings drip zone. There was concern about preserving the tree as it turns out so refinements were made in an effort to preserve the tree including agreeing to hand dig around the tree to preserve and protect the root system of the tree. Looking at the plan more closely it seems that there will be very little disturbance in the area of the tree and the area will need fill as opposed to excavation.

Mr. Denlinger further clarified for the benefit of the Council there was a lot of discussion at Planning Commission about making sure that tree is preserved and that the roots are not damaged. Mr. Moore will discuss the waivers for the project but the condition of one of the waivers is very specific that the roots need to be protected as best reasonably possible.

Mr. Ewald stated that he still has concerns about the parapet on the wall on the fourth side of the building. He asked if there was a way to still provide roof access and better screen the roof top units. He stated he understand this will most likely no be the last redevelopment of the shopping center but this is quite a wall as an entrance to the Borough. He stated he appreciates the landscaping depicted and the quality it brings to the view shed, but still wonders is another material could be used to shield the roof top.

Mr. Wolter stated he didn't believe the view from Starr and Nutt would be as harsh as it seems in the depiction. There will be landscaping all round the building to improve the view shed.

Mr. Brower stated we can look into wood landscaping that would be a better buffer for the building and they would work with Gilmore and Associates on what could work in the areas surrounding the building. He stated that he is not sure if it should be a combination of evergreens and other deciduous plantings.

Mr. Ewald stated for commercial infill it is an attractive building on three sides and that is why the fourth side jumps out at me.

Mr. Kirkner asked what he meant by wood landscaping because he is also seeing a fence around the building, is that what you are considering wood landscaping or are you talking about something else.

Mr. Brower clarified they are doing the privacy fencing at the rear of the building and the low-level landscaping. What I was thinking of was more like planting trees that are freestanding whether it's an evergreen or deciduous or a combination of both.

Mr. Kirkner stated he agrees that tree that would grow to significant height would soften the view of the building and he would encourage that the plantings be a part of the approval or if we can stipulate it as part of the approval.

Mr. Denlinger explained that any motion made could include the language regarding the planting of trees.

Mr. Carminito asked if there was a way to break the layout of the building façade and break up the look of the wall with varying materials and still keep the profile of the building.

Mr. Wolter stated their share some of the same concerns being expressed here tonight. We want our building addition to be pleasant to look at and we are amendable to some reasonable restrictions or requirements to modify what we are presenting tonight. We are open to any recommendations made to us by Gilmore and Associates.

Mr. Kirkner asked if the Council is agreeable to adding approval of the trees used for shielding the view of the rear of the building.

Mr. Ewald stated he is not a fan of Arborvitae and he feels Gilmore can work with the applicant on a number of recommendations to improve the vantage point of the vehicles at street level.

Mr. Denlinger stated if a motion to approve this development is made he would advise the motion include language to add vegetation with a greater height satisfactory to the Borough Planner.

Mr. Ewald asked for clarification on the material being used, is the applicant intending to use the materials depicting in the renderings or in the family of those materials. For example, it is displayed as a red brick building it won't be changed to a white brick building.

Mr. Wolter confirmed the materials and colors will be the same or in the same family of materials.

Mr. Ewald asked if the intent was to have between one to five tenants occupying the building.

Mr. Wolter confirmed three to five tenants.

Mr. Ewald asked if the number of tenants would impact the parking numbers.

Mr. Denlinger confirmed parking is based on the square footage of the building not the number of tenants.

Public Participation

None

Mr. Denlinger explained the waivers contained in the Resolution for SALDO §23-306.1.D To not require infiltration at the required minimum rate, provided that amended soils are included as a part of the Development to offset the deficit in infiltration and §25-110.2.A To not require a full dripline-wide Tree Protection Zone ("TPZ") conditioned on the following: The TPZ shall be fully fenced and established throughout construction, being pulled back only for the purpose of hand digging within the TPZ for building slab preparation.

Mr. Moore made a Motion to adopt a Resolution officially approving the Preliminary/Final Subdivision and Land Development Plan for the development known as 785A Starr Street with the existing waiver requests and to include revised plans to add screening vegetation at the rear of the building with a greater height than shown in the rendering presented to Council in coordination with, and satisfactory to, the Borough Planner.

Motion Approved 8-0.

2. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as Phoenix Crossing – 99 Bridge Street.

