

PHOENIXVILLE BOROUGH COUNCIL

Tuesday, March 10, 2026

7:00 PM

(Minutes approved by Borough Council on April 14, 2026)

MINUTES

- I. Pledge of Allegiance/Moment of Silence
- II. Swearing in by the Honorable James C. Kovaleski, Magisterial District Judge
 - A. Councilperson North Ward – Klementina Budnik

President Ewald introduced the Honorable James C. Kovaleski, Magisterial District Judge who conducted the Oath of Office for Mrs. Budnik.

- III. Roll Call – Borough Manager

Mr. Ewald, President	Present
Ms. Burckley, Vice President	Present
Mrs. Budnik	Present
Ms. Dugan	Present
Mrs. McGhee	Present
Mr. Moore	Present
Mrs. Vogel	Present
Mr. Weiss	Present
Mayor Urscheler	Excused
Mr. Krack, Borough Manager	Present
Ms. Getzfread, Asst. Borough Manager	Present
Chief Marshall, Police Chief	Present
Mr. Denlinger, Solicitor	Present

- VI. Public Comment

Anthony Lasorda, resident. He expressed his concerns with the school buses staging on Cromby and Fillmore as they wait to be allowed on the grounds of Renaissance Academy. He explained it creates an area where traffic is either stopped or cars travel on the wrong side of the roadway. He is frustrated that there are signs for no stopping or standing and they are completely ignored by the busses. He wants the Police Department to do something about the situation.

Mr. Denlinger stated he wanted to make the process clear for Dr. Saneck’s two land development projects that will occur later this evening in the agenda. He explained that for each of your land development projects, you will be provided the opportunity to come up and address Council, but there are also two extension requests that Council is

considering this evening, and there will not be a separate time to address Council on the extension requests, so if you would like to discuss the extension requests, now would be the time to do so.

Mr. Thomas Martin, attorney. He stated he is here this evening to speak on behalf of Dr. Saneck and Ms. Hilly when the time comes.

V. Presentations – None

Mr. Ewald stated that prior to tonight’s meeting the Council met in Executive Session to discuss a matter of real estate related to 17 Cromby Road, a matter of real estate related to the addresses 132 High Street, 21 E. Emmett Street and UPI 15-9-195. A matter of attorney-client privilege discussion related to 209 and 299 Fillmore Street, as well as a matter of personnel related to police department open position.

VI. Consent Agenda:

A. Approval of February 10, 2026, Regular Meeting Minutes.

B. Items from HARB

1. Motion to approve the Certificate of Appropriateness for signage at 116 Bridge Street.
2. Motion to approve the Certificate of Appropriateness for signage at 209 Church Street.

C. Items from Parks and Recreation Committee.

1. Motion to approve a Temporary Community Event Application for Earth Day Phoenixville at Reservoir Park on Saturday, April 18, 2026, from 12:00 noon to 4:00 pm. Franklin Avenue north of Fillmore Street and the Reservoir Parking Lot to be closed from 9:00 am to 5:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.
2. Motion to approve a Temporary Community Event Application for the Mental Health Fun Day and Walk at the Recreation Center on Saturday, May 2, 2026, from 10:00 am to 1:00 pm.
3. Motion to approve a Temporary Community Event Application for the Open Hearth’s Jams and Generosity Fundraiser at 701 S. Main Street on Wednesday, May 20, 2026, from 5:00 pm to 9:00 pm. Park Alley between Fifth Avenue and Sixth Avenue to be closed from 3:00 pm to 11:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.
4. Motion to approve a Temporary Community Event Application for the Juneteenth Celebration in the 200 Block of Bridge Street and the Bridge and Main Street Parking Lot on Sunday, June 14, 2026, from 2:00 pm to 6:00 pm. The 200 Block of Bridge Street between Gay Street and Main Street and Bridge and Main Street Parking Lot to be closed from 10:00 am

to 7:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming the Borough of Phoenixville as Additional Insured.

5. Motion to approve a Temporary Community Event Application for the Borough of Phoenixville Fireworks display at the Recreation Center and Pat Nattle Field on Saturday, July 4, 2026, from 6:00 pm to 10:30 pm. Fillmore Street to be closed from Franklin Avenue to South Street from 6:00 pm to 10:00 pm.
6. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Saturday, August 8, 2026, from 11:00 am to 6:00 pm. Third Avenue between Main Street and Starr Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.
7. Motion to approve a Temporary Community Event Application for the Phoenixville VegFest in Reeves Park on Sunday, August 9, 2026, from 11:00 am to 6:00 pm. Third Avenue between Main Street and Starr Street to be closed from 7:00 am to 7:00 pm. Conditioned upon receipt of all fees and valid Certificate of Insurance, naming Borough as Additional Insured.
8. Motion to approve a Temporary Community Event Application for the Fall Fest and Trunk or Treat at the Recreation Center on Saturday, October 24, 2026, from 12:00 noon to 3:00 pm.
9. Motion to approve a Temporary Community Event Application for the Phoenixville Vintage Fest in the Bridge and Main Street Parking Lot on Saturday, May 30, Sunday, May 31, Saturday, August 1, Sunday, August 2, Saturday, September 5, Sunday, September 6, Saturday, October 3 and Sunday, October 4, 2026, from 9:00 am to 4:00 pm. Conditioned upon receipt of valid Certificate of Insurance, naming the Borough of Phoenixville as Additional Insured.

