

NEW HOPE BOROUGH COUNCIL
BUCKS COUNTY, PENNSYLVANIA

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APRIL 2023 COUNCIL MEETING

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NEW HOPE BOROUGH COMMUNITY ROOM
123 NEW STREET
NEW HOPE, PENNSYLVANIA 18938

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TUESDAY, APRIL 18, 2023
COMMENCING AT 6:30 P.M.

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BOARD MEMBERS PRESENT:

CONNIE GERING, President
LAURIE MCHUGH, Vice President
TINA RETTIG, President Pro Tem
LOUISE FEDER
KEN MAISEL
PETER MEYER
DANIEL DOUGHERTY

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ALSO PRESENT:

MAYOR LAURENCE D. KELLER
MARK C. LABRUM, ESQ., Solicitor
PETER GRAY, Borough Manager
MARY STOVER, Zoning Officer

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EDWARD T. MCKENNA
OFFICIAL COURT REPORTER
267-902-2970

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PRESIDENT GERING: I'd like to call the meeting to order.

Can everyone stand for the Pledge of Allegiance please?

(The Pledge of Allegiance was recited.)

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PRESIDENT GERING: Thank you.

Pete, if you can take roll please?

MR. GRAY: Certainly.

Ms. McHugh?

MS. MCHUGH: I am here.

MR. GRAY: Ms. Rettig?

MS. RETTIG: Here.

MR. GRAY: Ms. Feder?

MS. FEDER: I'm here.

MR. GRAY: Mr. Maisel?

MR. MAISEL: Here.

MR. GRAY: Mr. Meyer?

MR. MEYER: Here.

MR. GRAY: Mr. Dougherty?

MR. DOUGHERTY: Here.

MR. GRAY: Mayor Keller?

MAYOR KELLER: Here.

MR. GRAY: Ms. Gering?

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PRESIDENT GERING: I'm here. Thank you.

First on the agenda is our public comments. So we're going to do a little different twist than what we normally do, because we have such a turnout for one topic, I think, on the agenda tonight.

So what we are going to do is Pete Gray will read the public comment that was e-mailed in first to start with, so we can move the process as we move on.

If you are in person, and you did e-mail, please do not get up and repeat your e-mail, because we already have it.

Pete.

MR. GRAY: Yes. Thank you.

I'm going to read these e-mails into the record that were received. In addition, if after I read them, if you could raise your hand if you're agreement with the comments in the e-mail I just read to get a sense of the opinion for the people who are in favor of that e-mail?

The first e-mail is from Donna and Steve Smith.

"Being a 12-year resident of the Borough of New Hope, I oppose the project as set forth. The

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town does not need additional hotel space. Rooms are readily available at the existing hotels and B&B's in the Borough on any given night.

"To pave a full parking lot in a flood area will only contribute to possible floodings issue by creating more impervious surface. The traffic flow for 77 parking spaces will add to congestion down small Randolph Street and Main Street in general.

"The height of the buildings will change the whole view and landscape of North Main Street.

Though development of the property seems inevitable, the scale of this project is way too large for a small corner of New Hope Borough. It is not providing any new benefit to the residents of the town.

"Bucks County Playhouse has already created a beautiful walkway along the river, which in my recollection has never seemed more crowded and signaling a need for more. Sometimes less is better.

"We ask that you reject these plans as presented.

"Thank you."

PRESIDENT GERING: Go ahead.

Raise your hand, please, those who are --

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2 **UNIDENTIFIED SPEAKER:** Those who agree,
3 raise your hands.
4 **MS. MCHUGH:** Keep them up.
5 **PRESIDENT GERING:** Thank you.
6 All right. Next one, Pete.
7 **MR. GRAY:** The next one is from Melissa
8 Doan.
9 "As an owner of 57 North Main Street in
10 New Hope Borough, I am opposed to The Landing
11 redevelopment project, as currently proposed and shown
12 in The Landing sketch plan review.
13 "At the scale of the current proposal,
14 my most primary concern is that this project will
15 overburden the very small, mostly residential street on
16 West Randolph with traffic. Many people, myself
17 including, rent, own or have driveways off of East
18 Randolph/west Randolph and have to exit their
19 residences via Randolph regularly, when taking children
20 the school, going out for daily errands, et cetera.
21 "Having a major hotel entrance at this
22 intersection seems like it may create significant
23 traffic and safety concerns. Traffic entering and
24 exiting 44 occupied hotel rooms and other traffic
25 entering hotel events and the hotel restaurant seems

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2 proposed.
3 "On top of the safety concerns common in
4 any high-traffic tourist area, the traffic issue with
5 noise pollution it will cause will irrevocably alter
6 the ambience and character of the immediately
7 surrounding section of North Main Street.
8 "In reference to the sketch review
9 located on the Borough website, the only presentation
10 of the property in the context of the shoreline is a
11 not-to-scale drawing on Page 15, which appears to defy
12 the laws of perspective drawing.
13 "Its depiction that the proposed
14 building will appear to be similar in height to the
15 buildings around and behind it contradicts with the
16 actual scale drawings on Page 13 that show a structure
17 around twice the height of the existing Landing
18 restaurant, with a roof line eight to 12 feet or more
19 higher than the roof of any of the North Main
20 neighboring properties.
21 "Built as drawn, the structure would
22 visually dominate the North Main shoreline with an
23 industrial look, more reminiscent of Trenton or
24 Morrisville's history than New Hope's.
25 "Approving development of this scope and

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2 that it would be significant.
3 "I am also concerned, though less so,
4 about potential noise, sound and even possibly smell
5 pollution.
6 "Visually, while I am not opposed to
7 modernization and expansion, in general, as a resident
8 of the Borough, I feel this particular project is out
9 of scale. I feel that the visual impact will be
10 largely out of character with the town, primarily due
11 to the very wide span of significantly out-of-scale
12 height. This height will overshadow several historic
13 structures.
14 "I hope you would do what is best for
15 our town and residents long term. I thank you for
16 taking these comments into consideration. Melissa
17 Doan, 57 North Main Street."
18 And can I see a show of hands?
19 **PRESIDENT GERING:** Yeah, it seems like
20 they're repetitious, so we are going to skip the hands,
21 unless it's a new issue.
22 Go ahead, Pete.
23 **MR. GRAY:** The next one is, "As a
24 homeowner in the Historic District, I am opposed to The
25 Landing redevelopment plan, 22 North Main Street, as

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2 magnitude on the commercial-residential border would
3 likely set a precedent in the area, for better or
4 worse, encouraging large-scale resort type development
5 at the expense of the small-town charm New Hope has
6 historically been known for.
7 "I thank the Council for considering
8 this and the feedback of other residents. I hope that
9 Council chooses to reject the current proposal, and
10 provides the developers with further guidance and
11 encouragement to reduce the scope of the project to
12 something more appropriate for the space, while still
13 allowing them to realize their investment goals with
14 the property. Respectfully, Brian Cenker, 57 North
15 Main."
16 **PRESIDENT GERING:** I'm going to make a
17 comment for those of you in the audience.
18 This application is an application to go
19 to zoning for variances, and the zoning board will
20 decide what those are. After that decision is made,
21 this project will go to the planning commission and
22 HARB.
23 We are not making those decisions
24 tonight. All we're going to decide is whether we stay
25 neutral or are opposing the application. No matter

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2 what we decide, it still goals to zoning, so there's
3 some clarity on what the process is.
4 **UNIDENTIFIED SPEAKER:** Can we vote over
5 height versus traffic?
6 **PRESIDENT GERING:** You will have --
7 **UNIDENTIFIED SPEAKER:** This was a
8 different issue than the previous two issues.
9 **PRESIDENT GERING:** Correct. That is not
10 tonight. Tonight is whether we oppose --
11 **UNIDENTIFIED SPEAKER:** So we could vote?
12 **PRESIDENT GERING:** I'm sorry. I'm
13 sorry. Go ahead. Yes, go ahead.
14 Raise your hand.
15 **MR. MEYER:** On the issue of height.
16 **UNIDENTIFIED SPEAKER:** The issue of
17 height.
18 **MS. FEDER:** If you feel it's too tall,
19 raise your hand.
20 **UNIDENTIFIED SPEAKER:** Speak up,
21 everyone.
22 **PRESIDENT GERING:** Thank you.
23 Next one, Pete.
24 **MR. GRAY:** "As residents of West
25 Randolph Street we, are concerned about the size of The

1 *APRIL 2023 COUNCIL MEETING* 11
2 hotel would significantly alter New Hope's character,
3 which is known for its small-town charm and historic
4 buildings. The hotel would dominate the waterfront
5 area, and detract from the natural beauty of the
6 surrounding landscape and erase historically
7 significant placement of actual landmark buildings.
8 "A project of similar scale has already
9 been permitted with the construction of the Logan Inn,
10 and consequences of further large-scale disruption will
11 have rippling negative effects that cannot be reversed.
12 "The environmental impact of the
13 proposed hotel must be highlighted. The waterfront
14 area is home to a variety of plants and animals, most
15 of which are already threatened by human activity. The
16 area surrounding The Landing is home to many mature
17 trees that will be replaced with nonporous building
18 materials in a dedicated flood zone.
19 "The Board cannot turn a blind eye to
20 the consequences that come along with a project of this
21 scope in a flood zone. The construction and operation
22 of a large hotel would disrupt these delicate
23 ecosystems, and will have serious long-term
24 consequences for the health of our environment.
25 "Finally, we believe the economic

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2 Landing plan, and the potential impact of noise,
3 traffic and light it will have on our neighborhood.
4 "While there are certain aspects of the
5 project that look interesting, we ask that Council
6 consider the scale of the project in relation to its
7 footprint, and the advisability of moving a historic
8 building.
9 "We hope a revised plan will be
10 presented to Council tonight that is more in keeping
11 with New Hope's size, and that will be respectful of
12 the neighborhood that the project will adjoin. We have
13 been very happy with our business neighbors to date,
14 and anticipate that will continue in the future. Peter
15 and Elizabeth Jordan."
16 **PRESIDENT GERING:** Okay. Next.
17 **MR. GRAY:** "As current New Hope Borough
18 residents and Solebury Township property owners, we are
19 writing to express our strong opposition for
20 redevelopment of The Landing in our small town. While
21 we understand this development may have some economic
22 benefits, we believe the negative impacts of our
23 community and environment far outweigh any potential
24 benefits.
25 "First, the construction of such a large

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2 benefit of the proposed project will serve out-of-state
3 investors at the expense of the local community. While
4 the redevelopment will bring in some revenue for local
5 businesses, it is unlikely this revenue will be
6 distributed evenly through the community.
7 "Instead, the profits would likely be
8 concentrated in the hands of a few wealthy investors,
9 while the rest of the community bears the cost of
10 increased traffic noise and environmental damage.
11 "New Hope was once made up of an
12 eclectic and charming selection of restaurants, lodging
13 and shops founded by truly local influence. If this
14 approval is granted, the two largest hotels will be in
15 the hands of a single Northern New Jersey investor, The
16 Landing and the Logan.
17 "For these reasons, we strongly urge the
18 zoning hearing board to reject the current proposal for
19 the redevelopment of The Landing. Instead, we should
20 focus on preserving the character and natural beauty of
21 our community, and supporting sustainable economic
22 development that benefits all members of New Hope.
23 Sincerely, Chris Woidill and Kaitlynn Zolnay."
24 **PRESIDENT GERING:** Go ahead.
25 **MR. GRAY:** "It would seem our little

2 river town is at a crossroads. One could reasonably
3 argue we are well down one path already. As we side
4 with the developers, whose main aim is to maximize
5 profits, we risk losing this town entirely over to
6 them.

7 "As we cater exclusively and entirely to
8 the people who visit New Hope, rather than the people
9 who live here, we risk losing any heart and soul that
10 exists here. It is already slipping away.

11 "There's a balance to be struck, and the
12 scales are clearly tipped away from the greater
13 community who call this place home. The current scope
14 and scale of The Landing project is ridiculous. It is
15 blown out to every last inch on every possible side.
16 The space around a thing also makes a thing great.
17 There is also none here.

18 "It is my opinion this will be blight on
19 the riverside, and needs to be redesigned, and needs to
20 take more consideration and appreciation for preserving
21 the look and feel of the existing historical structure.

22 "We are still left with a choice here,
23 and if we choose poorly and continue down this path, we
24 will end up with a Cheesecake Factory on the Delaware,
25 Epcot Center for tourists hard by the river. Just a

2 I do not feel that a project this large should be
3 undertaken without that plan being in place.

4 "It appears to me that we are already
5 overdeveloped for our size. The middle of our town is
6 already very congested, and I do not feel that it can
7 bear the traffic that would be brought with this new
8 development.

9 "I am not at all opposed to development.
10 It is an inevitable, and it is needed for the vitality
11 of our community, and should be done with forethought
12 and proper assessment of the needs. I hope that The
13 Landing will not be begun until there is more clarity
14 about what is appropriate and serviceable for our town.

15 **PRESIDENT GERIG:** Any comments? Anyone
16 that wants to raise their hand on that one?

17 All right. We got two back there or
18 three, four. Thank you.

19 Okay, Pete.

20 **MR. GRAY:** "Regarding the proposed
21 Landing project, I'd like to express my
22 concerns/opposition to the proposal. Among my concerns
23 are the following: The height and scale of the
24 proposed structure are out of proportion to other
25 buildings in that part of the town, and the requested

2 manufactured tourist trap the already rich developers
3 can use as a printing press for more cash. JP Endress,
4 25 Chestnut Street."

5 **UNIDENTIFIED SPEAKER:** I'd like to vote
6 for that.

7 **PRESIDENT GERIG:** Thank you.
8 Go ahead.

9 I think a lot of this is repetitious.
10 That's why I'm not asking you to keep voting, folks.

11 **UNIDENTIFIED SPEAKER:** But on different
12 issues, ecological, traffic, height restrictions,
13 visibility, water, sewer. They're all very different
14 issues, all very different issues.

15 **PRESIDENT GERIG:** Go ahead, Pete.

16 **UNIDENTIFIED SPEAKER:** They're not
17 mutually exclusive.

18 **PRESIDENT GERIG:** Thank you.

19 **MR. GRAY:** "I am Sherry Baker at 75
20 North Main Street. I have lived here for the past 50
21 years, with the exception of a ten-year period between
22 1980 and 1990. I have seen many changes in that time,
23 some good, not so good.

24 "I understand that the Borough is a few
25 years behind in having a five-year plan for our town.

2 variance, Paragraph 35.K and L should be denied.

3 "Parking for the project does not meet
4 requirements, and inadequate parking will place a
5 burden on the community. There are six variances
6 requested. Paragraph 35.D, E, F, G, H and I, including
7 one that fails to provide sufficient parking, Letter I.

8 "This will only exasperate the traffic
9 and parking issues downtown. The community of New Hope
10 shouldn't have their quality of life degraded for a
11 commercial development. The project will cut down
12 several mature trees and have a significant impact on
13 the tree canopy in that part of town.