Mr. Denlinger explained the Phoenix Crossing development of the former bank building at 99 Bridge is to convert the Existing Building on floors 2-4 to twenty-two (22) residential apartments, and renovate the 1st floor to include one (1) 931 square foot residential apartment unit and approximately 5,343 gross square feet of commercial area, improve the existing parking lot to supply parking for all uses, solid waste storage and vastly upgraded EV-ready (25) and functional EV (5 private; 4 public) parking spots in the existing parking lot, install certain crosswalk and ADA-compliant sidewalk ramps. He stated public comment will be accepted after that application has presented by the applicant and the Council has had a chance to ask questions of the applicant.

Mr. Charlie Scanzello with T&M Associates. He stated he is the engineer of record for the 99 Bridge Street development known as Phoenix Crossing. He stated Andrew Kubovsak the applicant and representative of the owner is present with him this evening.

Mr. Scanzello expanded on Mr. Denlinger's description of the development explaining the plan proposed is to maintain the existing footprint of the building and to convert the former bank into apartment units and commercial retail. In addition to that, much of the existing site is to remain, however being proposed is a few improvements such as the existing ADA curb ramps being brought into current ADA compliance standards and providing an ADA route from the parking lot to the building. In addition, a dumpster in the rear parking lot along with an enclosure to service the apartment units as well as the commercial tenant. He expanded upon the parking a lot of time and deliberation was taken to work with the Borough and Planning Staff to really lock down the strategy for the parking and the combination of public versus private parking being provided. The applicant and owner will have a striping and signage strategy to designate and delineate the parking spaces between the commercial tenant, the residential tenants and the public spaces. The public parking will continue to be leased with the Borough and they will be paid for by the current payment app that the Borough uses. Installed in the parking lot will be the electric vehicle charging stations 5 spaces in the private portion and 4 spaces in the public parking areas and the infrastructure for up to an additional 25 EV spaces. Revisions and provisions for easements, whether they're existing or newly made need to be put in place. They include storm water that is already crossing the site as well as additional open space in the rear. He stated the request for one waiver is for open space and environmentally sensitive areas. This is because the majority of the site is considered an environmentally sensitive area being within the floodplain the current Schuylkill River Trail goes through the site and is entirely in the floodplain. The second waiver is a request for the deferment of sidewalk installation that will connect from our site to the Schuylkill River Trail. With the future improvements proposed for the Starr Street extension the request is to defer the sidewalk provision until the time that Star Street has been extended and where a more appropriate design for that pedestrian connection can be installed. He stated the applicant is present tonight to seek the Councils approval of our plans and waivers.

Mr. Moore asked for explanation of the parking spaces for the development.

Mr. Scanzello stated there will be 47 spaces provided for the building, 37 for residents and 10 for the commercial space. There will be 77 public spaces available and 16 on street spots that will remain.

Mr. Ewald asked about Market Street being a Borough Street along with the portion of Ashland that terminates at Market Street.

Mr. Krack explained as of today Market Street is a Borough Street along with the portion of Ashland that terminates on the western side of Market Street.

Mr. Ewald asked about the proposed sidewalk curb improvements.

Mr. Scanzello stated there will be 6 curbs replaced as part of the project, 4 of which are along the middle access drive to the parking lot and 2 along Ashland Street on either side where it connects to the parking lot.

Mr. Ewald asked about the traffic flow on Market Street if it will be 1 way in and 1 way out or a two-way street.

Mr. Krack explained the Starr Street extension is in the design phase at this point in time. When that extension goes through it will create the opportunity to take Ashland Street from the intersection of where Starr Street meets at the back of the building. Ashland Street will go across to the back of the building to connect with Starr Street with the appropriate easements. At that point Market Street can be closed and the sidewalk on Bridge Street can put back in.

Mr. Denlinger stated that PennDOT has mandated when the intersection at Starr and Bridge Street is completed Market Street is to be closed.

Mr. Ewald asked if the expectation is to have a single tenant for the commercial space or multiple tenants.

Mr. Kubovsak stated they envision having one tenant.

Mr. Ewald stated the depiction on the plan shows carved out studio like spaces he asked for clarification that they are not to be used as studio apartments.

Mr. Kubovsak stated the space is configured for studio space for stylists or a barbershop configuration not studio apartments.