D. Items from Finance Committee.

1. Motion to approve the 2025 Pre-Paid dated 1/1/2026 - 1/31/2026 in the amount of \$534,534.90.
2. Motion to approve the 2026 Pre-Paid dated 1/1/2026 - 1/31/2026 in the amount of \$991,588.35.
3. Motion to approve the 2025 Pre-Paid Credit Card Statement dated 1/1/2026 - 1/31/2026 in the amount of \$47,773.37.
4. Motion to approve the 2026 Pre-Paid Credit Card Statement dated 1/1/2026 - 1/31/2026 in the amount of \$25,457.49.
5. Motion to approve the 2026 Pre-Paid ACH dated 1/31/2026 in the amount of \$76,261.40.

Ms. Burckley made a Motion to approve the Consent Agenda. Seconded by Mr. Weiss.

Motion Approved 8-0.

VII. Communications/Council Participation

Mr. Moore shared his appreciation to the Borough Staff for the staff running the Temporary Community Event application and planning process. He stated after the approval of tonight's consent agenda the Borough has (49) forty-nine events scheduled for the year across many locations including Bridge Street, Reeves Park, Reservoir Park and the Recreation Center. It is a lot of work, and he really wanted to pay tribute them, particularly Kelly and Alexis Strunk. Ms. Strunk is the administrator of our TCEs and one of the things they've been doing really well is working with each of the groups to right-size the kind of support each group needs. Making sure their events can be the most cost-efficient in terms of what services they need to book with the borough based upon the true size of their event.

VIII. Mayor's Report – Nothing to Report

IX. Appointments

- A. Call for Residents interested in being appointed to various Boards and Commissions.

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. Interview applicants interested in being appointed/reappointed to the Planning Commission.

Mr. Ewald explained the process for the interview and called up the applicants by seniority starting with Tom Carnevale.

Mr. Carnevale introduced himself and provided his background as a resident of the Borough, a business owner of Carnevale Eustis Architects and his tenure on the Planning Commission. He expressed his desire to be reappointed to another term on the Planning Commission.

Mr. Ewald asked if there were any questions for Mr. Carnevale. No one on the Council indicated they had questions for Mr. Carnevale.

Mr. Ewald asked Joe Sikora to step forward to address the Council.

Mr. Sikora introduced himself and provided his background as a resident of the Borough, a business owner of many startups focused on technology and his tenure on the Planning Commission. He expressed his desire to be reappointed to another term on the Planning Commission.

Mr. Ewald asked if there were any questions for Mr. Sikora. No one on the Council indicated they had questions for Mr. Sikora.

Mr. Ewald asked Zakkiyyah Barron to step forward to address the Council.

Ms. Barron introduced herself and provided her background as a resident of the Borough and her educational background.

Mr. Ewald asked if there were any questions for Ms. Barron.

Ms. Dugan thanked Ms. Barron for stepping up to volunteer and that she has just a few questions for Ms. Barron. She stated she is familiar with Mr. Carnevale and Mr. Sikora from their time on HARB and that is why she had no questions for them.

Ms. Dugan asked Ms. Barron how long she has lived in the Borough.

Ms. Barron stated she has lived here for the last (7) seven years.

Ms. Dugan asked if Ms. Barron how familiar she is what the Council Boards and Commission do? For instance, keeping up with the local borough events and issues. Do you watch, watch the Council meetings.

Ms. Barron stated she is newer to that. She explained she has started to dive into what was happening around in the local communities, and she stated to peruse the Borough's website looking for ways to get involved.

Ms. Dugan asked if Ms. Barron if she searched for an opening on her own or was referred by someone to apply.

Ms. Barron stated upon reviewing the Website to see about potential openings on Borough Council she found the expiring terms on the Planning Commission and she felt that might be a good way to get involved, find out what's going on, and to be part of the conversation.

Ms. Dugan asked if Ms. Barron would be open to an appointment to another board or commission if this one ends up not being available at this time.

Ms. Barron stated she is on the Sustainability Committee in Montgomery County and they directed me to the Planning Commission so that is why she focused on the Planning Commission. She stated she is open to other boards and commissions.

Mr. Moore asked if Ms. Barron has any opinion or perspective on the way the Borough and Planning Commission manages growth and planning in the borough.

Ms. Barron stated she has been watching the growth in the borough and while she knows it is important, however she does question the use of a lot of impervious materials and how as a Planning Commission they are ensuring the developers are protecting the ecosystems and environment around us. She stated as a resident of the Northside she has the increase of the development in the Northside and wonders what this means for the environment, for the birds, the worms in the ground and just the natural systems and what is being done to replace them.

Ms. McGhee thanked Ms. Barron for coming this evening and congratulated her on her recent master's. She asked Ms. Barron how she would acclimate herself to a new role and what her plan is for learning what the Planning Commission is actually about.

Ms. Barron stated she is big on research and if there isn't a chance to shadow it would be a lot of looking up what Planning Commission does and has done in the past. She would give herself the chance to read whatever articles or reports that are available to get an understanding about what is looked at by the commission.

Ms. Burckley clarified what Ms. Barron indicated earlier that she would be interested in other committees and commissions, and stated just looking at her resume, meeting her, and if she wasn't selected, she would want to make sure the Council and Staff engaged her in some way. She thanked Ms. Barron for being here, for her time, and her willingness to give her time and talent to the borough.

Mr. Ewald asked if during her dive through the Borough website were there any other board or commission you might be interested in.

Ms. Barron stated she doesn't have one off hand but she would like one that engages with the community or anything related to the environment and what we're doing with respect to maintaining our own ecosystem and keeping that healthy.

Mr. Ewald asked if Carolyn Treglia or Rayli Raykov were in the audience. Not seeing a response in person or on zoom interviews were closed.

- C. Motion to appoint or reappoint two persons to the Planning Commission for the terms expiring March 31, 2030.