14 "Furthermore, the proposal is requesting
15 three variances regarding the placement of trees, and
16 will result in the permanent loss of the tree canopy in
17 that area of town. An ample tree canopy improves the
18 livability and quality of life and appeal of New Hope.
19 We've lost enough trees in the last two years.

20 "The existing Landing property is
21 certainly in need of renovation, and I think most
22 residents of New Hope would agree. How about something
23 that respects the history and character of New Hope?
24 We have enough oversized, overpriced mega venues. John
25 Kelton, 143 West Bridge Street."

2 PRESIDENT GERING: This is about the
3 trees.

4 All right. Thank you.

5 MR. GRAY: "My husband and I are
6 extremely concerned about the massive congestion that
7 already exists at Bridge and Main Streets. What
8 consideration/plans have been made for deliveries for
9 both the restaurant and hotel? Main Street cannot
10 handle any more delivery traffic.

11 "Furthermore, the increased number of
12 people parking and moving in and out of the proposed
13 project area will significantly increase congestion.
14 What plans have been made to address this issue? Patty
15 and Adolf Herst."

16 PRESIDENT GERING: I got four, five,
17 six. All right. Get your hands up high at the same
18 time.

19 UNIDENTIFIED SPEAKER: About traffic?

20 PRESIDENT GERING: Yes.

21 UNIDENTIFIED SPEAKER: Traffic issues.

22 PRESIDENT GERING: Okay. Thank you.
23 Next.

24 MR. GRAY: "I'm very opposed to the plan
25 for New Hope -- I'm sorry -- for a new hotel at the

2 is seasonal, with mostly off-premise parking. It would
3 appear the 44-unit hotel and 120-seat indoor restaurant
4 would generate more traffic and delays to access The
5 Landing, located within 200 feet of the most highly
6 congested section of downtown.

7 "As a 120-seat restaurant, would events
8 be held here, similar to River House, which generates a
9 deluge of vehicles and patrons? The River House is
10 outside of town with multiple means of access from the
11 west, north and south. The Landing has only one means
12 of access from heavily congested Main Street.

13 "New Hope is accessed by several state
14 roads, and based on our geography and existing
15 development, roads cannot be elevated, put below
16 ground, nor widened. This is not just a parking
17 problem, but rather a traffic volume problem that
18 bottlenecks at Bridge and Main, for which our
19 infrastructure cannot endure.

20 "Should we not contract a firm to
21 perform a professional traffic study on how best to
22 handle our traffic congestion included at Randolph and
23 Main? We only get one shot at this, and if there is
24 any additional large-scale development, such as this,
25 it will only exasperate our gridlock greatly,

2 location of The Landing. It would change the entire
3 vibe on North Main Street. The fact that all that is
4 going up is giant three-story architectural nightmares
5 is crazy. To add the big ugly mix is unthinkable.

6 "I moved back to New Hope in 2008, and
7 all of the change has been very negative. The town is
8 changing from a small town to the Hamptons, and that is
9 not a good thing. What will happen when the bus cycle
10 comes through town? Will all of the buildings be left
11 to rot? Matt Egner, 7 Runnemede."

12 PRESIDENT GERING: Go ahead. Thank you.
13 All right. Pete, next one.

14 MR. GRAY: "The proposed Landing project
15 may be the last large-scale commercial development in
16 the downtown, for which I have the following comments
17 and concerns:

18 "Does New Hope really need another
19 hotel? There are currently about 100 hotel rooms in a
20 very small downtown, which excludes the numerous B&B's.
21 If approved, what impact would this 44-unit hotel have
22 on the occupancy of the existing hotel rooms, and the
23 numerous local owned and operated small inns and B&B's
24 in close proximity?

25 "The existing mom-and-pop style Landing

2 diminishing any chances of ever coming up with a
3 resolution.

4 "The impact this development would have
5 on the residential neighborhood in that vicinity of
6 Main and Randolph should be considered as well with
7 deliveries, back-up alarms and added traffic
8 congestion.

9 "Large-scale downtown development in
10 just the last five years has likewise resulted in
11 attracting a more affluent, outside-the-area clientele.
12 While it benefits the builders, developers and
13 businesses and corresponding increased tax revenue for
14 the Borough, it is at the expense of the quality of
15 life of the residents, due to congestion created and
16 pricing beyond the reach of many locals.

17 "We have lost and will continue to lose
18 the mom-and-pop type establishments if efforts aren't
19 made to control this trend. We are, likewise, in
20 danger of losing our greatest asset, the unique
21 historic and cultural aspects of our Borough.

22 "Rather than a piecemeal approach to
23 approvals of standalone projects, can a more
24 comprehensive approach be taken on a project's overall
25 impact, perhaps with the assistance of an external

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2 consultant to assist in updating a master plan for New

3 Hope Borough? An in-depth study is warranted, as each

4 of the recent projects constructed have had a

5 significant negative impact to the downtown traffic and

6 pedestrian congestion in quality of life for residents.

7 "Council has a difficult and oftentimes

8 thankless job balancing the needs of the Borough,

9 residents and businesses. So we very much appreciate

10 Council's efforts in tackling challenging issues, such

11 as these. Regards, Jay Freeo.

12 **PRESIDENT GERING:** That was kind of

13 repetitious about the traffic. So if you want to vote

14 again, we can do that, but, otherwise, it was the

15 traffic flow.

16 **UNIDENTIFIED SPEAKER:** Question for you.

17 Vote for a traffic study?

18 **PRESIDENT GERING:** Yes. They already

19 did one in the packet. So that's okay. That's what

20 this was. Thank you.

21 Pete, the next one.

22 **MR. GRAY:** "I am writing today to

23 express my concerns to the variance request towards

24 this massive project. I am the owner of La Bella Vita

25 on Main and North -- excuse me -- La Bella Vita on Main

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2 "How about the construction trucks and

3 personnel that will need to undertake such a project?

4 what about the extreme noise and dirt for this project?

5 I operate a spa and it would be very disruptive.

6 "I am not against progress. We've

7 needed a bit of a facelift in town. Not all owners

8 take care of their buildings, but this project is just

9 too massive for our roads and power grids. Traffic is

10 already jammed up. Trash bins for the restaurants are

11 another concern for me.

12 "Our infrastructure is already strained,

13 and I have to ask, do we really need or want something

14 this big? When will you learn to say no? This is a

15 quaint and a beautiful town, and we really do not want

16 to lose that charm. This is just too important to stay

17 silent. Sincerely, Candace and Alan Paryzer."

18 **PRESIDENT GERING:** Thank you. That was

19 again repetitious.

20 **UNIDENTIFIED SPEAKER:** But not really.

21 It's denying access to a business proprietor.

22 **PRESIDENT GERING:** I'm sorry?

23 **UNIDENTIFIED SPEAKER:** Denying access to

24 a sole business proprietor.

25 **PRESIDENT GERING:** It's parking and

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2 and Randolph Streets, and have been a business owner in

3 New Hope for 23 years.

4 "Since my husband and I purchased the

5 building, I have dealt with construction all around me,

6 and I have had to roll with it. The tiny street we are

7 on is already a challenge with all of the beer,

8 beverage and delivery trucks that carelessly park on

9 our little street, because it was never meant to

10 accommodate the present level of traffic.

11 "My driveway is constantly blocked, and

12 I repeatedly have to ask drivers to move their trucks

13 when they block me and my clients from getting in and

14 out of the driveway, as well as my concern for the

15 enormous and dangerous blind spots that result.

16 "As it is, pulling out onto Main Street

17 is literally a nightmare, because visibility is

18 impossible, due to trucks that park at the corners.

19 The township seems more concerned about giving out

20 parking tickets to the visitors, who come to town, than

21 ticketing the speeding cars on Main.

22 "Suffice it to say that, at present, it

23 is potentially dangerous and adding an untold number of

24 cars to navigate the tiny intersection to find parking

25 can only add to the nightmare.

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2 traffic. Okay. That's why.

3 Go ahead. Next one.

4 **MR. GRAY:** "First of all, thank you for

5 your service to the town. We appreciate the work you

6 do to keep New Hope a lovely place to live.

7 "We are writing to express our great

8 misgivings about the proposed development of The

9 Landing property. We live on North Main Street. We

10 believe a project of this size will adversely affect

11 the neighborhood quality of this side of town.

12 "We understand that the property is in

13 the Commercial District. We have no issues with

14 restaurants, retail establishments or small-scale bed

15 and breakfast accommodations, along the scale of what

16 has been existing in our lovely community for so many

17 years, but we feel the proposed development, as it

18 stands right now, is oversized for the little locale,

19 and will dwarf the other structures.

20 "More importantly, a complex of this

21 size will create plenty of traffic issues in that

22 crowded area. It's hard enough already some days to

23 get to Bridge Street, especially when the restaurants

24 and coffee shops are getting their deliveries.

25 "We foresee many dangerous issues on top

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2 of the current congestion, with large trucks from waste
3 haulers, laundry service, and many more food and hotel
4 supply deliveries.
5 "And, lastly, have you heard the
6 description of what New Hope is becoming? A wedding
7 factory town. I don't think anyone wants New Hope to
8 become such a thing.
9 "If we were to vote on a project like
10 this in a referendum, we would vote no. Respectfully
11 yours, Ralph and Mary Jo Jerome, 106 North Main."
12 **PRESIDENT GERING:** Go ahead, Pete.
13 **MR. GRAY:** "I have lived in this area
14 for 39 years. The Landing project is the latest
15 assault on the charm, history and beauty of the area.
16 The project sketches show a tasteless, sterile,
17 anywhere USA architecture and design. Somehow it is
18 believed that New Hope will become a destination
19 wedding capital of the Northeast.
20 "You do not realize that these
21 constructions destroy the reason people found the area
22 to be charming in the first place.
23 "I know these comments fall on deaf
24 ears. The Landing project is the latest horror
25 continuing the destruction of a beautiful historic

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2 preservation means something.
3 "A resurrection of a 44-bed hotel should
4 be limited to smaller numbers. Locals do not want
5 another hotel. If it is done on a smaller scale and
6 incorporates the historic building, then I would
7 support it. Park off site."
8 "I understand there's a meeting on
9 Tuesday about the development of The Landing where a
10 highrise hotel with limited parking space would be
11 taking over The Landing and Fred's. I am asking that
12 you please reconsider this horrible development
13 decision and request that you reconsider it.
14 "New Hope has always been a quaint, nice
15 town that I live in. Over the past few years, New York
16 City developers have taken over our town and changed it
17 into something that it has never been, a corporate,
18 greedy, high-priced, overcrowded area.
19 "These have taken the charm out of our
20 town, to the point that residents can't even afford to
21 get out here anymore. This development idea is
22 horrible, and will affect traffic, ruin our town's
23 quaintness and ruin the skyline of our town. I ask
24 that you please read this at the meeting and have the
25 people we put in position vote against this proposal."

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2 town. The designs are mere Hollywood towns, plastic
3 facades, like going to the amusement park.
4 "Adding hotel rooms, insane. If you are
5 building a grass roots project on virgin ground, fine,
6 but not in the middle of historic buildings. These old
7 structures are the charm of New Hope. I do not support
8 anything about this project. Michael Maturro."
9 **PRESIDENT GERING:** It's repetitious.
10 **MR. GRAY:** "I'm a resident New Hope, and
11 I wanted to voice my concerns about The Landing
12 development. Restrictions to the height of all
13 riverfront property must be established.
14 "While Odette's River House looks
15 beautiful in its location, downtown should not have new
16 business buildings erected. It is not consistent with
17 the quaintness of the town. I object to the 77 parking
18 garage on historical property and prime location to
19 serve a hotel. Off-site location for parking, similar
20 to Odette's, must be demanded.
21 "I object to relocating a historic
22 building. I know Odette's did it, but we must stop
23 this precedent. We will eventually remove all
24 historical buildings for profit. When I was in Paris,
25 I had dinner in a building from 1640. Yes,

1 *APRIL 2023 COUNCIL MEETING* 28
2 "I am writing to express my deep concern
3 over the proposed construction of an oversized hotel in
4 our historic community. As a resident of this town for
5 many years, I've come to appreciate the unique beauty
6 and charm of our neighborhood, and I feel that the
7 construction of this hotel will ruin the landscape that
8 have worked so hard to preserve.
9 "The historical significance of our town
10 cannot be underestimated. It is a place that holds
11 great value for all of us who live here, and it is our
12 responsibility to protect it for future generations.
13 "The proposed hotel would be an eyesore,
14 towering over the surrounding buildings and disrupting
15 the peace and ambiance of our community. Its sheer
16 size and scale would dwarf the historic structures and
17 landmarks that make our town so special. It would be a
18 permanent blemish on our landscape.
19 "Furthermore, the construction of such a
20 large hotel would likely cause significant disruptions
21 to our town's infrastructure, including increased
22 traffic and noise pollution. Our town is not designed
23 to accommodate the demands of such a large hotel, and
24 the strain of our sources and services would be
25 immense."

2 "I urge you to carefully consider the
3 long-term impact of the proposed hotel on our
4 community. We must prioritize the preservation of our
5 town's unique character and historic value over
6 short-term profits. I implore you to reject this
7 proposal, and work toward finding alternative, more
8 sustainable solutions for the further development of
9 our town."

10 "Finally, my name is Jim Keen. I'm a
11 former resident of New Hope-Solebury area. I served as
12 a firefighter with New Hope Eagle Fire Company for over
13 25 years and I am a life member. I also was a
14 full-time police officer with New Hope Borough for 20
15 years. I graduated from New Hope-Solebury High School
16 in 1982.

17 "I have been reading about the proposed
18 changes to The Landing on New Hope Street -- North Main
19 Street. Let me give you a little history for that
20 address. The house the restaurant is in was owned by
21 James and Mabell Skillman, my grandparents. The
22 Skillman Oil Company was on the property as well, and
23 was owned by my grandfather and his father before him.

24 "I and my sister and brother grew up in
25 that house. My father and mother worked for the family

2 on Mechanic Street, Waterloo, all built up. North Main
3 Street does not have the cool homes on it anymore, just
4 mansions.

5 "I saw what was done to the Logan Inn by
6 the out-of-town New Jersey-New York company that bought
7 it. I know the same company bought The Landing
8 property to expand the restaurant, and would build
9 high-end rooms for the rich and elite to come to town.
10 Several older properties have been torn down for
11 million-dollar condos and mansions.

12 "I know change happens, but New Hope has
13 changed so drastic, it is not New Hope anymore. Please
14 consider one of the last historical buildings and what
15 it means to the town."

16 **PRESIDENT GERING:** Thank you very much,
17 Pete.

18 **MR. GRAY:** That's all I have.

19 **PRESIDENT GERING:** Is there anyone -- I
20 know what the big sense is, and I'm going to summarize
21 it. The concerns are traffic, the size, the trees and
22 being on the river, so and parking and traffic.