Mr. Kirkner expressed his concerns with the deferment of the sidewalk installation to the Schuylkill River Trail. He asked if the Council is being asked to defer the deferment of the sidewalk installation.

Mr. Scanzello explained the intent is a later date, once Starr Street has been extended there will be a more logical and more appropriate connection for sidewalk to continue from our site along the Starr Street extension and then ultimately connect to the Schuylkill River Trail. The request to defer that sidewalk until Star Street is developed, currently the project for Starr and Bridge is in the development stage.

Mr. Moore stated the intent is to the defer the compliance with the requirement under the SALDO to install the connecting sidewalk from 99 Bridge Street to the Schuylkill River Trail.

Mr. Denlinger stated the issue may be with his language in the Resolution being a bit of a belt and suspenders type language the he typically uses instead of a waiver because we're not waving the requirement, we're deferring it to a time that makes sense.
Mr. Kirkner stated he wanted to understand what is being proposed to ensure a new owner could not come in and try to avoid the installation of the sidewalk.

Mr. Ewald asked for clarification on the entrance on the Northeast corner is this area just a lobby on the back side of the building.

Mr. Kubovsak explained the area is lobby area with a mail package room and the access to the elevator and stairs to the upper levels of the building.

Mr. Carminito asked if the lower level of the building is in the flood plain. If so will the basement be for storage.

Mr. Kubovsak stated they will be relocating all the electrical breakers and panels from the basement. The only items remaining in the basement level will be the pipes coming into the building.

Mr. Ewald asked about the glazing of the windows to the building.

Mr. Kubovsak explained the glazing is going to be updated and switching out the windows to make them operational for ventilation purposes. As part of our renting the storefront we intend to update the entrance doors, add awnings, new signage and paint.

Public Participation

John McPhee, Business Manager of Diving Cat Studios. He explained his history with the demolition of the steel mill and the development of the master plan for the redevelopment of the site. He stated he applauds the developer for the adaptive reuse of the building, however he stated it is imperative that the public parking remain in perpetuity.

Mr. Moore made a Motion to adopt a Resolution officially approving the Preliminary/Final Subdivision and Land Development Plan for the development known as Phoenix Crossing – 99 Bridge Street with waivers approved by the Planning Commission. Seconded by Mr. Weiss.

Motion Approved 8-0.

3. Motion to adopt a Resolution officially conditionally approving/denying the Preliminary/Final Subdivision and Land Development Plan for the development known as 123 Main Street.

Mr. Denlinger explained this application is for the adaptive reuse of the former Borough Civic Center into 18 residential units with 2 ADA accessible units, onsite parking and landscaping and related improvements. The Council approved the adaptive reuse of the building subject to the Conditional Use approval at the July 11, 2023 meeting of Borough Council. The plan before you this evening satisfies those conditions. He stated public comment will be accepted after that application has presented by the applicant and the Council has had a chance to ask questions of the applicant.

Mike Kajak, representing MEK2 Property Group. He stated unfortunately Scott J. Zwizanski of Inland Design was not able to be present this evening. He explained that after the December Planning Commission meeting a change was made to the parking at the site as it relates to the front curbing and the No Parking Here to Corner. He stated the change was discussed with the Borough Engineer Owen Hyne and it was approved by him to make the change. The move will add additional parking on the street. At the meeting Gilmore & Associates recommended we add a park bench at the front of the property near the existing flag pole, so we made that modification to the plan as well. The project will have a series of plantings with trees of varying species, the window framing color will be painted black as recommended by the HARB committee.

Mr. Denlinger asked Mr. Kajak to confirm the changes he mentioned tonight were a result of the comments made to you at the December 14, 2023 Planning Commission meeting by the consults of the Borough.

Mr. Kajak confirmed that was correct.

Mr. Moore asked about the vote at the Planning Commission the Resolution stated it was approved 7-0. Is that the correct vote on the project?

Mr. Denlinger explained it was approved 6-0-1 with one abstention. He stated the Resolution would be corrected and it should be included at the end of any motion tonight.

Mr. Ewald asked the applicant to explain the concrete replacement for the sidewalks and the closing of the curb cut on Main Street.

Mr. Kajak explained there are damaged slabs of concrete as well as some dipping that could be a tripping hazard, there is at the front of the property there was an existing apron for access to the front door and an emergency fire escape from the second floor that will be removed. All of the curbing will be removed and reinstalled at the proper height. He explained the ADA handicapped spot will remain and the relocating of the Here to Corner sign will add two additional parking spaces. The 18 apartments units will all be single bedroom units with two being handicapped accessible.