Mr. Moore made a Motion to reappoint Tom Carnevale to the Planning Commission for a term expiring March 31, 2030. Seconded by Ms. Dugan.

Motion Approved 8-0.

Mr. Moore made a Motion to reappoint Joe Sikora to the Planning Commission for a term expiring March 31, 2030. Seconded by Mr. Weiss.

Motion Approved 8-0.

- D. Interview applicants interested in being appointed/reappointed to the Human Relations Commission.

Mr. Ewald asked Kevin Zwick to step forward to address the Council.

Mr. Zwick introduced himself and provided his background as a resident of the Borough and his tenure on the Human Relations Commission. He expressed his desire to be reappointed to another term on the Human Relations Commission.

Mr. Ewald asked if there were any questions for Mr. Zwick. No one on the Council indicated they had questions for Mr. Zwick.

Mr. Ewald asked Jasmine Joyner to step forward to address the Council.

Ms. Joyner introduced herself and provided her background as a resident of the Borough and her tenure on the Human Relations Commission. She expressed her desire to be reappointed to another term on the Human Relations Commission.

Mr. Ewald asked if there were any questions for Ms. Joyner. No one on the Council indicated they had questions for Ms. Joyner.

- E. Motion to appoint or reappoint two persons to the Human Relations Commission for the terms expiring March 31, 2029.

Ms. Burckley made a Motion to reappoint Kevin Zwick to the Human Relations Commission for a term expiring March 31, 2029. Seconded by Ms. McGhee.

Motion Approved 8-0.

Ms. Burckley made a Motion to reappoint Jasmine Joyner to the Human Relations Commission for a term expiring March 31, 2029. Seconded by Ms. McGhee.

Motion Approved 8-0.

- F. Interview applicant interested in being appointed to the Recreation Board.

Mr. Ewald called for any applicants for the vacancy to step forward or raise their hand on Zoom and staff will unmute their microphone. None of the applicants were present.

- G. Motion to appoint one person to fill the vacant position on the Recreation Board for the term expiring April 30, 2028.

Ms. Burckley made a Motion to Table the appointment to fill the vacant position on the Recreation Board for the term expiring April 30, 2028. Seconded by Mr. Weiss.

Motion to Table Approved 8-0.

X. New Business

- A. Motion to authorize a conditional offer of employment for Patrol Officer pending satisfactory completion of Medical Examination and Psychological Testing.

Ms. Burckley made a Motion to authorize a conditional offer of employment for Patrol Officer to Brett Sneeringer pending satisfactory completion of Medical Examination and Psychological Testing. Seconded by Mr. Weiss.

Motion Approved 8-0.

XI. Public Hearings

- A. Motion to Recess meeting and enter hearing on zoning ordinance amendment to Chapter 27 “Zoning.

Mr. Weiss made a Motion to Recess meeting and enter hearing on zoning ordinance amendment to Chapter 27 “Zoning. Seconded by Ms. Burckley.

Motion Approved 8-0.

Hearing opened 7:39 pm.

Mr. Denlinger stated this public hearing is for a Zoning Ordinance Amendment to sections 27-202, 27-301, and 27-405. As the Council may recall you adopted an amended and restated Zoning Ordinance in August of 2025. Upon staff’s review it was discovered that industrial uses were permitted in the industrial zoning district, both by right and by special exception which creates confusion since uses are typically permitted only by a single method. Therefore, this ordinance before the Council this evening removes industrial uses from Section 27-301-2B1. Which provides for special exception uses. The resulting impact of this would be that the ordinance would now clearly allow for industrial uses to occur in the industrial zoning district by right.

In addition, the Zoning Ordinance amendment includes the regulation of detention centers. Staff noticed that detention centers were not previously regulated by our Zoning Ordinance which otherwise means that they would often be permitted with little or no restriction. In order to regulate detention center uses, staff updated Section 27-202 to create a definition of detention center and updated Section 27-301-2A1 to require that any potential detention center must be in the

CD Corridor Development District and come before Council for a conditional use hearing before being granted permission to be operated on a property. Included in Section 27-301-2A2B to provide the standards, regulations, and limitations for any potential detention center use, which would have to be demonstrated through the conditional use hearing, a dimensional requirements such as a 1-acre minimum lot area and 100-foot yard setback, a 500-foot distance from any residential property, a 1,000-foot setback from any school use, fencing, and on-site parking. One medical professional for every (10) ten detainees, one staff member for every (7) seven detainees, and publicly posted contact persons and numbers. An additional item in the Zoning Ordinance amendment removed auto supply stores from the industrial zoning district stemming from staff's discussion in the Zoning Task Force, that the intention was for the industrial zoning district to not have uses, such as retail uses, where there's increased, retail traffic associated with those types of stores.

Finally, the Zoning Ordinance includes an amendment to Section 27-405 to clarify the size of required parking spaces in the borough. Staff recognized that these dimensions were in the Subdivision and Land Development Ordinance, but not as clearly reflected in the Zoning Ordinance. This would particularly impact projects that are not of a substantial enough nature to have to go through the Subdivision and Land Development process.

Mr. Denlinger stated the Borough Planning Commission reviewed the ordinance and recommended approval by unanimous vote at its December 11th, 2025, meeting. The Phoenixville Regional Planning Committee reviewed the ordinance and found it to be consistent with the PRPC Regional Comprehensive Plan and supported the ordinance, except for pointing out one typo correction. The Chester County Planning Commission also reviewed the ordinance and provided a review letter. This ordinance was advertised in the Pottstown Mercury on February 23rd, 2026, and March 2nd, 2026. Copies of the proposed ordinance amendment were sent to the Chester County Law Library and Pottstown Mercury on February 13, 2026, for public inspection. He introduced the following exhibits into the record.