23 So is there anyone who would like to
24 make comment at this time in reference to this project?
25 Otherwise, we're going to move on.

2 business, and when we were young, my grandmother
3 watched us there. There were Sunday dinners, fireworks
4 along the river on the 4th of July and feeding the
5 ducks along the river.

6 "My grandfather was Mayor of New Hope,
7 and also served as president of the New Hope Eagle Fire
8 Company. He was on the board of the Solebury Bank, and
9 was on the Delaware River Joint Bridge Commission. He
10 is also a life member of fire company.

11 "I have many memories of family and good
12 times in that house. My grandparents decided to sell
13 the property. The property was bought by Chris
14 Bollenbacher, and he turned it into The Landing.

15 "Chris kept the house as original as he
16 could. He expanded the kitchen, obviously, added the
17 bar on the outside, but the inside rooms were the
18 dining areas. I took Chris through the house and
19 showed him the rooms and the memories I had there. I
20 even showed him the corner where I learned to tie my
21 shoes. I became great friends with Chris. He did the
22 property justice and kept the property as part of New
23 Hope.

24 "I came back to New Hope recently and
25 walked New Hope. It has changed. Monstrous townhomes

2 Yes, the lady in the green sweater. Is
3 that -- come on up.

4 Please identify yourself up here we.
5 Have three minutes.

6 **MS. WHITMAN:** I won't take three
7 minutes. I'm Kelly Whitman. I live on West Ferry
8 Street. I echo many of the comments before.

9 I would also add the movement of
10 historic structures simply for the purposes of
11 accommodating this development and the latest public
12 plan that was submitted. I understand the purpose of
13 this meeting is for Council not to vote on whether to
14 do it or not, but whether to oppose it or remain
15 neutral.

16 I urge Council not to remain neutral,
17 but to instead support the existing zoning on the books
18 and oppose the development at its current scale. I'm
19 not against any redevelopment, as most of the
20 commenters. I'm not opposed to redevelopment, not
21 opposed to densification, but concerned about the size
22 and the scale.

23 So I urge you, please oppose the plan as
24 it is now. I'm not against the developer. That's his
25 job is to ask for the moon. It's Council's job to do

2 what's appropriate for the entire Borough and its
3 constituents.

4 Thank you so much.

5 **PRESIDENT GERIG:** Thank you.

6 Anyone else?

7 **MS. ENDRESS:** My name is Stacey Endress,
8 25 Chestnut Street. I'm a resident of the Borough. I
9 live in the HARB District.

10 I agree with everything everyone has
11 said. I feel like the structure is too massive, and I
12 just want to -- I know this is going to zoning, but I
13 just wanted to call out HARB.

14 I have dealt with HARB. I live in a
15 HARB district. I feel like what's going on here with
16 moving the buildings and putting up masses is
17 ridiculous. I feel if I took you guys to my small lot
18 in town and said, you know, my garage isn't historical,
19 knock it down, let's slide my house back and put up
20 two million dollar townhomes, you guys would say,
21 you're nuts, and you'd be right.

22 And I feel like that's what happened
23 with the Heart of Home project that became of the town.
24 We would have a huge structure, working with the trees
25 and all of that, and you guys said no. You opposed it,

2 I live on that street. People elevate
3 off of the canal bridge, because they're going so fast,
4 and it just increases traffic to the region. Even
5 though it's way down the road, I believe certain
6 studies need to be conducted, utility capacity, utility
7 availability and capacity and traffic capacity.

8 And how do you increase support for New
9 Hope PD to increase -- to enforce the traffic laws of
10 speed limits on the ancillary neighborhood streets?
11 That's all.

12 **PRESIDENT GERIG:** Thank you.

13 **MS. MILLER:** Good evening. Amy Miller,
14 Riverstone Circle.

15 What I'd like to present tonight is on
16 this issue of parking, and I want to just present
17 something for your public record. I know Bill Clapper
18 of New Hope Speaks, whom I work with, and sent you all
19 his summary that he had reported on that parking
20 garage, as far as a case study from Jim Thorpe,
21 Pennsylvania.

22 It's a real quick, you know, similar
23 background. This town was very similar. They were
24 having issues with parking, and they thought, we should
25 build a parking garage.

2 and it went to zoning, and that was right.

3 And I feel like this needs to be
4 opposed. I feel like it is not appropriate for the
5 town, and it's not -- I know it's not about being fair
6 or not fair.

7 It's not fair to those of us residents
8 that deal with the restrictions in HARB, and then you
9 see things like this go in, the Logan, and it's just
10 hard to swallow. So that's it. I would appreciate it
11 if you guys would oppose it.

12 **PRESIDENT GERIG:** Thank you.

13 The gentleman in the corner.

14 **MR. PHILLIPS:** Hi. Joe Phillips,
15 P-h-i-l-l-i-p-s.

16 **PRESIDENT GERIG:** And your address?

17 **MR. PHILLIPS:** 39 West Ferry Street.

18 My questions are typically about utility
19 availability and capacity. The hotel will increase the
20 demand on water and sewer in that region by about
21 tenfold.

22 My other question is about traffic,
23 because traffic congestion is already awful in that
24 area, and what happens is smart phones direct everybody
25 to Mechanic, New Street or up West Ferry Street.

2 So what they did is they collaborated
3 with their community, and they set up a committee that
4 was Council members, planning members, the police
5 chief, community members, business leaders, and they
6 formed this committee.

7 And during this committee, they realized
8 they needed some professional help. So they hired a
9 professional organization, who came in and did traffic
10 studies, and they made evaluations, and real quick,
11 they gave an analysis that they encouraged Council to
12 take a broader view of the situation, and look at the
13 problem in three sequential phases.

14 Rather than setting just parking
15 expansion, each of these factors are related, and, in
16 total, are the cause of the problem. You cannot fix
17 one problem without impacting the other problems. So
18 it's best to complete the steps in sequence. This was
19 traffic management, which we heard tonight, pedestrian
20 safety, which we heard tonight, and parking expansion.

21 So traffic management, the big issue was
22 traffic flow was not being managed. So the
23 professional organization set up standards and
24 recommendations on how to manage that.

25 Pedestrian safety, which I brought to

2 you before, with crosswalks, and painting the
3 crosswalks, and lighting, and moving the flow of
4 traffic, because, obviously, traffic gets stuck from
5 people trying to cross, right? We have all seen that.

6 The big issue, parking expansion, which
7 I know has been a major issue here. So they
8 realized -- which was funny. It's very similar to us.
9 Their high school is nearby, and they also have the
10 railroad station that was nearby, and they're utilizing
11 those parking lots.

12 So they decided, we're not going to
13 build a parking garage, we're going to utilize the
14 pervious surface that we have now for parking, and they
15 used apps and other services to flow traffic out of the
16 town area, and we can do that here, bringing it out to
17 the high school, which I brought up to you before.

18 There are 20-plus organizations at the
19 high school that raise money. That is such an impact
20 on these organizations, to charge for parking during
21 the warm seasons of the year.

22 So I'd like present this to you all to
23 consider and ask a couple of questions. I ask that you
24 form a committee, a committee that will look at parking
25 and traffic and those issues. Bring the community

2 MR. KELLEY: Yeah, I appreciate that. I
3 was cramping up a little down there.

4 Scott Kelley, K-e-l-l-e-y. 46 North
5 Main Street is where I have a condominium on the second
6 floor, which has very pretty views of the river, the
7 bridge and Goat's Hill in the distance, and that's why
8 I purchased the unit.

9 So I, perhaps, am most severely impacted
10 by what could be the construction of -- along the river
11 there. Am I happy to lose my beautiful views? No, I'm
12 not happy about that.

13 So I reached out to Mr. Cretella to
14 voice my concerns. He was kind enough to meet me on
15 the site today. So here I'm a bit torn and conflicted.
16 You know, my views will be impacted, but on the other
17 hand, I am very excited for what could happen at The
18 Landing site.

19 It's a beautiful site with a lot of
20 potential, and it's been largely dormant and depressed.
21 I walk through there all the time, and it really is
22 quite depressing, and in need of something exciting to
23 happen.

24 Now, what exactly is exciting, what's
25 appropriate and what's thoughtful? What's too much

2 together, and let's do that, and then also I ask
3 that --

4 MS. MCHUGH: You have ten seconds left.

5 MS. MILLER: -- the Borough manager
6 could reach out to the Borough manager of Jim Thorpe,
7 PA, because why reinvent the wheel if this is something
8 that can help you all start with solutions?

9 Thank you.

10 PRESIDENT GERING: Thank you.

11 MS. MILLER: Do I present this to you
12 guys?

13 PRESIDENT GERING: Yes.

14 MR. DARLINGTON: Steve Darlington, 11-33
15 West Bridge Street, and as many of you know, I have
16 been a real estate broker in this town for 39 years. I
17 have been president of the New Hope Historical Society.

18 And I do feel that having a hotel at The
19 Landing brings in guests, who shop at all of the stores
20 in town, and keep this -- and will keep this a vital
21 little riverside town, and I certainly support the
22 project, and I hope the Council does, too.

23 Thank you.

24 PRESIDENT GERING: I figured you needed
25 to stretch.

2 mass? What's too little mass? I think we can work
3 through those issues. I think there's a lot of reason
4 to give Mr. Cretella the benefit of the doubt. He did
5 keep his word.

6 I think at the Logan Inn, with that
7 project, he made a lot of promises and delivered on a
8 lot of things that he said he was going to do. So
9 we're not dealing with an unknown quantity. He's got a
10 track record, and I think a pretty good one here in
11 town. So I think he should be given at least a benefit
12 of the doubt to work in a collaborative fashion to make
13 this happen.

14 I do -- to Mr. Darlington's point, he
15 mentioned about the merchants up there. A lot of the
16 traffic flow stops at the Starbucks, right, right there
17 at Main Street. Not much of the foot traffic goes
18 beyond there.

19 I know a lot of merchants have put a lot
20 of thought and money into redoing those storefronts up
21 toward Randolph Street there, and they don't get a lot
22 of traffic flow, and that is part of the Commercial
23 District, which ends pretty much at Randolph Street.

24 So this, you know, in sort of a funny
25 way, this revitalization of that quadrant could really

1 *APRIL 2023 COUNCIL MEETING* 41
2 benefit those merchants, who invest a lot of money
3 north of Main Street, that don't get a lot of traffic
4 flow, and this would help them. So that's an ancillary
5 benefit.
6 You know, all in all, I would say I'm
7 more in favor than opposed. I'll get over my views,
8 but I think it will be good, long term, for the town.
9 Thank you.
10 **PRESIDENT GERING:** Yes, Mr. Balderson.
11 **MR. BALDERSON:** Thank you. Joe
12 Balderson. I live at 4565 Overlook Circle, Doylestown,
13 Pennsylvania 18902.
14 I have a vested in three different
15 properties in this community, and I've been involved in
16 the community my entire life.
17 First, I'd like to thank everybody here
18 for coming tonight. I would like to see this room
19 filled like this at every Council meeting, not just on
20 special editions.
21 I congratulate the people that are
22 involved in the project with The Landing. I know
23 there's a lot of issues that have to be addressed, and
24 they'll address them one by one, and we'll see where
25 this ends up.

1 *APRIL 2023 COUNCIL MEETING* 43
2 **PRESIDENT GERING:** If anyone has
3 anything other than what's already been said, we're
4 going to move on.
5 Yes, I see a hand all the way in the
6 back.
7 **MS. GIBSON:** Sara Gibson, S-a-r-a
8 G-i-b-s-o-n. I live at 101 Hidden Court.
9 One of the other things I was thinking
10 about is the pocket park, and the impact of having a
11 major development next to that. I think we have
12 already seen that our library has had to move parks for
13 it to have the opportunities to read to the kids in the
14 parks.
15 I think Ms. Darcey just move to
16 Aquetong. She had previously read at different parks
17 in the city, and I think that's something that also
18 hasn't come up.
19 What is the impact going to be on some
20 of the residents, who are trying to utilize that, if
21 there's a major development next door? And, yes,
22 concerns with parking and other things as well, too.
23 But what is going to be the availability of that, if
24 that is going to be used mainly as the main
25 thoroughfare in and out as well, too?

1 *APRIL 2023 COUNCIL MEETING* 42
2 I would like to say -- I've said this at
3 other Council meetings -- my concern is with the
4 development that has been underway, proposed
5 development, not only in the Borough of New Hope, but
6 Solebury Township.
7 What impact is all of this having on the
8 sewer system that runs through our town, crosses the
9 Lambertville Bridge, what impact it has on the
10 treatment plant in Lambertville, and what impact this
11 has on our water system? That's what I have to say
12 about The Landing.
13 Now, I'm a little bit confused. Are we
14 discussing the parking garage at the same meeting,
15 because it was mentioned previously?
16 **PRESIDENT GERING:** No, we're not.
17 **MR. BALDERSON:** We're not, but you
18 allowed it.
19 **PRESIDENT GERING:** But you can make a
20 public comment, if you would like.
21 **MR. BALDERSON:** I will address -- I
22 would like to have the opportunity to address those
23 comments under committee report of parking.
24 **PRESIDENT GERING:** Fine.
25 **MR. BALDERSON:** Thank you.

1 *APRIL 2023 COUNCIL MEETING* 44
2 Are you going to be able to sit and
3 enjoy the river or are you going to have party music
4 from the hotel next to you as well? So I don't think
5 that's something that's been raised either to think
6 about.
7 And seeing how few parks we do have in
8 town, what's the best way we can utilize this, but also
9 be able use it for what it is, as a park? And I
10 recognize that there has been some plans to improve
11 public docks and other things like that, but at the
12 same time, too, looking at what we currently use our
13 parks for, whether it is having the library utilize
14 them, have Santa, you know, collect his letters, have a
15 place to hang out.
16 I think right now I am seeing my family
17 using parks in Solebury or in Lambertville more than
18 I'm seeing them used in New Hope. And so as we go
19 forward on this, I think that that's another impact for
20 the Council to consider is what's the liveability, but
21 the accessibility, the sustainability, and the impact
22 for residents who want to use the park?
23 Thank you.
24 **PRESIDENT GERING:** Thank you.
25 Yes.

1 *APRIL 2023 COUNCIL MEETING* 45
2 **MR. WILLIAMSON:** My name is Fred
3 Williamson. I sat on Council for --
4 **PRESIDENT GERING:** And your address
5 please?
6 **MR. WILLIAMSON:** I'm sorry?
7 **PRESIDENT GERING:** Address?
8 **MR. WILLIAMSON:** 103 Hilltop Road.
9 I sat on Council for eight years. In
10 that eight years -- Joe has sat on Council longer than
11 that. I think Duffy has probably sat on Council even
12 longer than that.
13 I look behind me, and I am very, very
14 concerned. Why do you have such an incredible high
15 police presence here? Do you think your safety is at
16 risk in New Hope, Pennsylvania, seriously?
17 **PRESIDENT GERING:** They knew you were
18 coming.
19 **MAYOR KELLER:** I can answer that. We
20 have an officer promotion coming up after all that.
21 **MR. BALDERSON:** I'll take him home.
22 I'll take him home.
23 **MR. WILLIAMSON:** You know, I wish that
24 had been stated earlier, because I don't think anyone
25 here knew that there was going to be a police presence.