Mr. Carminito asked if the windows in the rendering are the correct windows and color.

Mr. Kajak confirmed the windows are correct on the rendering.

Mr. Carminito asked if the awning and the doors were going to be green.

Mr. Kajak explained the awning is a tin material that is green in color, the window will be replacing the existing windows on the front structure and installing new windows on the gymnasium side under the awning that will match the windows and the window heads throughout the building.

Mr. Moore asked about the ADA units having in unit washers and dryers.

Mr. Kajak explained they will have single functioning units that will both wash and dry.

Mr. Kirkner asked if there is anything that could be done to the back entrance on Jackson Street to make it smaller and add another parking space on Jackson Street.

Mr. Kajak stated the entrance is not being altered and the project will not be removing any parking on Jackson.

Mr. Kirkner asked if it could be made smaller to add another parking spot?

Mr. Kajak clarified the existing drive way apron is 20 feet and that the current code requires 22 feet of apron space.

Mr. Ewald asked about roof top access on the front of the building or is it just roof.

Mr. Kajak clarified there is no access it is just flat roof. The main roof will be shingled as it is now and the front struct will has an EPM rubber membrane which will be repaired in some areas but is not being fully replaced.

Mr. Ewald stated there would be no pilot house or anything like that on the roof and no group type of access to the roof.

Mr. Kajak explained the roof will have the venting systems for the bathrooms and the dryers, but nothing else.

Mr. Moore asked if the intention of the project was to still provide workforce affordable housing as was presented at the Conditional Use hearing and can you give us any details on how you intend to accomplish that.

Mr. Kajak explained the 7 units on the second floor will all be similar in size which will save on materials and there will not be things like granite counter tops or stainless-steel appliances in the units. The first-floor units located in the former gymnasium are will be slightly larger and two stories high so they will be slightly more expensive, the goal however, is to make all the units affordable as possible.

Mr. Moore stated he appreciates when you purchased the property that you could have done something else with it. Like build a new structure on it. Instead you preserved and that's valuable to the Council and to the whole Borough in general and certainly to me.

Mr. Ewald asked if the expectation was the parking on site would be first come first serve for the tenants or are you assigning parking to the units.

Mr. Kajak explained they will likely be built into the leases. Individuals are assigned a parking space; however, the handicapped spots will immediately go to the handicapped accessible apartments. The remaining parking spots will be assigned on a first lease basis. Should we need to we would be looking into leasing spaces from the church on Main Street so we don’t have to turn tenants away.

Public Participation

None

Mr. Moore made a Motion to adopt a Resolution officially approving the Preliminary/Final Subdivision and Land Development Plan for the development known as 123 Main Street with the Resolution modified to show the vote of 6-0-1 with one abstention at the Planning Commission meeting of December 14, 2023. Seconded by Mr. Kirkner.

Motion Approved 8-0.

C. Phoenixville Regional Planning Committee – Mr. Kirkner

Mr. Kirkner stated the meeting for November was combined for November and December and the next meeting of the committee will be on January 31, 2024.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the programs and events at the Recreation Center including healthy seniors, AARP Drive Safely program, Table tennis, Youth Pickle ball and various Yoga classes for all experience levels.

E. Tree Advisory Commission – Mr. Carminito

F. Human Resources Commission – Ms. Burckley

XIII. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. No additional action to report.

B. Parks and Recreation Committee – Mr. Moore

1. No action to report.

C. Policy Committee – Mr. Carminito

1. No action to report.

D. Infrastructure/Technology/Transportation/Sustainability Committee – Mr. Weiss

1. No Action to Report.

E. Finance Committee – Ms. Dugan

1. No action to report.

XIV. Public Participation

None

XV. Communications/Council Participation

XVI. Staff Reports are in the packets.

A. Manager
B. Police

C. Fire
D. Planning and Codes
E. Public Works
F. Finance
G. Human Resources
H. Recreation

XVII. Council met in Executive Session on December 12, 2023 to discuss Personnel, Real Estate and Litigation.

XVIII. Executive Session – Personnel, Real Estate and Litigation

XIX. Adjournment
9:02pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss.

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
January 2024