Exhibit B1 will be a copy of the ordinance.

Exhibit B2 will be a review letter from the Phoenixville Regional Planning Committee, dated February 25th, 2026.

Exhibit B3 will be a review letter from the Chester County Planning Commission, dated February 24th, 2026, commenting on the adoption of the ordinance.

Exhibit B4 will be the minutes from the Phoenixville Borough Planning Commission meeting, dated December 11th, 2025, unanimously recommending adoption of the ordinance.

Exhibit B5, a copy of the public notice for the consideration of the ordinance.

Exhibit B6, proof of publication from the Pottstown Mercury for the two advertised dates. This is not yet in hand but will be an exhibit upon receipt from Mercury.

Exhibit B7. Letters from the Borough to the Pottstown Mercury and Chester

County Law Library, dated February 13th, 2026, providing copies of the ordinance for public access.

Council Participation

None.

Public Participation

None.

Ms. Burckley made a Motion to close the Public Hearing. Seconded by Mr. Weiss.

Motion Approved 8-0.

Hearing closed at 7:45 pm

- B. Motion to adopt an ordinance amendment to Chapter 27 “Zoning”.

Ms. Burckley made a Motion to adopt an ordinance amendment to Chapter 27 “Zoning”. Seconded by Mr. Weiss.

Motion Approved 8-0.

XII. Resolutions/Ordinances

- A. Motion to adopt an Ordinance amendment to Chapter 1 “Administration and Government”.

Mr. Ewald stated the Ordinances for Chapter 1 and Chapter 15 were duly advertised.

Ms. Burckley made a Motion to adopt an Ordinance amendment to Chapter 1 “Administration and Government”. Seconded by Mr. Weiss.

On the Question:

Mr. Denlinger stated that this ordinance amendment, to Chapter 1, is the Borough’s Administration and Government chapter of the ordinances. This was scheduled and advertised in the Pottstown Mercury on February 23rd, 2026, and also sent to the Mercury and Chester County Law Library for public inspection on February 13th, 2026. Essentially, this ordinance does two things. It establishes the position of an Americans with Disabilities Act coordinator. The Americans with Disabilities Act requires municipalities with (50) fifty or more employees to designate an ADA Coordinator. The borough now employs over (50) fifty

employees. Since the borough meets the threshold, the amendment establishes the ADA coordinator position, and they will be tasked with ensuring that the borough facilities and programs are ADA compliant. The second thing that this ordinance does is formally establishes the position of Assistant Borough Manager. As you may know, the Borough has had an Assistant Borough Manager for a long time, but the position has not been formalized, and while amending this chapter of the ordinances, it was high time that we formalized that position. So, this ordinance does that as well.

Motion Approved 8-0.

B. Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles”.

Mr. Weiss made a Motion to adopt an Ordinance amendment to Chapter 15 “Motor Vehicles”. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the Ordinance is mostly stop sign and he stated the ordinance was advertised the Pottstown Mercury on February 23rd, 2026, and sent to the Mercury and the Chester County Law Library for public inspection on February 13, 2026.

Motion Approved 8-0.

XIII. Reports of Committees, Boards, and Commissions

A. Historical and Architectural Review Board – Ms. Dugan

1. Motion to approve or deny the Certificate of Appropriateness for signage at 100 Gryffindor Drive.

Ms. Dugan asked the applicant to step forward and introduce himself and walk the Council through what they are proposing.

Matthew Bayley, Elmark Sign Company. He stated he is here this evening to represent the apartment complex The Phoenix. He was requested by the complex to install some signage to help advertise and market their offerings. He explained they had discussions with HARB on the options for the signage. Originally the request was for face lit letters on the side of the building. HARB counseled us on what they believed would be more successful if backlit or halo lit letters would be more appropriate and successful for our project. He stated the proposal since that meeting has been revised and that is what’s been submitted tonight.

Ms. Dugan asked Mr. Bayley to bring up the example for the Council and audience to see.

Mr. Bayley showed the Council and public the example of the backlit letter explaining how the light comes out from the back of the letter causing the letter to be more of a silhouette. He explained the three elements being requested in the application. The first is for the words “The Phoenix” that will be approximately 60 to 70 feet up towards the top of the building, above the mural, and facing the bridge. The second and third are two small perpendicular to the first and would be a halo lit phoenix logo or symbol if you will, which is a bird.

Mr. Denlinger asked Mr. Bayley to explain the difference between channel lit and backlit for the non-lighting experts.

Mr. Bayley explained channel lit lighting is when the bulb is placed inside the letter and then a translucent face is light is coming from within the letters. This is commonplace in shopping centers, and the demarcation of the letter is very clear. This allows for very long scripted words, block letter words, anything, and you can clearly see the outline of every letter, it lights up great and you can read it effortlessly.

He stated contrast to the channel lit is the backlit, where light literally comes out from the back. The face of the letter is opaque, and all the light is coming from the back. The way the message reaches the eye is by reflecting off of the image. You start with a piece of aluminum that some portion of the light reflects off. It makes for a much more subtle, softer look.

Mr. Denlinger asked the applicant to clarify they are amending the application to request a backlit sign instead of a channel lit sign.

Mr. Bayley confirmed that applicant is requesting the backlit sign as recommended by HARB.