1 *APRIL 2023 COUNCIL MEETING* 47
2 of their meetings.
3 **PRESIDENT GERING:** After the meeting,
4 I'm happy to talk to you.
5 **MR. RHOADES:** Okay.
6 **PRESIDENT GERING:** Okay. Thank you.
7 **MR. RHOADES:** All right. Sure.
8 **PRESIDENT GERING:** All right. With
9 that, we're going to move on.
10 Larry, you're next.
11 Maybe we should have this many police
12 officers for every meeting.
13 **MAYOR KELLER:** I was going to bring up
14 the fish on the canal as well, but I'll join you,
15 Connie, after the meeting is over and speak to Don.
16 So, Fred, you can relax. Normally --
17 **MR. WILLIAMSON:** I feel very comfortable
18 now.
19 **MAYOR KELLER:** I would hope so. Almost
20 the entire department is here, and some other officers
21 from Lambertville I know.
22 So I guess I'll start with the fact
23 that, basically, we used to have -- it's changed a few
24 times. At one point, we had two corporals and a
25 detective, and then it got morphed into having a

1 *APRIL 2023 COUNCIL MEETING* 46
2 I think there were people concerned. Okay. That's
3 all.
4 **PRESIDENT GERING:** Thank you. All
5 right.
6 Last comment, because we're going to
7 move on.
8 **MR. RHOADES:** Don Rhoades, West Ferry
9 Street.
10 I would like to thank the Council for
11 moving so quickly on the rock fall mitigation issue,
12 and I would like to ask if you can move as quickly
13 regarding the canal, and the lack of water, and the
14 massive fish dieoff that occurred. I have been trying
15 to get answers for this for months.
16 **PRESIDENT GERING:** I'm going to stop you
17 for a second. After the meeting, I'm more than happy
18 to fill you in on that one. I was one of the founding
19 members in New Hope for our Canal, and we paid for the
20 water to be pumped for 12 years. I would be happy to
21 give you information on that.
22 **MR. RHOADES:** Yes.
23 **PRESIDENT GERING:** It runs through the
24 Friends of the Canal, so it's really --
25 **MR. RHOADES:** I know. I've gone to one

1 *APRIL 2023 COUNCIL MEETING* 48
2 sergeant, two corporals.
3 And then from there we had three
4 corporals, and since -- during the last five, seven
5 years, ten years, we have had two corporals resign, and
6 we also had a sergeant also retire, not really resign,
7 but retire.
8 And so we have been going along with two
9 corporals, and it became evident to the Chief that it
10 was time to get -- we need to have three supervisors to
11 cover the different shifts, and be out there for the
12 younger guys that have become part of this department.
13 So some months ago, we had asked Council
14 to authorize the civil service commission to begin the
15 process of hiring that third corporal, and they gave
16 Chief permission.
17 And civil service then sent letters out,
18 as they always do, to any officers that are eligible
19 for it, and then you have to take an oral and written
20 test. Those results are then presented to the civil
21 service commission.
22 And after that, the civil service
23 commission then, basically, gives their approval that
24 all of the testing was done properly, and they have now
25 certified the test results, and so that the officer

1 *APRIL 2023 COUNCIL MEETING* 49
2 that was successful is Officer James Giovinazzo.
3 **CORPORAL GIOVINAZZO:** Nice too see you.
4 **MAYOR KELLER:** And, Fred, I hope you're
5 as excited he is here. He's one of the 30 officers
6 back there. No.
7 So Officer Giovinazzo has been with us
8 for almost seven years, went to West Chester, got his
9 BA in criminal justice, and then he went to the
10 Montgomery County Academy to get his Act 120, and here
11 he's a field training officer here in New Hope, and he
12 also heads the OC, which I certainly am not going to
13 pronounce it, but it's a pepper spray instructor, as
14 well as a taser structure.
15 So, additionally, he's a member of the
16 Central Bucks Forensic Unit, where he participates in
17 forensic evidence recovery of major crime scenes that
18 occur within 20 municipalities, which is great.
19 And it's one of the things that Chief
20 has brought to this department, which I really admire.
21 We have, I think, a member of SWAT, and we have blended
22 in more with the other opportunities that exist in the
23 county as well. So we're part of a bigger family, as
24 well as a small family of this department.
25 So I, along with Chief, would like to

1 *APRIL 2023 COUNCIL MEETING* 51
2 **CORPORAL GIOVINAZZO:** The Constitution
3 of the United States.
4 **MAYOR KELLER:** And the Constitution of
5 this Commonwealth.
6 **CORPORAL GIOVINAZZO:** And Constitution
7 of the Commonwealth.
8 **MAYOR KELLER:** And I will discharge.
9 **CORPORAL GIOVINAZZO:** And I will
10 discharge.
11 **MAYOR KELLER:** The duties of this office
12 with fidelity.
13 **CORPORAL GIOVINAZZO:** The duties of this
14 office with fidelity.
15 **MAYOR KELLER:** I acknowledge that I will
16 uphold, obey and enforce.
17 **CORPORAL GIOVINAZZO:** I acknowledge that
18 I will uphold, obey and enforce.
19 **MAYOR KELLER:** The law without
20 consideration.
21 **CORPORAL GIOVINAZZO:** The law without
22 consideration.
23 **MAYOR KELLER:** To a person's race,
24 color, sex.
25 **CORPORAL GIOVINAZZO:** To a person's

1 *APRIL 2023 COUNCIL MEETING* 50
2 recommend that this Council would consider promoting
3 officer Giovinazzo from the regular officer to a
4 Corporal. So I ask for that vote.
5 **MS. MCHUGH:** Yes, I'll make a motion.
6 **MR. MEYER:** I make that motion.
7 **MS. RETTIG:** Second.
8 **PRESIDENT GERING:** There's a second.
9 Any questions?
10 All in favor?
11 **THE BOARD:** Aye.
12 **PRESIDENT GERING:** Congratulations.
13 **MAYOR KELLER:** Officer Giovinazzo, if
14 you would come up with Carly? I don't mean Simon.
15 I, James Giovinazzo.
16 **CORPORAL GIOVINAZZO:** I, James
17 Giovinazzo.
18 **MAYOR KELLER:** Do solemnly swear.
19 **CORPORAL GIOVINAZZO:** Do solemnly swear.
20 **MAYOR KELLER:** That I will support, obey
21 and defend.
22 **CORPORAL GIOVINAZZO:** That I will
23 support, obey and defend.
24 **MAYOR KELLER:** The Constitution of the
25 United States.

1 *APRIL 2023 COUNCIL MEETING* 52
2 race, color, sex.
3 **MAYOR KELLER:** Religious creed.
4 **CORPORAL GIOVINAZZO:** Religious creed.
5 **MAYOR KELLER:** Sexual orientation.
6 **CORPORAL GIOVINAZZO:** Sexual
7 orientation.
8 **MAYOR KELLER:** Age.
9 **CORPORAL GIOVINAZZO:** Age.
10 **MAYOR KELLER:** National origin.
11 **CORPORAL GIOVINAZZO:** National origin.
12 **MAYOR KELLER:** Ancestry.
13 **CORPORAL GIOVINAZZO:** Ancestry.
14 **MAYOR KELLER:** Handicap.
15 **CORPORAL GIOVINAZZO:** Handicap.
16 **MAYOR KELLER:** Or disability.
17 **CORPORAL GIOVINAZZO:** Or disability.
18 **MAYOR KELLER:** This is a moral
19 obligation.
20 **CORPORAL GIOVINAZZO:** This is a moral
21 obligation.
22 **MAYOR KELLER:** To the public I serve.
23 **CORPORAL GIOVINAZZO:** To the public I
24 serve.
25 **MAYOR KELLER:** For which I will be held

2 accountable.

3 CORPORAL GIOVINAZZO: For which I will
4 be held accountable.

5 MAYOR KELLER: I now present to you
6 Corporal James Giovinazzo.

7 That's it.

8 PRESIDENT GERING: All right. So we can
9 move along here, guys.

10 Next on the agenda is a certificate -- I
11 need a motion for a certificate of appropriateness for
12 22 South Main Street for renovations and construction.

13 MS. MCHUGH: I'll make that motion.

14 PRESIDENT GERING: Do I have a second?

15 MR. MAISEL: Second.

16 PRESIDENT GERING: Do we have anyone
17 here for 22 -- oh, Mr. VanLuvanee.

18 MR. VanLUVANEE: Nice to see you, all.

19 PRESIDENT GERING: Good evening.

20 MR. VanLUVANEE: I don't know how much
21 background you need. You have a lot of things on the
22 agenda tonight. So I don't want to go beyond what you
23 need to hear.

24 You know the -- some of you know the
25 lengthy history on this property, but more recently,

2 about potential zoning issues and/or building code
3 issues, all of which are customarily made conditions of
4 approval, and were beyond the scope of HARB's
5 jurisdiction and --

6 PRESIDENT GERING: I'm sorry. I'm
7 having trouble hearing you.

8 MR. VanLUVANEE: Short of swallowing
9 it --

10 PRESIDENT GERING: Much better. So glad
11 my hearing hasn't gone.

12 MR. VanLUVANEE: No, your hearing hasn't
13 gone. I guess I'll just lean down a little bit.

14 what I said is that the application
15 before you is for a certificate of appropriateness.
16 This is not for a zoning permit. It's not for a
17 building permit. It's not for a code variation.

18 All of the matters that were within
19 HARB's jurisdiction were covered by the plans that we
20 submitted, and your certificate of appropriateness, in
21 my opinion, is in compliance with all applicable HARB
22 requirements.

23 It is your normal practice, and I
24 reviewed several of the certificates my clients
25 obtained, to make a certificate of appropriateness

2 Mr. Panzica resubmitted to HARB the same plans that had
3 been approved in 2018. He went through several HARB
4 meetings, the last October 4th.

5 At the meeting, HARB recommended by a
6 vote of four to one the issuance of a certificate
7 appropriateness. They had several conditions at that
8 time that they wanted fulfilled, including changing the
9 building materials on the Main Street side of the
10 building, the wood materials.

11 We decided, rather than come to HARB
12 before we had a conditional recommendation, we would
13 address the issues. Mr. Panzica hired John
14 Wolsterholme to assist him in addressing the HARB
15 conditions.

16 On April 4th, we went back to the HARB
17 meeting, and at that time we again received, at that
18 time, a vote of four to one for approval of the plans,
19 which Mr. Wolsterholme's firm had developed for the
20 facility.

21 We have -- John can show you the
22 building plans, if you need to see them, where he's
23 prepared to address any issues, as am I, that relate to
24 matters within the jurisdiction of HARB.

25 There were several questions raised

2 conditioned upon receipt of all necessary zoning and
3 building permits prior to commencement of construction.

4 For that reason, in this case, because
5 there will also be zoning permits, we have to obtain
6 regulatory approvals to raise the building. I think
7 you all know that, and for that reason I'm going to ask
8 that you consider approving this certificate
9 appropriateness, subject to the condition or perhaps
10 with the understanding that the 18-month period would
11 run from the date zoning and building permits can be
12 issued, in other words, that the actual approval to
13 start construction of these improvements can commence.

14 That was one of the problems before.
15 The 18-month time period runs out before you can get
16 your approvals. You'll recall you did that in
17 connection with a recent approval for the Cintra
18 certificate of appropriateness. I'm asking you give
19 the same consideration to this application.

20 PRESIDENT GERING: Did I hear you
21 correctly that they have not gotten zoning relief for
22 raising the building?

23 MR. VanLUVANEE: No, you didn't hear --
24 there's nothing about that, other than what these
25 plans -- these plans provide for raising the building.

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2 **PRESIDENT GERING:** And the question was,

3 was that approved or not?

4 **MR. VanLUVANEE:** That's not an issue for

5 HARB to consider.

6 **PRESIDENT GERING:** All right. Thank

7 you. I just wanted to make sure I heard you correctly.

8 **MR. VanLUVANEE:** You heard me correctly.

9 Yes, I don't believe that's within your jurisdiction.

10 **MR. DOUGHERTY:** Hi. How are you?

11 Listen, I don't know if you've been

12 involved in these before, but for the last four or five

13 years, I'm looking here at this chart that purports to

14 show -- this is the chart that shows the before and

15 after, I suppose. I guess.

16 We have just heard from a number of

17 constituents, a great number of constituents about the

18 scale of things, and the impact of things that they

19 have, when things are going to increase in size.

20 Now, what we have asked for, for at

21 least last four years, from HARB applicants is to

22 provide this Council with a perspective with points of

23 view that a person, that an individual -- after all,

24 it's people walking on the sidewalk that experience our

25 town. They're not from outer space. They're not

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2 that information. It's not required in the submission,

3 and in my view, it may not even be within your

4 jurisdiction.

5 We have met all of the applicable

6 requirements. If we meet the zoning requirements and

7 any other code issues that may come up during code

8 review, we're entitled to build. It's as simple as

9 that. You don't have the power -- you don't have the

10 power to be the aesthetic guys. There are --

11 **MR. DOUGHERTY:** The size of the

12 building, and the mass of the building is certainly

13 part of the impact in the Historic District. It is

14 certainly the size and the impact, and changing the

15 shape of the building from the building that it is

16 today to a differently designed shape, which is what

17 this does, is also an architectural view. Those are

18 two things off the top of my head that we do have the

19 right to --

20 **MR. VanLUVANEE:** And may I remind you

21 that Council --

22 **MR. DOUGHERTY:** You're changing the size

23 of the building, the facades of the building, the mass

24 of the building, and the shape of the building. Those

25 are architectural things. We do have the right to

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2 flying over in a balloon or anything.

3 This -- I don't have anything here,

4 despite the fact that this property facade and size is

5 increasing dramatically, to tell me what that's going

6 to feel like to people on the street.

7 I have a diagram here of sort of a --

8 the current state, which shows it to be about two and a

9 half stories, call it, and then down here there's the

10 picture of what, I guess, is the proposal that shows it

11 to be about three and a half stories tall and wider,

12 and also some other stuff going on.

13 What's not here, unless I missed it, is

14 what this is going to look like to the people who live

15 here, and to people who visit our town. And this has

16 been something that this Council has asked for probably

17 20 times in the last -- more than that. Is it more

18 than that?

19 And, yet, it's still not in the package,

20 which I have to presume is because, either you don't

21 think that that's important or you don't want us to

22 know what it's going to look like to people who walk

23 past it.

24 **MR. VanLUVANEE:** Let me state that --

25 let me state that differently. HARB never requested

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2 decide on such things.

