

New Hope Borough Planning Commission
Thursday, April 17, 2023
Meeting Minutes

The New Hope Borough Planning Commission met on April 17, 2023 in the public meeting room. In attendance and voting were Chairman Keith Voss and members Lawrence Greenberg, Lou Bellafronte and Peter Meyer. Also in attendance were Matthew Walters and David Kimmerly of the Bucks County Planning Commission (BCPC), and Mary Stover, Interim Zoning Officer.

Call to Order: Mr. Voss called the meeting to order at 6:30 PM.

Public Comment: Jay Freeo spoke and noted that he attended the ZHB meeting last week for 105 N. Main St. He questioned why the applicant went before the Zoning Hearing Board before going to the Planning Commission. The Planning Commission is a recommending body to Council. The Zoning Ordinance does not require that a Zoning Hearing Board Application be submitted for review by the Planning Commission. The item on the Planning Commission agenda for this evening is for the proposed Subdivision and Land Development. The land development process was described. Mr. Voss stated that he thinks the Planning Commission should discuss recommending a revision to the ordinance so that the Planning Commission can make a recommendation to Borough Council regarding the Zoning Hearing Board Application. If it is a planning issue that the Planning Commission feels strongly about, they can make a recommendation to Council. Mr. Meyer noted that the sequence needs to be dictated by the Zoning Ordinance. The timing of the applications was discussed. Mr. Meyer agreed that it would be helpful to have the requirement for Planning Commission review incorporated in the Zoning Ordinance.

Minutes:

Thursday, February 23, 2023 Meeting Minutes; Mr. Voss had minor corrections. Mr. Greenberg made a motion to approve the February 23, 2023 Meeting Minutes as amended. Mr. Meyer seconded the motion. The motion passed 4-0.

Monday, March 20, 2023 Meeting Minutes; Mr. Voss had minor corrections. Mr. Greenberg made a motion to approve the March 20, 2023 Meeting Minutes as amended. Mr. Bellafronte seconded the motion. The motion passed 4-0.

Preliminary Plan for 105 North Main Street

The Applicant requested that the discussion of the application be tabled.

Review of Sign Ordinance Amendments

The Planning Commission continued to review the proposed amendments prepared by Bucks County Planning Commission.

Mr. Walters noted that the discussion last month ended with the discussion of the definition of Flag Signs.

Mr. Voss noted that he was walking around town and he saw signs that were similar to an A-frame Sign in that they were portable, but would not fit the specific definition of A-Frame Sign. It was suggested that there be a definition of a Portable signs. Then Mr. Meyers suggested that they remove the definition of an A-Frame Sign and use a broader definition of a Portable Sign instead.

Mr. Walters stated that they will add a broader definition of portable signs including A-Frames or signs in cones, etc. that are not anchored to the ground and are designed to be moved. It was asked if there could be exemptions for emergency use such as by the police. It was noted that currently we are only working on the description of types of signs. Exemptions will be addressed in a later section.

Returning to the definition of a Flag sign, Mr. Voss asked about a sign/flag that is attached at 3 corners rather than two. He also questioned how you handle something that is not defined. It was noted that Section 275-51 says a permit is required unless the ordinance specifically states that none is required.

The definition of Freestanding sign was discussed. It was asked if it should say these signs are non-portable. Mr. Kimmerly suggested that it could say "which is permanently anchored the ground".

For a Ground sign or Pole sign, it should indicate that this is a type of freestanding sign. Mr. Kimmerly suggested listing types of freestanding signs under the main definition of a Freestanding Sign.

Mr. Voss questioned how to address signs by contractors. It was noted that these signs can be limited by size.

Incidental signs were discussed. These signs do not include advertising such as no trespassing, open/closed, and thank you signs.

Mr. Greenberg noted that certain colors give off more light. For example, in one of the pictures presented by Mr. Walters, The 'orange' sign stands out due to the color. He questioned if these types of signs could be regulated as an illuminated sign. Mr. Voss noted that since it is not projecting light, it would not be considered illuminated. At the last meeting, paint that reflects light was discussed. Mr. Meyer noted that there may be a problem with enforcement. Mr. Bellafronte indicated that when he thinks of sign lighting, he thinks in terms of footcandles. It may be difficult to regulate possible future technology to be used for signage. Mr. Greenberg noted that you can measure the light from paint with an ultraviolet light sensor.