Mr. Ewald stated his concerns have nothing to do with the quality of the work presented the side emblems of the small birds are of interest but he feels like the overall massiveness of the signage on the side of the building becomes a very large advertisement and less of a sign. The letters on the top only face the bridge and it creates the entire side of a building that’s now become a sign. He stated he doesn’t know of very many other murals, if any, that actively advertise a sort of corporate entity, so most of our murals are just art-based. This one really incorporates the name of the building into it. So, it feels like a kind of double-dipping on signage and getting a whole lot of signage on one side. He stated as he came across a bridge tonight the location of the signage would be very upfront to

everyone coming across the bridge.

Ms. Dugan stated she understands what Mr. Ewald is saying because in a way, it's kind of like a billboard. It's one thing to have the lighting for the sign and just the name and symbol but it's very big when including the mural.

Mr. Ewald stated with the mural it just becomes one big face of signage. Individually he likes how the mural turned out and without the mural he might consider the sign but together it just seems like a lot.

Mr. Bayley compared the signage in the downtown area that is around 10 to 12 feet from your face, with letters 2 feet tall that appear a certain way to us. He stated if you look off the bridge, he believes it's well over 100 feet away and when you stand back from it after it's installed it may not seem as large.

Mr. Moore stated he is not sure that this sign is breaking any kind of rule as he seems to recall the Luxor, now the Diamond having similar signage on it building along with the lights that outline the structure. He asked Mr. Ewald based on his reluctance to the signage where he believes they might be overdoing something.

Mr. Ewald expressed his concerns on the sign size and what is permitted under the Borough Code. He feels this sign when combined with the mural is over the maximum amount. Mr. Ewald stated he was surprised when the side lights went up on the Luxor building, but they aren't located in the HARB district so they couldn't be reviewed in the same manner. The overall massiveness of the signage seems like a lot on one side of the building. If the sign weren't lit, he stated he might have a different opinion.

Mr. Bayley indicated the signage was reviewed for Zoning compliance and when driving on the bridge, you'd only see the letters being proposed.

Mr. Denlinger stated that if the Council is concerned with the size of the sign the appropriate thing to do Make a determination on the design, and have any determination be subject to compliance with our zoning ordinance.

Mr. Moore asked if the sign is compliant with the Zoning Ordinance.

Mr. Denlinger stated that he did not look into the zoning compliance of this sign. He has not had any discussions with our Zoning Officer about whether he has examined this yet or not, so that would be something that he would want to do after this meeting.

Ms. Dugan stated she wants to make the motion but wants to be clear on what it should include.

Mr. Denlinger confirmed the motion would be to approve subject to compliance with the sign area permitted for the signage.

Ms. Dugan made a Motion to approve the Certificate of Appropriateness for signage at 100 Gryffindor Drive conditioned on compliance with the sign area permitted for the signage. Seconded by Mr. Weiss.

On the Question:

Mr. Krack explained the action memo states that all zoning requirements of the Borough are to be made a part of this recommendation from HARB. So to address the issue of size the signage would have to meet the zoning requirements. The signage would have to comply with whatever the limitations are and the square footage associated with frontage.

Ms. Dugan stated she is concerned about how we are looking at the application. Is it a mural, as artwork or is as an actual advertisement.

Mr. Krack stated the mural is the mural and the sign is a true sign.

Mr. Denlinger stated that the Staff and he will have to evaluate this further, however a determination can't be made in the middle of this meeting. The motion made by Ms. Dugan covers that requirement and it will be examined after the meeting.

Motion Approved 7-1. Mr. Ewald voting No.

B. Planning Commission - Mr. Moore

1. Motion to adopt a Resolution to officially conditionally approve or deny the Minor (Reverse) Subdivision Plan for the development known as Taylor Street Park and MDM Preserve Lot Consolidation.

Mr. Moore made a Motion to adopt a Resolution to officially conditionally approve the Minor (Reverse) Subdivision Plan for the development known as Taylor Street Park and MDM Preserve Lot Consolidation. Seconded by Ms. Burckley.

On the Question:

Mr. Denlinger explained the borough is the owner of four parcels of land, as well as the half-width of one further parcel resulting from the vacation

of Wilson Street and Emmett Street. All located on the west side of Taylor Street, consisting of Chester County tax parcel UPI numbers 15-40, 15-48.3, 15-4-10.99, 15-413, and 15-418. The applicant proposes the consolidation and subdivision of the five parcels into two resultant parcels. With Lot 1 comprising the preserve area, consisting of approximately 131,881 square feet, and Lot 2 comprising the Taylor Street Park area, consisting of approximately 27,182 square feet. After reviewing the project at several meetings, the Planning Commission unanimously voted at its February 12, 2026, meeting to conditionally recommend approval of the application.

Mr. Krack stated that this project has been discussed at committee meetings and the Planning Commission but for the public's purpose he will provide a synopsis. He explained that there were two, what is commonly referred to as paper streets, that went through the Taylor Street Park. We had previously vacated those to provide the property owner on either side of the vacation their portions of the property. The borough being part owner retained our ownership and other adjacent property owners provided a contribution of land to the Borough for a nature preserve. Earlier someone mentioned flora and fauna, and this land consolidation provides a large area of land in the borough between developments. He stated in the 2026 Budget when we approved it in December, the Council allocated some funding to put up new fencing and new signage to designate the area of the usable park area, and then the area of the preserve, which will not be open to general public, meaning there'll be signage to represent what is inside there, but there won't be trails and the like. There'll be a trail on the west side, which goes between Fillmore Village and the Mowere Road area, down to the Schuylkill River Trail, and then the actual Taylor Street Park area. He stated Woodley is here this evening and he thanked her for shepherding this with great patience, and to help us get to the point where we're at tonight. The next thing is that the Staff will model some signs up to let people know what is actually inside the preserve.

Public Comment – None

Motion Approved 8-0.