3 **MR. VanLUVANEE:** There's no argument.

4 May I remind you this Council issued a certificate of

5 appropriateness for this same building plan --

6 **MR. DOUGHERTY:** which has expired or is

7 that still extinct?

8 **MR. VanLUVANEE:** No, it expired.

9 **MR. DOUGHERTY:** It is expired, so it's

10 not longer valid, correct?

11 **MR. VanLUVANEE:** There's no question

12 about that.

13 **MR. DOUGHERTY:** Correct.

14 **MR. VanLUVANEE:** However, your rules,

15 regulations and guidelines have not changed. So I

16 venture to say that if it's the same plan -- HARB

17 tweaked it. We made the changes. Council recommended

18 in 2018 -- we brought the plan back. We went through

19 several HARB meetings.

20 HARB asked for several minor adjustments

21 to the plan. They asked us to change the view from the

22 front. The plan is in full compliance with zoning,

23 with respect to height.

24 **MR. DOUGHERTY:** I can't, in good

25 conscience, vote in a positive to issue a -- to approve

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2 a certificate of appropriateness if I can't tell the
3 impact that this is going to have on the streetscape,
4 and I can't tell that, despite what has to be three --
5 almost an inch of paper here.

6 I still cannot tell what this is going
7 to look like when I stand across the street, and look
8 at the building, and how it relates to the other
9 buildings. And this is about the 30th time we have
10 described this to applicants. So you can't be --
11 you're either oblivious or you're uninformed.

12 **MR. VanLUVANEE:** Maybe your HARB is
13 uninformed, if that's the case, because it would seem
14 to me that if it was part of your guidelines, they
15 would have requested it.

16 We gave them all four elevations. Each
17 one of those elevations was reviewed. You're asking us
18 to comply with a standard that doesn't exist,
19 Mr. Dougherty, and that's very difficult for an
20 applicant to do.

21 **PRESIDENT GERING:** Mr. VanLuvanee, if I
22 heard you correctly -- and please correct me -- did I
23 hear you correctly say you did not go to zoning and get
24 height relief, and yet you're asking us to approve a
25 building? Is that what I you heard you tell us?

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2 Main Street.

3 HARB took that plan under review, asked
4 a series of questions about the ramp itself, did not
5 address issues of the approval, in other words, what
6 the applicant would require -- be required to go
7 through in order to receive approval of the ramp.

8 They addressed only issues of
9 appropriateness of the design and look of the ramp, but
10 not the functionality or measurements, things of that
11 nature. Their sole focus appeared to be whether or not
12 the ramp would appropriately allow access from the
13 front sidewalk area to the front door of the building.

14 **PRESIDENT GERING:** Thank you.

15 **MR. LABRUM:** And upon that review, they
16 made a recommendation for approval of the certificate
17 of appropriateness for -- that included the ramp, but
18 that would be subject to the applicant obtaining all
19 necessary approvals.

20 **PRESIDENT GERING:** Thank you.

21 **MR. DOUGHERTY:** So if -- can I ask a
22 question?

23 **PRESIDENT GERING:** Sure, please.

24 **MR. DOUGHERTY:** Currently, there is no
25 certificate of appropriateness that's valid in any way,

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2 **MR. VanLUVANEE:** No, I'm not asking
3 that. I said, we have an obligation to comply with all
4 of your zoning regulations.

5 **PRESIDENT GERING:** And did you get
6 zoning relief for the height?

7 **MR. VanLUVANEE:** Yes, we have.

8 **PRESIDENT GERING:** Okay. That's all I
9 needed to know. You didn't answer my question.

10 **MR. VanLUVANEE:** I assumed that was part
11 of your package, because that was part of the review.
12 That was gotten back in 2018 or '16, '18 or '16, and
13 reviewed again, reviewed again, correct.

14 **PRESIDENT GERING:** So zoning relief was
15 granted, then there are some other topics. You've got
16 the ramp in the front, my understanding is, you need to
17 get relief for.

18 Mark, can you chime in on this one
19 please?

20 **MR. LABRUM:** Following the october,
21 2022, HARB meeting, as Mr. VanLuvanee pointed out, the
22 applicant engaged Mr. Wolsterholme, who is here this
23 evening. And he provided or prepared and provided to
24 HARB a revised set of plans that for the first time
25 that showed a handicapped access ramp fronting on South

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2 shape or form relative to this property; is that true?

3 **MR. LABRUM:** That's correct.

4 **MR. DOUGHERTY:** So the fact one had been
5 previously issued -- how many years ago was that?

6 **MR. LABRUM:** The first one was issued in
7 2016.

8 **MR. DOUGHERTY:** So that was -- I wasn't
9 born yet, but so that was -- I wasn't on Council, and I
10 don't think, if I look around --

11 **PRESIDENT GERING:** I was here.

12 **MR. DOUGHERTY:** One of us was on
13 Council.

14 You were here in '16? Okay. I'm sorry.
15 But so then the next HARB approval --
16 that was '16, you said? Is that what you said?

17 **MR. LABRUM:** That's correct.

18 **MR. DOUGHERTY:** And there was another
19 HARB approval after that?

20 **MR. VanLUVANEE:** No.

21 **MR. PANZICA:** No. Yes, there was. I
22 came back here in 2016.

23 Dan, I'll explain it to you. Okay. We
24 came here in 2016. We got approval for it. Okay. I
25 purchased 20 South Main Street in 2017.

2 I was told by your zoning officer at the
3 time the path of least resistance is, let's get the
4 other building done first, because it's easier. I did
5 that.

6 When I finished the building in 2019, my
7 original plan was to live in 22 South Main Street.
8 Okay. We were going to do that over and move in, then
9 we bought next door.

10 In the meantime, then I said, we're not
11 going to live here. So I came back. I lowered the
12 building to a two-story building, okay, went for --

13 MR. DOUGHERTY: I'm sorry. So you --

14 MR. PANZICA: I lowered it to a two
15 story.

16 MR. DOUGHERTY: You changed it back to
17 two stories?

18 MR. PANZICA: Let me finish, right.

19 Okay. I came to your zoning officer,
20 who said -- it was the building that we were doing. We
21 were keeping the building the same as what it was. He
22 turned it into a -- what do they call that, when
23 there's too much money spent?

24 MR. VanLUVANEE: It's a substantial
25 improvement.

2 MR. PANZICA: So it's to scale.

3 MR. DOUGHERTY: -- this is the
4 three-story design that you're asking for approval
5 tonight.

6 MR. PANZICA: Yeah.

7 MR. VanLUVANEE: It is a three-story
8 design that we're asking for approval, that's correct.

9 MS. FEDER: John, can you put that image
10 up on the screen?

11 MR. DOUGHERTY: Mr. Panzica --

12 MR. PANZICA: And if you look at that
13 scale, that design is from a streetscape before you
14 approved the Ferry Market, which increased the scale of
15 and mass of Main Street.

16 MR. DOUGHERTY: Mr. Panzica, I am not
17 criticizing -- I mean, there's a lot of history here in
18 2016, 2017, 2019.

19 MR. PANZICA: It's ten years I've been
20 trying to get approvals, ten years.

21 MR. DOUGHERTY: Okay. Let me -- do you
22 want -- I'm just trying to tell you my perspective.
23 I'm being asked to approve a certificate of occupancy,
24 where there is currently not a certificate of
25 occupancy.

2 MR. PANZICA: He made a substantial
3 improvement. Okay. So I went by his guidance, and his
4 guidance was, listen, Larry, just go for historic, that
5 way you don't have to do -- it's a historic building,
6 we'll go to zoning, right, and get the approvals, that
7 you don't have to raise the floors. Your zoning denied
8 me for that.

9 MR. VanLUVANEE: Zoning hearing board.

10 MR. PANZICA: The zoning hearing board,
11 they denied me for keeping the floors the same height.
12 Now, if I'm going to raise the floors of the building,
13 I reassessed, because I have to -- you know, it's my
14 business also, and then I went back to the third story
15 design.

16 Now, when I went to the third story
17 design, I used the same exact story design.

18 MR. DOUGHERTY: which is what this is?

19 MR. PANZICA: What?

20 MR. DOUGHERTY: Three stories?

21 MR. PANZICA: Well, if you look at that,
22 that building that's designed is almost the exact same
23 height as 20 South Main Street.

24 MR. DOUGHERTY: I know, but I'm
25 saying --

2 MR. PANZICA: That's appropriateness.

3 MR. DOUGHERTY: I'm being asked to
4 approve -- me, personally, and the seven of us are
5 being asked to approve a certificate of appropriateness
6 that we -- that is new to us, and the last one that was
7 approved was perhaps seven years ago. I'm sorry.

8 MR. PANZICA: No, it wasn't seven.

9 MR. DOUGHERTY: 2016.

10 MR. PANZICA: No, the last one was --
11 the last three-story building --

12 MR. DOUGHERTY: That was a long time
13 ago, and to your point, a lot has changed since then.
14 There has been -- there's change across the street, the
15 mansion, the Logan, the Ferry Market. A lot of things
16 have changed.

17 I don't -- what I have said, and what I
18 say is -- and I, apparently, was told no by your
19 counsel, that I don't have the right to ask for this,
20 is that I can't -- I can't approve something if I don't
21 know what the impact of it is, and that's what my
22 statement was, and I can't tell you what the impact is
23 from what's been provided to me. That's all.

24 MR. VanLUVANEE: That's the right of the
25 Board.

2 MR. DOUGHERTY: And what is missing,
3 which has been brought to the attention of every
4 developer for the last four or five years is, there is
5 no -- see, if you're looking at that, can I ask you
6 where you would be standing to look at that right now?
7 Do you have any idea where you might have to be? You
8 would have to be about a block and a half out of town,
9 up on the hill.

10 MR. PANZICA: Can I go by perspective?

11 MR. DOUGHERTY: So what we need is
12 pictures, if you will, of what it would like look to
13 someone standing across the street, and how that would
14 relate to the mass of the other buildings. This --

15 MR. PANZICA: That kind of gives you
16 mass.

17 MR. DOUGHERTY: It doesn't. It doesn't.
18 We need it from the different perspectives that have
19 been laid out from north of the building, directly in
20 front of the building and south of the building.

21 MR. PANZICA: I would disagree with --

22 MR. DOUGHERTY: And the public
23 right-of-way from the bridge, which is a public
24 right-of-way. As well, there's no perspective of that
25 in this package, okay, of what this is going to look

2 MR. PANZICA: I don't think --

3 MR. VanLUVANEE: John Wolsterholme can
4 answer that.

5 MR. WOLSTERHOLME: The second floor
6 balcony that overlooks Main Street --

7 PRESIDENT GERING: Yes, that's the
8 question. The back deck, I don't care, but is there a
9 balcony on Main Street is where I'm questioning?

10 MR. WOLSTERHOLME: It's 107 square feet,
11 so just over. If we were to make it a square, it would
12 be ten by ten foot.

13 PRESIDENT GERING: Ten by ten foot? And
14 what was it in 2016? I thought it was much smaller.

15 MS. MCHUGH: Yeah, I did, too.

16 PRESIDENT GERING: Because that was a
17 hot ticket item in 2016 about even allowing it to be
18 there.

19 MR. WOLSTERHOLME: Okay. So I don't
20 recall the exact dimensions, what they were in 2016. I
21 know that from the HARB recommendation that they had
22 October of 2022, they were seeking to have the windows
23 reduced on the south side of the building, which we
24 have achieved, and they were seeking to have all wood
25 on the first floor.

2 like from the public right-of-way and the bridge.

3 That's not here, and that's what I'm
4 trying to basis basically judge these things on is what
5 it's going to look like to people walking on feet up
6 and down the street. That's not that hard.

7 MR. PANZICA: Dan, I disagree with what
8 you're saying. When you look at Main Street, just in
9 laymen's terms of what is on that street now -- you
10 guys walk that street every day, and when I did 20,
11 okay, I had to keep the size of my dormers, that you
12 forced me to -- I couldn't do anything with the front
13 of my building, because if you stood up on the hill on
14 Ferry Street, you'd be able to see those dormers, and
15 then you approved the Logan, which you don't even see
16 the dormers anymore from that spot.

17 So it's like -- it's starting to feel to
18 me that this is very personal. It's ten years. It's
19 ten years, and it's the same building that nothing has
20 changed in the guidelines to the height, to the mass,
21 and to where we were in 2016.

22 PRESIDENT GERING: I have a question.
23 You have a balcony on the front -- the side of the
24 building. Has that changed in dimensions from 2016?
25 What's the size? I couldn't tell from the drawings.

2 So for the entry door windows and
3 siding, they were the changes that we were making to
4 the plans, and to address HARB, which is why we got a
5 four-to-one recommendation at last week's meeting.

6 MR. VanLUVANEE: which was the same
7 recommendation for the October approval.

8 PRESIDENT GERING: But you didn't answer
9 the question. How did it change from 2016? It looks
10 like the size is increased drastically from that
11 drawing.

12 MR. VanLUVANEE: I can't answer that
13 either. I mean, Mr. Dougherty said the 2016 plan is
14 irrelevant.

15 PRESIDENT GERING: I'm sorry. I can't
16 hear you.

17 MR. VanLUVANEE: I said Mr. Dougherty
18 said the 2016 plan isn't relevant, and now you're
19 asking --

20 PRESIDENT GERING: well, the question
21 I'm going to -- the reason I'm asking, I was totally
22 opposed to that balcony in 2016, and now you're coming
23 in front of us with one that looks substantially
24 larger, you know, facing Main Street. That's why I'm
25 asking you.

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2 **MR. VanLUVANEE:** I think if you see the
3 architectural, you'll see that it is totally to scale
4 with front -- with the front the elevation to the
5 existing building.
6 **MR. PANZICA:** We didn't change anything
7 on the porch.
8 **PRESIDENT GERING:** That wasn't the
9 question.
10 **MR. VanLUVANEE:** Mr. Panzica answered
11 your question. Nothing has been changed.
12 **MR. DOUGHERTY:** So if -- you know,
13 pardon me, but it just seems when we probe the
14 question, we either get pushback, we're not allowed to
15 ask a question of you or we get -- we don't get a
16 direct answer.
17 I personally would like to see the 2016
18 COA, and have them compared and contrasted by our
19 staff, and we can talk about -- and I'd like to see a
20 perspective of what this looks like from the person
21 walking on the street.
22 Those are the two things that I would
23 need in order to consider approval. Without those, I
24 frankly -- with the size of this balcony thing -- we
25 just got told nothing has changed, but your architect,

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2 as one of those seven people on the new Board, do not
3 feel comfortable enough that I can understand and
4 validate for all these people in the room that care
5 about mass, and care about the impact on our small
6 village, that this isn't going to be just one more
7 problem in town. So that's how I feel.
8 **MR. VanLUVANEE:** John.
9 **MR. WOLSTERHOLME:** So, Mr. Dougherty, if
10 I may be able to speak to that a little bit? The width
11 of the building we are not changing from the existing
12 building that's there today.
13 **MR. DOUGHERTY:** The width of the
14 footprint, but the second floor of the building is
15 wider.
16 **MR. WOLSTERHOLME:** The width of the
17 second floor --
18 **MR. DOUGHERTY:** Right. So the footprint
19 is not get wider, but the second floor gets wider, and
20 a third story goes on. That certainly changes the mass
21 of the building, and it changes the width of the
22 building's look.
23 **MR. WOLSTERHOLME:** It does, and that's
24 what was presented to HARB, and they felt comfortable
25 with the overall proportions.