Mr. Walters noted that there is a definition for 'reflective sign'. Mr. Greenberg said that this is different. Mr. Voss indicated that he does not like things that are self-lit after dark. Reflective signs could be an issue since they could be like flash when a car drives by. It was discussed that if it is just brighter than the average color, should it be regulated? It was asked if we are trying to address "high contrast" signs. Mr. Greenberg said that the colors or paint he is referring to takes invisible spectrum into visible spectrum with UV light from sunlight or other light sources.

The discussion went back to incidental signs. Mr. Voss pointed out that some signs meet more than one definition. For example, a neon open sign is both a lit sign and an incidental sign.

The definition of Inflatable sign was discussed. Mr. Meyer did not think it was necessary to enumerate all the kinds of material. The definition should read "sign filled by air, helium, or other gases at continuous or varying rates, or by the wind."

Mr. Voss asked if the Planning Commission wanted to eliminate the materials from the definition of a flag. It was noted that if the materials are not listed, the definition would need to include the word "flexible". Mr. Greenberg noted that the materials list may be needed for the flag definition.

It was asked if a waving man with no words is a sign. It was discussed that these types of signs are intended to attract attention. There was a question about inflatable decorations. These would be exempt. Mr. Kimmerly said he would look into what inflatables would be considered a sign or if another term could be used. Mr. Meyer noted that the definition of a sign is "for the purpose of communicating a message" where the message for inflatables might be "look here". It was discussed if the definition should include something that attracts attention would be considered a sign.

The definition of Landmark sign was discussed. Mr. Kimmerly noted that this definition is good for describing what signs we are trying to preserve.

The definition for "Limited duration front yard side" was discussed. Mr. Meyer asked if it was necessary to include the words "front yard" and suggested that they just use "yard" sign. It was noted that a "Snipe sign" is located in the right-of-way. It was noted that they should not use the word "setback" since that is a specific distance defined in the Zoning Ordinance.

The Planning Commission was satisfied with the definitions for marquee sign, mechanical moving sign, neon sign and permanent window sign. The definition of a "non-permanent window sign" was discussed. It was noted that the definition includes any sign within 3 ft. of a window.

For the definition of a Pole sign, it should be noted that this is a permanent sign and that a pole banner sign should be defined elsewhere.

It was noted that "Roof line" should be moved to general definitions.

Difference between a limited duration sign and temporary sign was discussed. It was noted that temporary signs have a longer duration and can be renewed.

Sidewalk sign added to definitions since this has been used in New Hope. Types of sidewalk signs were discussed such as chalk or a sign embedded in the sidewalk.

It was asked if the ordinance should include a definition for staircase riser signs, since these have been seen in New Hope. A definition will be added.

The Planning Commission completed the section on sign definitions.

Mr. Greenberg had a question about the language in Section 275-48 and asked if it should also list the protection of freedom of religion where it states in subsection (5) "to ensure that the constitutionally guaranteed right of free speech is protected." Mr. Meyer suggested changing this statement to "ensure constitutional rights are protected". Mr. Bellafronte noted that freedom of religion is included in freedom of expression. Mr. Kimmerly stated that the general statement is better. It was noted that all signs must be regulated the same regardless of content. Mr. Voss noted that it is not the purpose and intent of the ordinance to protect "all" rights. This ordinance addresses free speech rights. Mr. Kimmerly will research what other ordinances include in the purpose and intent and make a recommendation. Mr. Meyer noted that they are not writing an ordinance specifically to protect free speech, but to not infringe on the right of free speech. They may want to eliminate the statement altogether. The Planning Commission decided to remove (5) under purpose and intent.

The other items in the purpose and intent section were discussed. Mr. Voss suggested moving (4) to (2) and eliminating the current (2) since they say the same thing essentially. Items (1) and (3) would remain as presented.

Mr. Greenberg felt that the purpose and intent was missing something about the historic past and keeping the character of the town. Mr. Meyer suggested that item (3) be revised to say, "to reflect the development patterns established by the Comprehensive plan while reflecting the historic character of the borough."

It was discussed if artistic, creative, and iconic signs should be a sign type rather than in the general definition. Mr. Meyer said he was inclined to leave these terms in the general definitions. It was also discussed if Landmark sign should be moved to general definitions.

Next section is 275-51 – sign regulations including requirements by zoning district.

Discussion of the Comprehensive Plan Update

Mr. Bellafronte noted that he was reading the old Comprehensive plan and there are many items that were not addressed. The Planning Commission should review the plan.

Mr. Bellafronte said he saw a referenced traffic ordinance on the Council agenda and questioned whether this ordinance should be reviewed by the Planning Commission. He discussed the recommendations for West Ferry St. that he had provided to the Borough. It was discussed that traffic should be included in the Comprehensive Plan.

Adjourn 8:40.