2. Motion to approve or deny Plan Extension by Fillmore West, LP (15-5-1).

Mr. Denlinger explained that this is an extension request for the Fillmore West project. A subdivision and land development application was filed for 209 Fillmore Street by Fillmore West LP on December 9th, 2013. No further SALDO resubmissions were made for over 6 years until February 2020, at which time the borough sent the applicant a dormant project letter. Thereafter, revised plans were submitted in June of 2020. No further

submissions have been made by the applicant since 2020. Borough Staff has accepted multiple extension requests from the applicant, with the current extension set to expire tonight, March 10th, 2026. Since no resubmissions have been made by the applicant for another 6 years, we deemed it prudent to bring that extension request to the Planning Commission and Council for consideration. After reviewing the extension request at its last meeting, the Planning Commission unanimously voted at its February 12, 2026, meeting to recommend denial of the extension request for this project.

Mr. Moore made a Motion to deny Plan Extension by Fillmore West, LP (15-5-1). Seconded by Ms. Burckley.

Motion Approved 8-0.

3. Motion to approve or deny Plan Extension by Franklin Apartments, LLC (15-5-11).

Mr. Denlinger explained that a subdivision and land development application was filed for 520 and 524 Franklin Street by Franklin Apartments LP on September 13th, 2017. No further Saldo resubmissions were made for about 3 years, until February 2020, at which time the borough sent the applicant a dormant project letter. Thereafter, revised plans were submitted in June of 2020. Borough Staff has accepted multiple extension requests from the applicant, with the current extension set to expire tonight, March 10th, 2026. Since no resubmissions have been made by the applicant for 6 years, we deemed it prudent to bring this extension request to the Planning Commission and Council for consideration as well. After reviewing the extension request at its last meeting, the Planning Commission unanimously voted at its February 12, 2026, meeting to recommend denial of the extension request.

Mr. Moore made a Motion to deny Plan Extension by Franklin Apartments, LLC (15-5-11). Seconded by Ms. Burckley.

Motion Approved 8-0.

4. Motion to approve or deny the Preliminary Subdivision and Land Development Plan for the development known as Fillmore West - Filmore West, LP - 15-5-1: To construct ministorage units and retail.

Mr. Denlinger invited the representative for the applicant to approach the podium while he introduces the project.

Mr. Denlinger explained that the applicant this evening is Fillmore West, LP, and is also the owner of the site. This application concerns an

approximately 9.43-acre parcel of land located 209 Fillmore Street in the borough, identified as Chester County UPI number 15-5-1, commonly known as Fillmore West. This application was filed on December 9th, 2013, and at that time, the property was located in the borough's light industrial commercial office zoning District, also known as LICO 1. The applicant proposes the subdivision of the property into two non-residential lots, with proposed Lot 1 containing approximately 5.6681 acres of land and Lot 2 containing approximately 3.761 acres of land. The development of Lot 1, with approximately 27,000 square feet of one-story mini-warehousing buildings. Approximately 47,433 square feet of paved area, containing driveways, drive aisles, and 16 parking spaces, and related improvements. The development of Lot 2, with retail and commercial buildings having approximately 16,223 square feet of building coverage and approximately 63,579 square feet of paved area containing sidewalks, driveways, drive aisles, and 89 parking spaces and related improvements. In February of 2020, the borough sent the applicant a dormant project letter, since no resubmission had been made by the applicant since the original submission in 2013. Thereafter, revised plans were submitted in June of 2020, which were subject to various remaining deficiencies as reflected in our consultant review letters. No further submissions have been made by the applicant since 2020, other than extension requests. Now that an additional extension has been denied by Council, a decision needs to be made on the application. After reviewing the project, the Planning Commission unanimously voted at its February 12, 2026, meeting to conditionally recommend denial of the application and the requested waivers.

Mr. Denlinger invited the Applicant or its representative to further address the project.

Thomas Martin, attorney for the applicant. He stated the main reason he is present this evening was to request a further extension. He stated he was surprised that the Council voted on the extension without giving the applicants an opportunity to discuss the matter.

Mr. Denlinger stated that is why he made it clear during public participation that there would be an opportunity to comment on the developments, but not the extension request during their particular agenda items.

Mr. Martin stated he must have missed that direction. He stated he represents Dr. Saneck and Ms. Hilly as well as the engineer Mr. Brower who is present this evening. He has represented the applicants for many years on various matters but not the two subdivisions before you this evening. He was given reports on the work of the previous attorney's representing them, their actions and the spotty advice given to the

applicants. He explained he was contacted by Dr. Saneck last week and he stated he had been given some information which indicated to him that these plans probably would be rejected, and Dr. Saneck asked him if he would undertake the job of representing them on these applications. He asked the Council for (30) thirty days to review this matter and stated he is significantly unfamiliar with the issues, except to say that he knows through Dr. Saneck that these things are negotiable. For example, with respect to the Fillmore West project, he indicated to him that somebody in authority, and he doesn't remember exactly who, had said to Dr. Saneck that the storage units were not problematic, but the retail space was problematic. In discussion with the applicants they stated they would be willing to remove the retail space, yet their representatives never amended the application to remove the retail space. He stated if the Council has any technical questions on the application, Mr. Brower is present to answer them. He asked again to be granted (30) thirty days to prepare to discuss the merits of this matter at the next Council meeting. He would like more time to better justify the plans and to work with the Borough Engineer and Borough Staff to find out what the deficiencies are and address them. Dr. Saneck and Ms. Hilly are lifelong residents of the borough and have deep roots here and he is requesting the additional time to find the issues with the project and to resolve them to the borough's satisfaction.