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2 which is behind you there, he says he wasn't here.
3 Were you the attorney at the time?
4 **MR. VanLUVANEE:** No.
5 **MR. DOUGHERTY:** No, so nobody knows.
6 **MR. VanLUVANEE:** I do have a copy, and I
7 know that the Borough does, because I filed a request
8 to get the copies of the plans. We had 2016 plans.
9 That's not an issue.
10 **MR. DOUGHERTY:** But nothing has changed,
11 according to you. So you don't need them. It's the
12 same ones, aren't they? I don't know what -- it seems
13 like there's a back-and-forth here.
14 **MR. VanLUVANEE:** The plans weren't
15 changed, except to comply with two comments Borough
16 Council had made back at the last time this plan was
17 before it. Council asked for two changes. They were
18 made on these plans. We took them to HARB. HARB then
19 requested additional changes and we made them.
20 **MR. DOUGHERTY:** And now you're before us
21 asking us to approve the HARB recommendation.
22 **MR. VanLUVANEE:** We are.
23 **MR. DOUGHERTY:** I'm saying, this is a
24 different group of people than the HARB. This is a
25 different group of people than seven years ago, that I,

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2 **MR. DOUGHERTY:** I have no doubt because
3 they voted four to one. We now have to basically
4 decide whether we feel comfortable.
5 **MR. WOLSTERHOLME:** Okay. And then,
6 also, I just wanted to add, even though the building is
7 being raised, we're still lower than the maximum height
8 permitted in this zoning district.
9 **MR. DOUGHERTY:** So that means you're not
10 asking for a zoning variance, which would have nothing
11 to do with us. So I agree with that point as well.
12 I still say I would need to know what
13 this building is going to look like from a person
14 walking through the town and walking through the
15 village, relative to the other structures nearby, and I
16 can't do that from this document. That's the crux of
17 it.
18 **MR. WOLSTERHOLME:** So I feel like the
19 building is portrayed on here, per your previous
20 requests that we have had. As far as the context, it's
21 not much different from the context, from the prior
22 architect's renderings that were submitted back in
23 2016.
24 **MR. DOUGHERTY:** Not much different?
25 **MR. WOLSTERHOLME:** As far as the

2 proportion and scale, it is not different.

3 MR. DOUGHERTY: It's not different at
4 all from the proportion and scale or -- please describe
5 what --

6 MR. WOLSTERHOLME: what I'm talking
7 proportion and scale, the front of this building is
8 consistent with the original application from 2016.
9 The building immediately to the left has been
10 unchanged, and the building immediately to the right
11 has been unchanged from that application you have.

12 MR. DOUGHERTY: well, I told you where
13 I'm coming from. That's all I can do. I can't -- I
14 would not be able to vote in favor of it without being
15 able to tell what it's going to look like to passersby.
16 That's where I'm at.

17 PRESIDENT GERING: Anyone else on
18 Council --

19 MR. PANZICA: Can I say something else?

20 PRESIDENT GERING: Sure. Go ahead.

21 MR. PANZICA: You guys talk about
22 proportion and scale. How about what this building
23 looks like now? I've been coming here for ten years,
24 ten years trying to get this building fixed. The
25 building is falling apart. It's an eyesore to the

2 personal.

3 MR. PANZICA: I'm not getting personal.
4 I'm giving you -- and, Connie, you were in on those
5 meetings, allegations of corruption that you guys were
6 taking free meals at the Salt House. Okay. Yeah, I
7 got it on tape. The guy said that he owns you guys.

8 PRESIDENT GERING: We're done,
9 Mr. Panzica. We're done.

10 MR. PANZICA: Vote. I'll go back with
11 him.

12 PRESIDENT GERING: We're done.
13 Any Council --

14 MS. FEDER: I had a question, Ken. I'm
15 sorry to put you on the spot. Was there any discussion
16 at the HARB meeting about the balcony?

17 PRESIDENT GERING: He wasn't there at
18 the HARB meeting, and Mark was at the HARB meeting.

19 MS. FEDER: Okay. Mark, would you be
20 able to just, really, what the discussion about the
21 balcony was?

22 MR. VanLUVANEE: My recollection, and
23 Mr. Wolsterholme can tell me whether his recollection
24 differs, is that there was absolutely no discussion
25 about the balcony.

2 whole community. It's an embarrassment to me and my
3 family.

4 You talk about -- everybody that's here
5 today, they talk about supporting the mom-and-pop
6 businesses in this community. Okay. I have been here
7 for ten years. I took a place where they used to do
8 drugs in the freaking back of the store and cleaned it
9 up.

10 Every kid -- I have put 350 kids that I
11 have employed for ten years, every one of them have
12 gone on to college. You know, I come here, and every
13 day -- every time I come here, I just get kicked around
14 by you guys.

15 I know you don't like me personally, and
16 that's fine. I don't care, because if you want to go
17 there, you know why you don't like me, okay, because I
18 told you what was going on when you was all -- when you
19 was at the Salt House, and I figured the other members
20 of the Council know about it, but ever since that, I've
21 been treated bad.

22 PRESIDENT GERING: Mr. Panzica, we're
23 going to stop right there.

24 MR. PANZICA: No, I'm not going to stop.

25 PRESIDENT GERING: No, you're getting

2 There was a comment made by one of the
3 HARB members, who commented about the balcony, but the
4 record indicates that the agreement was that that was
5 not within the jurisdiction of HARB. And the board
6 member, HARB member, who made the comment about his
7 concern about the balcony, also voted in favor of the
8 plans. That's all I'll say. The minutes will speak
9 for themselves when they're approved by HARB.

10 PRESIDENT GERING: I'm going to tell you
11 what -- go ahead, Tina.

12 MS. RETTIG: I have a question. So
13 there was a COA issued in 2016?

14 MR. VanLUVANEE: I think that was the
15 last. There were two different ones that were issued.

16 MS. RETTIG: So there were two different
17 COA's --

18 MR. VanLUVANEE: Right.

19 MS. RETTIG: -- that were different
20 councils than this Council had approved?

21 MR. VanLUVANEE: Different people on
22 Council. There's only one Council.

23 MS. RETTIG: Different people than this
24 Council. Yes, different people that are currently
25 sitting on this Council.

1 *APRIL 2023 COUNCIL MEETING* 81
2 If there were two different COA's issued
3 in the past, and nothing was done, what assurances do
4 we have that this COA something is going to get done?
5 why was nothing done on the prior COA's?
6 **MR. VanLUVANEE:** Mr. Panzica addressed
7 that, and I don't think we need to go into a lot more
8 detail.
9 **MR. PANZICA:** Because every time we get
10 an approval for something, they throw another hoop in
11 front of me. I was given the COA's and then told to
12 do -- I did exactly what I was told from your zoning
13 officer.
14 I had another building that I bought in
15 2016. Okay. I completed -- they told me to do that
16 building first. That building was completed and done.
17 Okay. Then when I went back to the building in 2018.
18 I said, let's try to fix the building without doing the
19 three story. Everybody was good with that.
20 Then, instead of doing what they
21 originally told me in 2016, that we'll go into the
22 building, and we'll use your -- whatever your building
23 violations against your -- what is it called --
24 substantial improvement numbers.
25 Okay. Then they didn't want to do that,

1 *APRIL 2023 COUNCIL MEETING* 83
2 **MR. PANZICA:** You give me that COA, I
3 will have construction started as soon as I have the
4 permits in my hand, and I'll go start the permits as
5 soon as the architect has construction drawings, which
6 should be what, about a month?
7 **MR. WOLSTERHOLME:** About a month.
8 **MR. PANZICA:** I'll have those submitted
9 to your zoning and your building, but I can guarantee
10 you, I'll have another three hoops thrown in front of
11 me, and my COA will expire, and I'll be back here in
12 three years from now.
13 **MR. WOLSTERHOLME:** So, Mr. Dougherty and
14 Chairwoman Gering, I did verify the previously approved
15 plans. The balcony front was 114 square feet. We're
16 actually reduced by seven square feet. So it's
17 actually smaller than the previously approved,
18 recommended for appropriateness, specific to the
19 balcony, so just to answer your question.
20 **MR. DOUGHERTY:** Thank you.
21 **MR. MEYER:** Thank you for that. Let me
22 ask a slightly different question. We have the current
23 proposal of a ramp.
24 **MR. WOLSTERHOLME:** Yes.
25 **MR. MEYER:** That ramp will, among other

1 *APRIL 2023 COUNCIL MEETING* 82
2 because you had a new zoning officer. He called it a
3 substantial improvement. He told me to go to zoning.
4 I went to zoning. Your zoning denied me. Now I had to
5 reconfigure the building again.
6 I went back. That's the 2018 plan.
7 That's where we are now. So I have been coming here
8 from 2018, and then two years of Covid, throw that into
9 the mix, because when -- during Covid I said, let me
10 just do the building over the way it is. I'll just fix
11 it up, put lipstick on the pig.
12 I was told we can't do nothing. I
13 called you up, and then in that period, at the time of
14 the Covid, the building was so bad on the north side
15 wall that it was collapsing, that I made an emergency
16 repair to the sill plate in the joist, because I didn't
17 want the building to fall down, because if the building
18 fell down, you would never let me do anything.
19 I have been trying to do this building
20 any way that you would allow it. Every time it's
21 something is thrown in my way, and I don't know if
22 you'll give me a COA tonight.
23 **MS. RETTIG:** The certificate of
24 appropriateness is from two other Councils that had
25 different people sitting on it. I want to know --

1 *APRIL 2023 COUNCIL MEETING* 84
2 things, potentially intrude on the sidewalk. There is
3 at least a potential that that ramp permit is going to
4 require approval from PennDOT that actually controls
5 the street, and, therefore, the street access, and the
6 side of street.
7 And I guess my question to you is,
8 Mr. Panzica, are you going to come back and blame us
9 for that?
10 **MR. PANZICA:** No.
11 **MR. MEYER:** Because you seem to be
12 blaming us.
13 **MR. PANZICA:** I'll say another thing.
14 If our ramp is approved, if you grant it through the
15 side of the building, I can -- my architect moved it to
16 the front because he needed it to be more friendly to
17 the disability -- to the members of the disability
18 community. I'll move it. I won't hold you
19 responsible, because worst comes to worst, I can move
20 the ramp back to the side of the building.
21 **MR. VanLUVANEE:** I'd like
22 Mr. Wolsterholme to explain the issues with the ramp,
23 just because he understands the requirements.
24 **MR. WOLSTERHOLME:** Okay. So we have
25 looked at the previous location that was presented at

2 the last recommendation for the certificate of
3 appropriateness, where the slip walkway was on the side
4 of the building.

5 The challenge with that is that a slip
6 walkway needs to be four foot in width. So there needs
7 to be relief, variance relief to state -- to garner
8 that.

9 So there's currently an existing
10 historical ornamental post on the corner of the
11 property, between the property to the south and to this
12 property, which stands four feet off of the face of the
13 building.

14 So given that prominence, this is not
15 protruding further into the sidewalk or the walkway
16 further than the existing the walkway. I do have some
17 photos. If you'd like to see those, I can bring those
18 up.

19 MR. MEYER: All right.

20 MR. VanLUVANEE: And I think, John, you
21 told me that the only place on this property where a
22 walk or a ramp or walkway or ramp way or walkway to
23 meet ADA requirements can be placed, without requiring
24 relief from ADA, regulatory agencies, is where we put
25 it in front of the building. That's the reason

2 MR. DOUGHERTY: So my question is,
3 what's happened in the past -- I know you would never
4 do this, but what's happened in the past is this type
5 of stuff is buried inside of something that's
6 unrelated.

7 Clearly, HARB has nothing to do with the
8 internal layout or the number of seats or the placement
9 of the HVAC or the placement of how many bathrooms or
10 whether or not there's sufficient parking for the new
11 number of seats or if these are different than the
12 existing seats or if there needs to be parking for this
13 new apartment you're putting in there, right? HARB has
14 nothing to do with that.

15 MR. VanLUVANEE: Correct.

16 MR. DOUGHERTY: Right? Everyone is
17 violent agreement with that, right? So I just want to
18 be on record that if when you folks go and try to get a
19 building permit or something like that, that -- or
20 zoning or something comes up, that this Council has
21 reviewed the exterior of the building.

22 But the fact that there's pieces of
23 paper in here that show there's all these different
24 seating arrangements, and a new apartment doesn't mean
25 that we're in any way, shape or form approving or even

2 Mr. Wolsterholme put it there.

3 Am I right, John?

4 MR. WOLSTERHOLME: That's correct. ANSI
5 A117.1 requires certain dimensional requirements, which
6 we presented to the HARB board about a week ago, and so
7 the ramp in the front meets ANSI requirements. The
8 sloped walkway on the side would require relief.

9 Would anybody on the Board like to see
10 the photos where existing railing is located?

11 MR. MAISEL: Do you have it handy?

12 MR. WOLSTERHOLME: I do.

13 MR. DOUGHERTY: Can I ask --

14 PRESIDENT GERING: Yeah, go ahead.

15 MR. DOUGHERTY: On an unrelated -- this
16 is just questions, right? In the packet -- I'm sorry.

17 - - -
18 (Discussion off the record.)

19 - - -
20 MR. DOUGHERTY: In the package that we
21 have for the certificate of appropriateness HARB
22 application, we have diagrams here of the internal
23 layout of this building. Okay. We didn't make them.
24 You gave them to us, these things.

25 MR. VanLUVANEE: Yes.

2 acknowledging that those things exist in this package.

3 MR. VanLUVANEE: I certainly agree with
4 that and I --

5 MR. DOUGHERTY: Well, you would be the
6 first attorney that would actually do that then,
7 because most of them then say, this was shown to HARB,
8 and HARB didn't say anything against it.

9 MR. VanLUVANEE: HARB was very clear
10 about the plans that they were approving.

11 MR. DOUGHERTY: Well, HARB can't approve
12 anything inside.

13 MR. VanLUVANEE: No, but I'm saying the
14 motion -- the motion that they passed two weeks ago was
15 very specific about the plans they were looking at.

