

BOROUGH OF WYOMISSING – COUNCIL MINUTES  
SPECIAL MEETING: CONDTIAL USE HEARING

JUNE 7, 2022 – NOON

The Borough of Wyomissing Council held a special Conditional Use Hearing meeting in Borough of Wyomissing Council Chambers on the above date and time. Council First Vice President William S. Jenckes called the meeting to order at noon with the following persons present: Stephen D. Brunner, Keith L. Derr, Frederick R. Mogel, and Jana R. Barnett; Mayor Frederick C. Levering, Borough Solicitor Christopher J. Hartman, Borough Manager & Economic Development Coordinator Michele Bare, and Borough Secretary Melissa Miller. The following persons was absent: Council President John C. Woodward and Councilmember Ronald C. Stanko

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

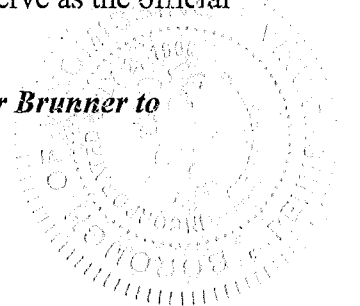
VISITORS:

James McCarthy – 1011 North Park Road, JMRPI, LP  
Andrew George – Kozloff Stoudt, representing 1011 North Park Road, JMRPI, LP  
Adrian Jadic – 48 Cardinal Road

REVIEW OF THE CONDITIONA USE PROCEDURAL STEPS:

Borough Solicitor Christopher Hartman, reviewed with Council and the Conditional Use applicant, the procedural steps for conducting the Conditional Use hearing. Chris noted that a conflict engineer was hired to review the Conditional Use application and corresponding records, as James McCarthy has been appointed by Borough Council, to serve as the Borough Engineer. He reminded Council that the applicant has requested a Conditional Use request for 1011 North Park Road / JMRPI, LP, related to Section 502.D.3, “Permitted Uses” and Section 504.D.1, “Additional Requirements” under the Re-Development Area Mixed Use Incentive Overlay District. Under Section 502.D.3, the request is to allow for residential apartment units on the first floor to the rear of the commercial space, whereas the current Zoning Overlay District permits mixed use, with the residential component above commercial space. Under Section 504.D.1, the request is to waive the requirement to have public benches and a bike rack available due to the concern of excess loitering in the area, however, provide benches and a bike rack for tenants and office staff to utilize on the private property. The stenographer’s report will serve as the official minutes of the Conditional Use hearing.

***Councilmember Mogel made a motion, seconded by Councilmember Brunner to accept the applicant and Borough exhibits, all in favor, 5-0.***



SWEARING IN OF ANY PARTIES TO BE EXAMINED OR CROSS EXAMINED:

The stenographer swore in both Michele Bare in her capacity as Commercial Zoning Officer, as well as applicant James McCarthy, JMRPI, LP.

EXAMINATIONS AND CROSS EXAMINATIONS BY LEGAL COUNSEL, AND QUESTIONS BY BOROUGH COUNCIL:

Andrew George of Kozloff Stoudt, representing 1011 North Park Road, JMRPI, LP, questioned James McCarthy on the proposed plan for 1011 North Park Road, and asked him to describe the current, and intended use of the property, as well as the proposed usage for the non-commercial space. Further questioning occurred based on the Conditional Use request as noted in the application, and Council asked several questions, including the applicant's willingness to comply with the comments as noted in the Great Valley Consultants review letter dated April 28, 2022.

PUBLIC COMMENT:

Adrian Jadic, 48 Cardinal Road expressed his concern that a conflict of interest may be occurring since Jim McCarthy is the Borough's Engineer, and works very closely with the Borough. He noted that ethics should be maintained when the Borough is working with contractors, and feels that Jim is now becoming a developer in the community, and will have more inside information than other community developers.

REVIEW OF THE CONDITIONAL USE ADMINISTRATIVE STEPS:

Michele Bare shared with Council the administrative steps that occurred for posting the property as part of a Conditional Use hear, notification to adjoining property owners, as well as advertising requirements.

FINAL DETERMINATION:

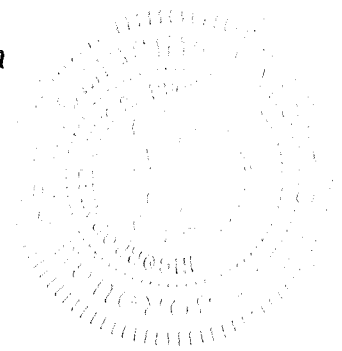
***Councilmember Mogel made a motion, seconded by Councilmember Barnett to grant Conditional Use approval for 1011 North Park Road from Section 502.D.3 and Section 504.D.1 under the Re-Development Area Mixed Use Incentive Overlay District, contingent upon compliance of the conditions noted in Great Valley Consultants review letter dated April 28, 2022, all in favor, 5-0.***

The Wyomissing Borough Council meeting adjourned at 12:38 p.m.

Respectfully Submitted,



Melissa Miller  
Borough Secretary



Approved by:



William S. Jenckes  
First Vice President  
Wyomissing Borough Council