Mr. Denlinger asked why Mr. Martin hasn't reviewed the matter since it was reviewed at the February 12, 2026, Planning Commission meeting, as it was obviously it was an active matter at that time.

Mr. Martin explained he was contacted last week by the applicants, and he met with them as soon as his schedule would allow. He acknowledges that he and the applicants are throwing themselves on the mercy of the Council to grant us an additional (30) thirty days. He stated that it would seem to him that it would be in the best interest of the borough to give them an opportunity to clarify the plan, to amend it so that it's acceptable, whatever is unacceptable about it is removed.

Mr. Denlinger stated he believes the consultant review letters speak for themselves and the Borough has proceeded with good faith. However, per *Herring v. Newberry Township*, which is a 2024 Commonwealth Court case, good faith does not require providing an applicant with infinite opportunities to remedy defects in a plan. This plan is now 13 years old. If the applicants would like to continue to pursue a development, he believes it is the position of Council and the borough as a whole, that if the Council decides to, deny the application this evening, they will certainly welcome the resubmission of an application.

Mr. Martin stated that this plan already has tens of thousands of dollars, and obviously many years, that have been put into these existing plans,

and to start at square one again when he believes this plan can be resolved by an amendment.

Mr. Denlinger stated he believes case law shows that a 30-day extension is sufficient from a municipality, and this application is (13) thirteen years old with the last submission (6) six years ago.

Mr. Martin stated his respect for the Council and he is requesting they grant him the (30) thirty days to try to understand what has happened and why the project has sat for so long.

Mr. Denlinger stated he can only speak on this from his perspective, and he can commiserate with Mr. Martin's plight of just being contacted last week and trying to review. However, from a legal position, he doesn't think that alleviates the applicant of its duty to diligently pursue its plan. The applicant, quite frankly, should have contacted you earlier.

Mr. Martin stated it's not an effort to avoid a mea culpa and he is not suggesting the Council owes it to the applicants to grant an extension, all he is seeking is for the Council to agree to a (30) thirty-day extension as a matter of discretion.

Mr. Adam Brower, E.B. Walsh & Associates. He stated his firm was responsible for the one project, Franklin Apartments (the next agenda item), and he understands the points being made. Again, he thinks there's no real reason he can say for the delay and it's been quite a while. But he would respectfully request the 30 days to reevaluate it hopefully, come back to Council with plans they're hoping to move forward or re-evaluate it. He stated the apartments zoning is still in place.

Mr. Denlinger reminded Mr. Brower that the Council does treat these projects as separate projects, so we will be addressing Franklin Apartments once we are finished addressing the Fillmore West project.

Mr. Brower stated he understands and denial of the plan would be starting the process again. It appears the project was pretty far along and dropped. They are respectfully requesting that they be able to evaluate that and see if there is the ability to move it forward and come back to Council with what the applicant hopes to achieve.

Questions from Council – None.

Public Comment – None.

Mr. Moore made a Motion to deny the Preliminary¹ Subdivision and Land

¹ The Motion was made as it relates to a "preliminary/final" plan, but only a preliminary plan was considered by Council.

Development Plan for the development known as Fillmore West - Filmore West, LP - 15-5-1: To construct ministorage units and retail. Seconded by Mr. Weiss.

On the Question:

Mr. Moore stated there was a substantial opportunity for the applicant to try to present why they were still unable to proceed with their plans and there was open and frank discussion that the action memo lays out. He state is not something that the Planning Commission recommends approval of and he agrees with that.

Council Discussion – None.

Motion Approved 8-0.

5. Motion to approve or deny the Preliminary Subdivision and Land Development Plan for the development known as Franklin Apartments - Franklin Apartments, LLC - 15-5-11 & 15-5-10: To subdivide and to construct a 6-unit building.

Mr. Denlinger explained the applicant this evening is Franklin Apartments LP and is also owner of the site. This application concerns two contiguous tracts of land consisting in the aggregate of approximately 12,879 square feet, located at 520 and 524 Franklin Avenue, within the RI Residential Infill Zoning District. And more particularly identifiable, respectively, as Chester County UPI numbers 15-5-11 and 15-5-10 commonly known as the Fillmore Apartments. This application was filed on September 13th, 2017, and proposes a lot line adjustment between 520 and 524 Franklin Avenue, whereby 520 Franklin Avenue, designated as Parcel B in the plans, will be comprised of approximately 3,929 square feet of land that contains the existing single-family, semi-detached residential dwelling. 524 Franklin Avenue, designated as Parcel A, will be comprised of approximately 9,132 square feet of land that contains the existing masonry garage and will include the development of 524 Franklin Avenue with a 2,100 square foot multifamily residential dwelling containing 6 apartment units, a paved parking area containing 9 parking spaces, internal concrete sidewalks, landscaping, stormwater management facilities, and related improvements. A single resubmission was made in June of 2020, which continued to contain numerous deficiencies as reflected in our consultant review letters. No further submissions have been made by the applicant since 2020. Now that an additional extension has been denied by Council, we need to make a decision on the application this evening. After reviewing the project at several meetings, the Planning Commission unanimously voted at its February 12, 2026, meeting to recommend denial of the application and the requested waivers.

Mr. Denlinger invited the Applicant or its representative to further address the project.