16 MR. DOUGHERTY: But I'm saying --

17 MR. VanLUVANEE: Because they know --

18 MR. DOUGHERTY: I understand, but this
19 Council -- why is this stuff in the package? It's your
20 package. Why are, like, the layouts and all of the
21 seating arrangements inside of the restaurant and all
22 of that -- I mean, the next thing we know, this will be
23 turned into a full-blown restaurant, and this will be
24 part of the record that Council saw this, and we didn't
25 spot the fact that there's an extra 20 seats here or

1 *APRIL 2023 COUNCIL MEETING* 89
2 whatever.
3 **MR. WOLSTERHOLME:** We prepared the floor
4 plans to help --
5 **MR. DOUGHERTY:** Am I crazy?
6 **PRESIDENT GERING:** No.
7 **MS. MCHUGH:** That's right.
8 **MR. WOLSTERHOLME:** We prepared the floor
9 plans to help demonstrate having the accessibility come
10 in from the front, and also for our clients' benefit.
11 It was truly only for presenting it in that light. The
12 second floor apartment is actually a single family
13 apartment. It is not multiple tenants, and so --
14 **MR. DOUGHERTY:** What's on the third
15 floor?
16 **MR. WOLSTERHOLME:** It's the second floor
17 of the single apartment.
18 **MR. DOUGHERTY:** So the second and third
19 floor is an apartment, and the second floor is
20 currently an apartment, not that that has anything with
21 HARB. Now I understand.
22 **MR. WOLSTERHOLME:** Yeah, just wanted to
23 share, it was for when we were presenting to HARB, a
24 lot times questions come up that's, why do you need the
25 entrance on the front or why did --

1 *APRIL 2023 COUNCIL MEETING* 91
2 **MR. DOUGHERTY:** What did Peter say?
3 **PRESIDENT GERING:** He's abstaining.
4 **MR. DOUGHERTY:** Abstaining?
5 **MR. MEYER:** I can't abstain? All right.
6 Fine, in which case I will say aye.
7 **PRESIDENT GERING:** Okay. So it passes.
8 You got four votes.
9 **MR. VanLUVANEE:** Thank you.
10 **MR. WOLSTERHOLME:** Thank you very much.
11 **PRESIDENT GERING:** We're going to take a
12 five-minute stretch.
13 - - -
14 (Recess.)
15 - - -
16 **PRESIDENT GERING:** All right. Thank
17 you, everybody. Okay. I hope everybody had a good
18 break.
19 Next on the agenda is 104 West Bridge
20 Street for solar panels.
21 And you're representing yourself?
22 **MR. RHOADS:** My name is Jonathan
23 J-o-n-a-t-h-a-n. Rhoads is spelled R-h-o-a-d-s. With
24 me is Garrett Rhoads, G-a-r-r-e-t-t.
25 We are requesting authorization -- a

1 *APRIL 2023 COUNCIL MEETING* 90
2 **MR. DOUGHERTY:** Okay. Thank you. Thank
3 you. I just wanted to be clear about --
4 **MR. WOLSTERHOLME:** Sure.
5 **MR. DOUGHERTY:** -- what we're supposed
6 to be opining about.
7 **PRESIDENT GERING:** Any other questions
8 from Council?
9 Ken, you're okay?
10 Anyone else?
11 All right. We have a motion on the
12 table here.
13 All in favor?
14 **MR. MAISEL:** Aye.
15 **PRESIDENT GERING:** Dan?
16 **MR. DOUGHERTY:** Nay.
17 **PRESIDENT GERING:** Tina?
18 **MS. RETTIG:** Aye.
19 **MS. MCHUGH:** I have to say nay.
20 **PRESIDENT GERING:** Nay.
21 **MR. MEYER:** I'll say I abstain.
22 **PRESIDENT GERING:** Louise?
23 **MS. FEDER:** Aye.
24 **PRESIDENT GERING:** Okay. So what is
25 that?

1 *APRIL 2023 COUNCIL MEETING* 92
2 certificate of authorization for a lower profile
3 project. We would like to install solar panels in the
4 field.
5 It's really very far back from Bridge
6 Street. There is a small road that runs close by it,
7 and there's vegetation between where we want to put the
8 panels and that road, and we understand that there's
9 been a request for additional trees to be planted
10 there, which we're willing to do.
11 **PRESIDENT GERING:** All right. Before we
12 start, can I have a motion for a certificate of
13 approval for 104 West Bridge Street?
14 **MR. MEYER:** So moved.
15 **PRESIDENT GERING:** Second?
16 **MS. RETTIG:** I'll second that.
17 **PRESIDENT GERING:** Okay. Great. I am
18 going to speak openly. I am totally against solar
19 panels in the Historic District, but the fact that
20 yours are back in the field, and you're going to put
21 trees, you're changing my mind, because I feel that if
22 you live in a historic district, we don't need solar
23 panels, but what you're describing is a totally
24 different propose.
25 **MS. MCHUGH:** I agree with you, Connie.

1 *APRIL 2023 COUNCIL MEETING* 93
2 At first blush, I was like, as much as I love solar,
3 and I think it's fabulous, I just don't think it
4 belongs in the Historic District. But when I started
5 reading more into this, and I still have questions, I'm
6 starting to change my mind as well.
7 So dazzle us.
8 **GARRETT RHOADS:** Well, as you well know,
9 our family and the Borough has a 150-year-plus
10 relationship of getting along with people. Everyone in
11 our family is very concerned about climate change.
12 Half of my relatives drive EV's.
13 My uncle and aunt, Dr. George and
14 Frances Rhoads, wanted to put up these solar panels as
15 part of that initiative, and as you mentioned, and if
16 you can look at Google Maps or any map that you might
17 have, the proposed area for these solar panels is on
18 the north end of the open field that we have, which is
19 between our main house, and what used to be the old
20 mill, which now in our back porch, we get to look at a
21 retail development.
22 But in any case, I did take some
23 pictures and video, both from our side of the property
24 and from the entrance byway, which I will be happy to
25 e-mail to all of you later this evening.

1 *APRIL 2023 COUNCIL MEETING* 95
2 my only comment would be, why the heck are you making
3 one so small?
4 **GARRETT RHOADS:** Actually, it's ironic
5 you should say that. I suggested to the family to fill
6 in the fields, spin back the meter, and do a lot good
7 for the environment, but not everybody was in agreement
8 with that.
9 And I understand your point of view.
10 The panels, as proposed, will be about 150 yards from
11 the dead-end of Buttonwood Street. So, really, the
12 only resident that would be able to see them would be
13 the one resident on the east side of the north end of
14 Buttonwood Street, but we have a very cooperative and
15 friendly relationship with them. So I don't see that
16 being an issue.
17 **PRESIDENT GERING:** Great.
18 Ken, you had a question?
19 **MR. MAISEL:** Yeah, I have a couple of
20 questions.
21 I think what we're talking about are
22 specifically the --
23 **PRESIDENT GERING:** Ken, the microphone.
24 I can't hear you.
25 **MR. MAISEL:** My concern is that, you

1 *APRIL 2023 COUNCIL MEETING* 94
2 But we are hoping that you request our
3 certificate of appropriateness, so we might proceed
4 with zoning, and continue on this green initiative, and
5 my Uncle Jack and myself are here if you have any
6 questions to be answered.
7 **PRESIDENT GERING:** Thank you.
8 **MR. MEYER:** I have a quick question,
9 which is, what is the zoning requirement for that?
10 Because I did not -- from what I saw from the zoning
11 officer, that it was compliant with zoning. So I have
12 no -- I do not understand why you would ever have to go
13 to zoning for this.
14 **GARRETT RHOADS:** It was my understanding
15 that the process was to get a certificate of
16 appropriateness, and then go throughout the other
17 committees --
18 **MR. MEYER:** You have to get permits,
19 right. You have to get permits, which is different
20 than going before the zoning hearing board, but that's
21 fine.
22 **GARRETT RHOADS:** We are requesting a
23 certificate of appropriateness so that we may proceed
24 with the permits. Thank you.
25 **MR. MEYER:** Okay. Thank you. I guess

1 *APRIL 2023 COUNCIL MEETING* 96
2 know, what -- you have a friendly neighbor, who says
3 it's okay, and they might not be able see it, so it's
4 not that big of a deal.
5 what happens if somebody -- there's four
6 people involved, you know, and they're all cooperative.
7 Three are and one isn't. I mean, are we setting
8 precedent of allowing solar panels to be in the Borough
9 Historic District? You know, is that something that we
10 would want to be attached to?
11 **MR. DOUGHERTY:** You're asking not the
12 applicant?
13 **MR. MAISEL:** I'm asking --
14 **MS. FEDER:** So, Ken, the way that I
15 think about this is just like anybody in the Historic
16 District, who would want to put in a generator or an
17 air conditioning unit. We ask that they screen it,
18 right?
19 And as long as it's not visible from the
20 public right-of-way, if they are shielding it with
21 trees, which their design is an acceptable shield for
22 utilities, and if it's not dominating the view from the
23 right-of-way, then I think we're in the clear.
24 And, also, I think we have talked about
25 how every application that comes through the HARB

1 *APRIL 2023 COUNCIL MEETING* 97
2 process is not precedent setting.
3 Ken, you're nodding, so that's good.
4 So if we approve this, that doesn't mean
5 that we are, pro forma, approving every possible solar
6 array that comes before us through HARB.
7 And to speak to the specific
8 application, I think this makes a lot of sense. It's
9 not attached to a house. It's out in the field. It's
10 shielded by trees, and it's not visible, and it's a
11 great project.
12 **MR. MAISEL:** Thank you.
13 **PRESIDENT GERING:** Anyone else?
14 **MR. MAISEL:** One other comment that I
15 had. I don't know if it's any our business, but what
16 is this power being used for? Is it being sold? Is it
17 being used by -- is that a question that's reasonable
18 to ask?
19 **MR. DOUGHERTY:** If it's a commercial
20 operation, I think that that would be something, but
21 that's not --
22 **MR. RHOADS:** I believe that --
23 **MR. DOUGHERTY:** That has to do with the
24 architectural review board.
25 - - -

1 *APRIL 2023 COUNCIL MEETING* 99
2 **PRESIDENT GERING:** Okay. Thank you.
3 Any other questions?
4 All in favor?
5 **THE BOARD:** Aye.
6 **PRESIDENT GERING:** Good luck.
7 **MR. RHOADS:** Thank you.
8 **GARRETT RHOADS:** Thank you very much. I
9 know it's been a contentious evening. We appreciate
10 your time.
11 **PRESIDENT GERING:** Next on the agenda,
12 can I have a motion for a certificate of
13 appropriateness for 68 North Main Street?
14 **MS. MCHUGH:** I'll make that motion.
15 **PRESIDENT GERING:** Can I have a second?
16 **MS. FEDER:** I'll second.
17 **PRESIDENT GERING:** This is for the
18 construction of a deck on the river.
19 **MR. BRESSI:** How you doing? I'm Paul
20 Bressi, 68 North Main Street. And we just went through
21 zoning and HARB and now I'm here. This is the third
22 time I'm before you guys.
23 You know, we built an addition on our
24 home. I'm trying to keep it historically correct, and
25 renovated our garage and the back yard. So and now we

1 *APRIL 2023 COUNCIL MEETING* 98
2 (Discussion off the record.)
3 - - -
4 **MR. RHOADS:** Is your question what the
5 electricity is going to be used for?
6 **MR. MAISEL:** I was questioning whether I
7 could ask you that. I'm asking you --
8 **MR. DOUGHERTY:** I told him, no, that's
9 all right. You're free to answer.
10 **MR. MAISEL:** It's not that relevant.
11 It's fine. Thank you.
12 **MS. MCHUGH:** More curiosity.
13 **MR. MAISEL:** Yeah, it was curiosity.
14 **MR. RHOADS:** They have a totally
15 electric car, and this means that on -- when these
16 panels are installed, they will be able to power that
17 transportation totally with solar power and no
18 emissions.
19 In addition, it will power the -- during
20 the daytime, it will power the house, and probably a
21 couple other houses in the area.
22 **MR. MAISEL:** Thank you.
23 **GARRETT RHOADS:** If I may be specific,
24 those other houses are 104, 106 and 108 West Bridge
25 Street, all part of the same property.

1 *APRIL 2023 COUNCIL MEETING* 100
2 wants to put -- the last of the project we want to do
3 is put a deck, you know, midway down the river. We
4 already have had a dock down there and a boat, and to
5 just extend the yard out a little bit, and that's what
6 I'm requesting here tonight.
7 **PRESIDENT GERING:** Thank you.
8 Any questions from Council?
9 **MS. FEDER:** Just thank you for your
10 beautiful renderings. They were really great.
11 **MR. BRESSI:** Thank you. That was all
12 right.
13 **PRESIDENT GERING:** All in favor?
14 **THE BOARD:** Aye.
15 **PRESIDENT GERING:** Good luck with your
16 deck.
17 **MR. BRESSI:** Thank you very much.
18 **PRESIDENT GERING:** Next on the agenda is
19 a certificate of appropriateness for 28 West Bridge
20 Street. They are replacing the pavers in the rear
21 yard.
22 Hi there.
23 **MS. MANITTA:** Hi. Celeste Manitta,
24 C-e-l-e-s-t-e M-a-n-i-t-t-a.
25 **PRESIDENT GERING:** Can I have motion for

1 *APRIL 2023 COUNCIL MEETING* 101
2 approval?
3 **MR. MEYER:** So moved.
4 **PRESIDENT GERIG:** Second?
5 **MS. RETTIG:** I'll second.
6 **PRESIDENT GERIG:** This is the B&B
7 that's on Bridge Street next to Villa Vito's.
8 Anyone have questions from Council?
9 **MR. DOUGHERTY:** I'd just like to limit
10 what we do.
11 Relative to HARB -- so educate me on
12 this. The pavers that are -- are they in the ground?
13 I guess, arguably, it's an architectural detail.
14 **PRESIDENT GERIG:** HARB has control over
15 that.
16 **MR. DOUGHERTY:** Now -- well, all right.
17 I give up, but that's okay.
18 **PRESIDENT GERIG:** Anyone else?
19 All in favor?
20 **THE BOARD:** Aye.
21 **PRESIDENT GERIG:** Good luck with your
22 project.
23 **MS. MANITTA:** Thank you.
24 **PRESIDENT GERIG:** Next is a zoning
25 hearing board application for 180 West Bridge Street.

1 *APRIL 2023 COUNCIL MEETING* 103
2 **MS. FEDER:** I'll make that motion.
3 **PRESIDENT GERIG:** Second?
4 **MR. MAISEL:** Second.
5 **PRESIDENT GERIG:** All in favor?
6 **THE BOARD:** Aye.
7 **PRESIDENT GERIG:** Thank you for being
8 patient with us tonight. You just picked the wrong
9 night.
10 **MR. LIENBACH:** So if I may ask, some of
11 the school district folks are here. You're staying
12 neutral, which means --
13 **PRESIDENT GERIG:** We're not opposing
14 your application.
15 **MR. LIENBACH:** You're not opposed?
16 **PRESIDENT GERIG:** Yes.
17 **MR. LIENBACH:** okay. So we can proceed
18 with zoning?
19 **MR. MEYER:** You would be able to proceed
20 even if we opposed it. It's just that we would be
21 there opposing it.
22 **MS. FEDER:** Those are the two options.
23 We either send counsel to actively oppose it --
24 **MR. LIENBACH:** At the zoning hearing
25 board?

