

**BOROUGH OF WEST READING
PLANNING COMMISSION
JULY 6, 2022**

The West Reading Planning Commission met for their regular meeting on Wednesday, July 6, 2022 at 6:00 p.m. at Borough Hall with the following persons present: Chair Philip Wert; Members Jennifer Bressler, Cody Rhoads, Daniel Horman, Kacie Rodriguez, Mariella Napoli, Zanna Leiendecker, and James Keller; Borough Manager Dean Murray; Zoning Officer Cathy Hoffman; and Borough Secretary Cynthia Madeira. Vice Chair Christopher Lincoln was unable to attend.

Visitors Michael Rohrer, SDE Planner

Mr. Wert called the meeting to order at 6:03 p.m. and welcomed the newest member, Zanna Leiendecker to the Planning Commission.

Public Comment

There were no public comments.

Approval of Minutes

Motion to approve the June 1, 2022 minutes. **Moved** by Mr. Horman and seconded by Ms. Rodriguez. **Motion carried.**

New Business

- a. **Front Yard Setbacks and Rope Lighting:** The solicitor provided a draft ordinance with language to address front yard setbacks and rope lighting regulations within the Central Business District. A setback diagram was included to illustrate the minimum and maximum setbacks of zero to three feet for front yards without a courtyard feature. An exception is illustrated that would allow a courtyard feature to be added, that would not exceed twelve feet from the inside edge of the public sidewalk.

The definitions of rope lights, string lights, strip/tape lights and textured paving were reviewed and slightly modified.

Rope lighting regulations were drafted into Section 455-122 Lighting Control to prohibit the use of rope, strip, tape, and other forms of animated lighting.

A motion was made to provide the draft language with noted revisions to regulate front yard setbacks and rope lighting to the Berks County Planning Commission for their review and comment.

Moved by Ms. Rodriguez and seconded by Mr. Keller. **Motion carried.**

- b. **Rental Occupancy Ordinance:** Review of solicitor comments continued from Section 355-11 Inspections, of the proposed rental occupancy ordinance amendment:
- A more definitive rental inspection checklist was recommended that sets forth a set of minimum health and safety standards for each residential rental.
 - The five currently legal scenarios that subject rental units to inspection were highlighted, noting that changes may need to be made to Section 355-11 B following the Pottstown litigation.
 - The solicitor added language that would require notification to be made to both the owner and occupant as to the date and time of such inspections and the areas that would be searched, such as bedrooms, cabinets, closets, etc., to limit complaints regarding excessive intrusiveness.

- The section on probable cause was removed in its entirety with a recommendation to draft a separate administrative warrant ordinance to define the criteria to assist staff and law enforcement in determining when and where administrative warrants would be prudent.
- The term “quality of life” was removed because the ordinance does not define this vague term.
- Under Section 355-14 B. 2. a revision is needed to allow the Housing Review Board to hear complaints of disruptive conduct and to provide a recommendation on variance requests to Borough Council to render a final decision as opposed to allowing the Housing Review Board to have variance authority.
- Under Section 355-12 J. that refers to duties of occupants of rental units not permitting the possession of, serving to, or consumption of alcohol by underage persons was questioned as to why it did not include other substances. The solicitor will be requested to clarify.
- Section 355-13 Disruptive Conduct, Subsection C. was questioned as to whether this would override state and federal housing programs, and if a letter to vacate within thirty-days would be a sufficient method to satisfy the requirement of the owner to begin eviction proceedings. The solicitor will be asked to clarify.
- Section 355-13 D. refers to the Code Enforcement Official maintaining a list of occupants evicted as a result of disruptive conduct for a period of five-years. It was asked if these individuals would be black listed from renting in West Reading, and would this require all property owners to review this list prior to entering into a lease agreement. The solicitor will be asked if this violates any fair housing acts.
- Section 355-14 B. 2. refers to the Housing Review Board being authorized to grant variances on appeals of Disruptive Conduct Reports. The solicitor recommended that Borough Council have the authority to grant variance approvals.

The noted changes will be applied to the proposed draft ordinance and reviewed again next month from the beginning.

Adjournment

The meeting adjourned at 7:35 p.m.

Respectfully submitted,

Cynthia Madeira
Borough Secretary