Mr. Martin reiterated his request made previously on the other application to grant a (30) thirty day extension for further review by the applicants and a consultation with the Borough Manager and Borough Engineer to see how the alleged deficiencies can be resolved in a manner which the borough finds acceptable. The purpose is to avoid unnecessary expenses. The borough has spent a great deal of money on this, too, on man hours and consultant reviews and he feels it would be a shame that all the expenses on both sides be voided, and a new application be required. He stated he is also aware that since the applications were filed, there have been changes in the zoning ordinance as to uses and as to subdivision requirements, and so a new application would probably be entirely new. He stated that he again appeals for the fact the family has been in Phoenixville for longer than any of us have been here and he thinks it would be reasonable for the Council to defer action until the April meeting. He thanked the Council for allowing him to speak and for their courtesy this evening.

Mr. Brower stated that upon review of the June 26, 2020 letter issued by Remington & Vernick Engineers it looks like the vast majority of the items had been satisfied, so he would be curious to see on what specifically, if the Council is looking to deny this, specifically on what ground would a denial be supported. Mr. Brower stated that he doesn't see anything in this letter that speaks to that, and it looks like the vast majority of the items had been, in fact, addressed.

Mr. Denlinger stated that RVE attends the Planning Commission meetings and those questions would have been better presented a month ago. To that extent, RVE's letter speaks for itself.

Mr. Brower stated that most of the items have been addressed.

Mr. Denlinger stated the denial would be based on the items that have not been addressed.

Mr. Brower asked to have the deficiencies notes in any denial.

Mr. Denlinger stated that denials are required to provide the reasons for denial, along with citations to the provisions of the subdivision and land development ordinance that have not been met.

Questions from Council – None.

Public Comment – None

Mr. Moore made a Motion to deny the Preliminary² Subdivision and Land Development Plan for the development known as Franklin Apartments - Franklin Apartments, LLC - 15-5-11: To subdivide and to construct a 6-unit building. Seconded by Mr. Weiss.

Council Discussion – None.

Motion Approved 8-0.

C. Phoenixville Regional Planning Committee – Mrs. McGhee

Mrs. McGhee stated there is no action to report from the Regional Planning Committee, however, we are actually meeting in person for a data center presentation on the last Wednesday of this month, so that might be a little bit exciting.

D. Recreation Board – Ms. Dugan

Ms. Dugan reported on the upcoming camps and programs at the Recreation Center including Mental Health Day, Walk a Mile in Her Shoes, park cleanup day, spring breaks camps for sports and art, youth volleyball, beginner golf, NFL flag football, and yoga for all ages.

E. Tree Advisory Commission – Mr. Weiss

Mr. Weiss stated the commission is working dutifully to prepare for spring plantings and a couple volunteer opportunities, so please keep your eyes out on the Tree Advisory Committee page of the Borough's website. He reminded the public they need to email TAC@phoenixville.org to streamline communications with the TAC and ensure that everybody's getting the level of communication and customer service that we all have come to expect.

F. Human Relations Commission – Ms. Burckley

Ms. Burckley congratulated Mr. Zwick and Ms. Joyner on their reappointments to the commission.

XV. Council Action referred from:

A. Personnel and Public Safety Committee – Ms. Burckley

1. No action to report.

² The Motion was made as it relates to a “preliminary/final” plan, but only a preliminary plan was considered by Council.

B. Parks and Recreation Committee – Mr. Moore

1. Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 13 through May 16, 2026, (6:00 pm to 10:00 pm Wed - Fri) and (11:00 am to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade on Saturday, May 16, 2026, Rolling Closure from Franklin Avenue from Fillmore Street to Bridge Street, Bridge Street between Church Street and Main Street, and Main Street from Bridge Street to 5th Avenue beginning at 1:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured.

Mr. Moore made a Motion to approve a Temporary Community Event Application for the Annual Dogwood Festival from May 13 through May 16, 2026, (6:00 pm to 10:00 pm Wed - Fri) and (11:00 am to 10:00 pm on Saturday). Streets to be closed are 2nd and 3rd Avenue between Main and Starr Streets throughout the event. For the Dogwood Parade on Saturday, May 16, 2026, Rolling Closure from Franklin Avenue from Fillmore Street to Bridge Street, Bridge Street between Church Street and Main Street, and Main Street from Bridge Street to 5th Avenue beginning at 1:00 pm. Conditioned upon receipt of valid Certificate of Insurance naming Borough as Additional Insured. Seconded by Ms. Dugan.

Motion Approved 7-0-1. Ms. Burckley abstained due to conflict of interest.

C. Policy Committee – Mrs. Vogel

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.

XV. Public Comment

Daniel Callahan, resident. He stated he agrees with Mr. Ewald on his concerns on the signs for the Phoenix and that it will feel like a brand advertisement as you walk or drive over the bridge. Although primary elections are months away, he asked the Council to put election security in the front of their minds.

Holly Perez, resident. She expressed her concerns with the illuminated signs at the Phoenix and the light being reflected into the apartments as she is a resident there. She also asked for security at the polling places to prevent any interference in the voting process and to help people feel safe coming to vote. She stated after last month's meeting she took the advice offered by Mayor Urscheler and she reached out to Senator McCormick. She read aloud from his response to her including his support of ICE and Border control officer and expressed her disappointment and continued fear for people in Phoenixville being snatched off the streets or when they have to go to court.

XVI. Communications/Council Participation

Ms. Ewald reminded the public that open dialogue about ICE concerns can be had by attending the Policy Committee meetings. The next meeting is on March 24th.

Mr. Ewald congratulated Ms. Budnik on her first meeting and welcomed her aboard.

Mr. Krack reminded the public and the Council the Finance Committee meeting will be at 5:30 pm for the remainder of 2026.

XVII. 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

XVIII. Adjournment

9:00pm. Ms. Burckley made a Motion to Adjourn. Seconded by Mr. Weiss

E. Jean Krack
Borough Manager

Transcribed by: Jennifer Logan
Administrative Assistant
March 2026