

City Planning Commission

Erie, Pennsylvania

March 17, 2008

-Minutes -

MEMEBERS OF THE CITY OF ERIE PLANNING COMMISSION:

1. Roll Call

Members Present: Keith Miller, Garrett Antalek, Daniel Collins

Members Absent: Nedra Lehrian

Others Present: Katie Deible, Armand Chimenti,
Steve Kopac, Jim Morris, Jessica Horan-Kunco, Joe
Ruseitto

2. Approval of minutes from the February 17, 2009 regular meeting of the City Planning Commission as received.

On a motion carried by Mr. Collins, seconded by Mr. Antalek, the minutes from the previous meeting are approved without correction.

3. The Commission will review a minor Subdivision Replot request made by Hamot Medical Center.

Steve Kopac of Urban Engineers presented the subdivision replot, which supercedes a recent replot, noted as Map Number 2007-249. A minor change – approximately 30 feet – is needed for Bayside Development Corporation’s new medical building at the 100 Block of West Second Street. No issues were noted by the Zoning Office, as all specifications meet the provisions of the Zoning and Subdivision / Land Development Ordinances.

On a motion carried by Mr. Antalek, seconded by Mr. Miller, a unanimous vote was made to approve the subdivision replot as requested.

MOTION CARRIED

4. The Commission will review a request for an alley vacation at the southwest corner of West 16th and Walnut Streets, submitted by St. Paul’s Neighborhood Clinic. The Clinic has future plans of expansion, and has recently acquired the property to the south, 1618 Walnut Street. The alley vacation is necessary for this expansion. The

Secretary has notified all public utilities. No issues with the alley closing have been reported thus far.

Mr. Joe Ruseitto, representing St. Paul's Neighborhood Clinic, attended the meeting to give an explanation for the alley-closing request. The Clinic has recently obtained property to the South – parcels on the opposite side of the alley – and they are beginning to strategize an expansion effort. In order to expand, however, they must build over the alleyway.

As it sits now, the alley is more or less a “paper” alley. Mr. Ruseitto claims that no one has used the alley for years, and that it's overgrown with trees, brush and debris. The easternmost portion currently resembles a parking lot – utilized by the Clinic. Mr. Ruseitto had thought that the city closed this portion years ago – however no records exist.

The Clinic wishes to close two of three entrances to the alley way, which would therefore create a dead end. The City Engineering and Fire departments both hold the recommendation that at least two entrances remain open, as to provide ingress and egress access within the alley.

Members of the Planning Commission agree with the City Departments' recommendations. Mr. Antalek further inquired why the Clinic didn't take the initiative to close the entire block of the alley – from Walnut to Cherry Street. This would require the signatures of all abutting property owners. Mr. Ruseitto will be looking into the option.

On a Motion made by Mr. Antalek, seconded by Mr. Miller, the Commission recommends that vacation of the easternmost portion of the alley between Walnut and Cherry Streets, running East / West. The Commission recommends that the North/South portion of the alley remain open for proper ingress and egress of traffic.

MOTION CARRIED

- 5. The Commission will review request made by Mr. Robert Doyle for a subdivision replot of 1440 West 21st Street, located in an M-1 Light Manufacturing Zoning District. The western side yard line is proposed to be moved 10 feet to the west in order to expand his building. The subdivision replot meets all requirements of the Zoning Ordinance, as Mr. Doyle was granted a variance from the minimum side yard provision by the Zoning Hearing Board in January.*

A representative of Mr. Doyle reviewed the purpose of the Subdivision replot request to the commission. Perry Construction, the owner and occupant of 1440 West 21st Street, wishes to expand their building. Mr. Doyle has approached the owner of the abutting property, hoping to purchase that property in its entirety – however, the owner refuses to sell. In the alternative, the owner has agreed to see Mr. Doyle a portion of this lot – enough to be able to construct a 20x40' addition onto the Perry Construction building.

With a secured variance by the Zoning Hearing Board, the Planning Commission finds no problem with the subdivision request. On a motion made by Mr. Antalek, seconded by Mr. Collins, a unanimous vote was made to approve the subdivision replot as submitted.

MOTION CARRIED

- 6. The Commission will review a subdivision request made by Habitat for Humanity. The organization wishes to subdivide a lot at the northwest corner of East 23rd and Elm Streets - currently measuring 200 x 105 – into the original parcel sizes of 40 x 105'. A modification from 805.7 of the Subdivision and Land Development Ordinance is also requested, as the lots do not meet the 60x100-lot size requirement.*

A representative from Habitat for Humanity introduced the subdivision plans to the Commission. The proposal would conform with the rest of the neighborhood, as the subdivision would revert the combined parcel back to their original dimensions. Habitat have plans to build five affordable homes – one on each lot – for low income families.

On a motion made by Mr. Antalek, seconded by Mr. Miller, the Commission unanimously voted to approve the modification and subdivision request, reverting the land back to five, 40x105' parcels.

MOTION CARRIED

- 7. The Commission will review an ordinance definition change to “Professional Massage Therapy,” for the inclusion of House Bill#2499 requirements that will take effect in 2010.*

Together, Katie Deible and Jessica Horan-Kunco presented to the Commission their amendment rationale of the definition for “Professional Massage Therapy.”

The NCTMB has been working for years to get the State of Pennsylvania to adopt legislation that controls and protects Professional Massage Therapists from their negative counterparts: Massage Parlors. In October, 2010, all Professional Therapists will be required to have a State License. Until then, however, we would like to begin enforcing the new law now.

PROFESSIONAL MASSAGE THERAPIST

Any person providing massage Services who (a) has earned a degree or certificate with a minimum of 500 hours completed curriculum from a school licensed to teach therapeutic massage techniques, or those who have been certified by the National Certification for Therapeutic Massage and Body Work (NCTMB) or (b) is working under the supervision of a licensed physician, licensed nurse, licensed chiropractor, licensed therapist or licensed trainer. A minimum of one (1) professional massage therapist must be on site during all business hours in which massages occur.

PROFESSIONAL LICENCED MASSAGE THERAPIST (Revised)

Any person providing Massage Services **in compliance with PA Massage Therapy Law, House Bill 2499**, who (a) has earned a degree or certificate with a minimum of **500** **600** hours completed curriculum from a school licensed to teach therapeutic massage techniques, ~~or those who have been certified by the National Certification for Therapeutic Massage and Body Work (NCTMB)~~ **or existing practitioners prior to 2009 who are eligible for licensure under the Grandfather Provisions of the Massage Therapy Law** or (b) is working under the supervision of a licensed physician, licensed nurse, licensed chiropractor, licensed therapist or licensed trainer. ~~A minimum of one (1) professional massage therapist must be on-site during all business hours in which massages occur.~~

The Planning Commission supports the proposed amendment, however would like to provide further details and provisions in section 305 of the Zoning Ordinance – not just in the Ordinance Definitions. Ms. Deible & Ms. Horan-Kunco will prepare these provisions for the next Planning Commission meeting.

8. Adjourn 1:50 PM