1 *APRIL 2023 COUNCIL MEETING* 102
2 This is for the school district.
3 **MS. MCHUGH:** That's a lot of paper.
4 **PRESIDENT GERIG:** We have packets. You
5 got more than what we got?
6 **MR. LIENBACH:** This is just to help you
7 walk through it quickly. No, I'm serious.
8 **MS. MCHUGH:** We usually don't take this.
9 **PRESIDENT GERIG:** That's okay. It's a
10 zoning hearing application --
11 **MR. LIENBACH:** You don't want it?
12 That's fine.
13 **PRESIDENT GERIG:** So on this case,
14 either we stay neutral or we oppose the application.
15 **MS. MCHUGH:** Can you reuse this?
16 **MR. LIENBACH:** I always reuse it. I
17 reuse everything.
18 **PRESIDENT GERIG:** All right. So,
19 Council, have you reviewed the request for the school
20 district going in front of the zoning hearing board?
21 Does anyone have questions?
22 Stay natural?
23 **MS. FEDER:** Yes.
24 **PRESIDENT GERIG:** Can we have a motion
25 to stay neutral?

1 *APRIL 2023 COUNCIL MEETING* 104
2 **MS. FEDER:** Right, or we stay neutral.
3 **MR. LIENBACH:** So now we go to the
4 zoning hearing board.
5 **PRESIDENT GERIG:** Thank you.
6 **MR. LIENBACH:** I'll get my packets back.
7 **PRESIDENT GERIG:** You're going to need
8 them for the zoning board.
9 **MR. LIENBACH:** That's fine. No problem.
10 Thank you.
11 **PRESIDENT GERIG:** Thank you.
12 Next, we have a zoning hearing board
13 application for 96 North Main Street. They're amending
14 their application from last month.
15 Mr. VanLuvanee.
16 **MR. VanLUVANEE:** I'm bringing the client
17 up in case. This is Mr. McGraw. I don't think you met
18 him at the last meeting.
19 **MS. MCHUGH:** Are you going to be nicer
20 this time?
21 **MR. VanLUVANEE:** We thought we owed you
22 that courtesy of appearing.
23 This is a -- you have a memorandum from
24 Mary, so I assume you know what the issue is. It's an
25 interpretation that arises out of ordinances you passed

2 in December amending some of the swimming pool
3 regulations.

4 Since that time, the McGraws retained
5 John Thomas from Lambertville to do the landscaping
6 plan. As you can see from the plan, it requires -- the
7 landscaping plan proposes to extend the rows of
8 arborvitae on both sides, extend the existing fence.

9 The fence then meets an existing glass
10 wall that is on top of the retaining wall. There's a
11 view of the retaining wall there, so you can get a
12 better idea of where the swimming pool is located.
13 It's all the way in the back of the lot, and there's
14 very little rear yard before you see that retaining
15 wall that's been built on the riverside.

16 So as a practical matter, there is no
17 impact at all on any adjoining property owners. The
18 objective of the ordinance, in our opinion, is met. We
19 intend to ask the zoning hearing board for an
20 interpretation of what adjacent or adjoining means in
21 the context of this ordinance.

22 What we're showing you in the center
23 photo at the bottom of the plan is what the current
24 view is. That would be the view. Essentially, a
25 little bit on the left-hand side of that picture would

2 away.

3 But where you have a view of the
4 Delaware River, to tell the property owner that you
5 have to put a fence, a solid barrier around there, and
6 landscaping around there, so you can't see the river is
7 something that I can't believe was your intent. If it
8 was, as I said in my application, I think you have an
9 unconstitutional ordinance, but that's not before you
10 tonight.

11 **MS. FEDER:** Mary, would you be able to
12 just summarize what you said in the memo about the
13 discrepancy?

14 **MS. STOVER:** Well, I mean, the language
15 in the ordinance was that you must provide the
16 screening along any adjacent properties -- on all
17 property lines along adjacent properties. So I guess
18 the question is whether or not that includes the
19 Delaware River.

20 When discussions were with the planning
21 commission, they did intend to have it mean the
22 Delaware River, but I don't know from the language
23 whether that's interpreted that way. So that's
24 something the zoning hearing board would have to
25 decide.

2 be the view of the swimming pool, so that you can see
3 that it would be effectively not visible from the
4 river. And there's no nobody on the river who is going
5 to see anything, but here certainly noise is not going
6 to be an issue. So if the --

7 **MS. MCHUGH:** Can you pick that up?

8 **MR. VanLUVANEE:** I'm sorry. Okay.

9 **MR. DOUGHERTY:** Is it fair to say, John,
10 that the ability for people to see or not see the
11 modifications has little to nothing to do with the
12 zoning application that you're making?

13 **MR. VanLUVANEE:** Well, no, it doesn't,
14 but it has to do with what your declaration of -- what
15 your intent is here, because, you know, I read all of
16 the minutes of all of the planning commission meetings
17 and Council meetings, when you discussed this, and from
18 my perspective, it started out as an effort to keep hot
19 tubs off of second floors.

20 We have a ground level, very small pool
21 that's being built here. I can't believe that the
22 intent of the ordinance was to require a property owner
23 to build a solid, opaque wall all the way around a
24 swimming pool, so that it may make sense if you have a
25 rear neighbor in your rear yard, you know, 20 feet

2 **MS. MCHUGH:** Yes, it does.

3 **PRESIDENT GERING:** Thank you.

4 **MS. MCHUGH:** I think we always voted
5 that the Delaware River counts as an adjacent property.
6 Yes, it does. That's why you can't have signs on
7 there.

8 **MR. DOUGHERTY:** Well, just looking at
9 the English, to say an adjacent property line -- is
10 that what it says? What do the words say?

11 **MR. VanLUVANEE:** Adjacent or adjoining
12 is what it says in your ordinance.

13 **MR. DOUGHERTY:** The property, to the
14 adjacent or adjoining property?

15 **MS. STOVER:** Along all property lines,
16 along adjacent properties.

17 **MR. DOUGHERTY:** So is the river a
18 property?

19 **MS. FEDER:** So it says property line and
20 it's still --

21 **MR. DOUGHERTY:** This sounds like it has
22 a property line at the end of it. So that's a given.

23 **MR. VanLUVANEE:** Everybody does.

24 **MR. DOUGHERTY:** The question is, on the
25 other side of that property line, that river that's

1 *APRIL 2023 COUNCIL MEETING* 113
2 it serious. I mean, this -- you know, we're here in
3 this town because we love this town. I guess, when
4 reading those e-mails, the things that I took the
5 biggest offense to was the fact that, you know, we're
6 investors, and we're here for the money. That's far
7 from the truth.
8 This is not an easy business. One, it's
9 one we love. We love the people. We love the people
10 that work for us here, and we love the community. So
11 I'm not looking to do -- and I want to address some of
12 their concerns. We discussed some options, just from
13 hearing the feedback from the e-mails. But traffic I
14 want to start with.
15 And I know, Ken and Louise, you live
16 close by, and traffic is an issue. But this genuinely,
17 genuinely, this project reduces the impact of traffic.
18 I know I said it, and I'm sincere about it.
19 I also hired a company recommended to
20 me. First time I used them, because I know everybody's
21 suspect of a businessperson, a developer, but I'm
22 telling you the truth, that that traffic study proves
23 that we have less of an impact.
24 What we're trying to do as a company --
25 and a lot comes from my experience being in town -- is

1 *APRIL 2023 COUNCIL MEETING* 115
2 first thought is Main Street. They envision it.
3 They've been there, and I think a lot of people move
4 here because of Main Street.
5 I know that they'll complain about the
6 traffic on Main Street, but I think it's a better
7 quality of life having all those businesses on Main
8 Street. So I will really feel that we're helping
9 traffic. More importantly, we're helping the
10 businesses also.
11 I know that there was talk -- and, Ken,
12 you live right there -- about truck noise and truck
13 deliveries. Our deliveries, our pickup of trash and
14 all of that is going to be done interior to the space.
15 It's designed so that the ground floor can handle the
16 truck height in order to do those deliveries.
17 So we're improving the noise situation
18 that's currently there. We have a system,
19 refrigerated. We do the compacting and the whole bit.
20 So we're not adding to the noise. We're really going
21 to detract.
22 Now, that road is also used for other
23 businesses. When they get deliveries, they park on
24 Randolph and make deliveries.
25 You know, our proposal -- and we'll have

1 *APRIL 2023 COUNCIL MEETING* 114
2 that we're not trying to throw out that big net on
3 Saturday and Sunday, and have more seats, and more
4 rooms, and more this, and more that.
5 We're trying to level the business, and
6 leveling the business so that you have a dining room
7 that is full on a Monday. You may not do the turns
8 that you're doing on a Saturday, but you're giving a
9 better quality offering, because no one is running
10 around like crazy.
11 And, you know, having the hotel rooms
12 helps that. Hotel rooms bring people in, and I know I
13 have gone through this before. You know, the quantity
14 of the rooms helps you meet a certain threshold.
15 When there was a study done by the
16 previous councils, and they brought somebody in about
17 business in New Hope, and how to bolster business, and
18 the Number 1 thing was hotel rooms, because it gives
19 business when you don't need it.
20 Saturday, everybody is doing great on a
21 beautiful, sunny Saturday. It's the Monday, Tuesday,
22 Wednesday, Thursdays that really matter. So, you know,
23 everybody that lives in New Hope, and if you think
24 about -- you know, if they tell somebody, I live in New
25 Hope, I think that person they're telling it to, their

1 *APRIL 2023 COUNCIL MEETING* 116
2 to go through planning and zoning -- is that there's no
3 parking on that street. There's official signs. You
4 know, right now there's some makeshift signs, and
5 there's that one parking space at the end.
6 I think, also, when you think about the
7 character of New Hope and what we're doing -- you know,
8 on that post on Facebook, somebody colored in this big
9 red 75-foot-tall building. If you go by it, what my
10 architect said, and I said, this is what's going to --
11 you know, this is what we're going to look at. Not
12 true. Tough to defend.
13 All of our plans that we submitted, full
14 on what it will be from Main Street without trees, from
15 20 feet high. We also have photographs that show what
16 it would be when you're looking at it from the
17 streetscape, and it's minimal.
18 But I think that New Hope's character is
19 more than the buildings on Main Street. I think New
20 Hope's character is more about the people, the fact
21 that it's so inclusive, the fact that it has a base in
22 art.
23 Not one person posted -- and this is
24 something that I'm proud of, and maybe I shouldn't be.
25 We're taking two of the homes that are on the property,

1 *APRIL 2023 COUNCIL MEETING* 117
2 and we're making them artists' residences.
3 I think that New Hope needs to not be a
4 place where, you know, there's art for sale, but should
5 be a place where there's artists, like it used to be.
6 So I think we're helping, you know, the character of
7 New Hope, or at least helping to preserve it, and maybe
8 launch it with bringing in some of emerging artists.
9 So, I mean, these are all things that I
10 guess maybe I took them a little bit too personally.
11 The massing of the issue, and I'm trying to hit those
12 items that Connie said. I think massing was important,
13 and the height.
14 I mean, we did lower the height from the
15 high building, because we had one side that's very
16 high. Everything else is in conformity. But the one
17 side that's by the PNC lot -- and PNC is the tallest
18 building in town, and we lowered that from the last
19 time we were here from 40 feet to 36-8. We took the
20 spire down from nine feet to four feet.
21 And you may say, why didn't you lower it
22 more? When we went into HARB, like, we did 12
23 iterations of this project. I'm not complaining. I
24 think it was a great exercise.
25 we got a lot of people involved. HARB

1 *APRIL 2023 COUNCIL MEETING* 119
2 it's different for us. We're not coming in here, we're
3 not building a bunch of homes, selling them and then
4 goodbye. We operate businesses in these buildings that
5 we build. We want to be part of the community. We try
6 to be part of the community all day long.
7 The last thing I want to do is to make
8 enemies out of the people that I hope are going to be
9 customers and friends, and the massing to me seems to
10 be something that bothers me the most, whether it's,
11 you know, presented right on Facebook with the red --
12 you know, no, but I can still say that it's something
13 that people are concerned about.
14 So if we could move this along
15 unopposed, I promise -- and you guys, obviously, would
16 have, working with zoning, that when we work on
17 reducing the number of rooms, which, obviously, would
18 reduce the massing. So that is my commitment, and I
19 hope, even though I'm a businessperson, and, you know,
20 I hope you believe me.
21 Obviously, you have control over it, but
22 I'm sincere in wanting not to piss people off and make
23 enemies. I'm looking to be part of the community, run
24 a business in the community. We're not sellers. You
25 know, hopefully, my daughter will be taking over.

1 *APRIL 2023 COUNCIL MEETING* 118
2 asked us to bring in an architect that consulted with
3 us that I had used before at the Vineland Inn, which
4 had some awards for historic.
5 And the interest, our original plan --
6 and I think I've showed many of you on the board -- was
7 a commercial looking building, an industrial building,
8 kind of similar to what you saw down by Odette's, had
9 the roof line that was all below the 35, but,
10 historically, we felt it wasn't appropriate.
11 We went through numerous incarnations,
12 copying buildings from, you know, the larger homes that
13 are on North Avenue, to then realizing that, you know,
14 we should copy some of the buildings. And copy is the
15 wrong word. Take inspiration from some of the
16 buildings that are on Bridge Street and Mechanic
17 Street, and we did, and Ferry street.
18 So they feel that there should be
19 diversity in roof height, and that's why you'll see --
20 I mean, I could come in with something that strictly
21 hits the 35, but has historic -- and I agree with them.
22 You know, you need to have some interesting roof lines,
23 and I think that was one of the biggest things why
24 people disliked our first submission.
25 I don't want -- you got to remember,

1 *APRIL 2023 COUNCIL MEETING* 120
2 We're in it for the long hall.
3 So the variances, I think, are extremely
4 thorough, and I'm appreciative that they are thorough,
5 you know, but you can't look at the quantity of
6 variances. I calculated about 29 existing are
7 variances, obviously, that we have to address now,
8 because it's a new project.
9 About change -- and I don't know, this
10 is something that I was going to say. It's not to be
11 spiteful, but some people are just so afraid of change,
12 and if you look at The Landing -- and Chris had taken
13 that 45 years ago and made a restaurant.
14 Prior to that, it was a heating and oil
15 truck depot. There's tanks in the ground that I still
16 have to remove. Nobody could argue that some change is
17 good. I mean, you can't stay in the same place all the
18 time. You have to be respectful of the past, and I
19 think we do that.
20 But you need to change, and business on
21 a whole evolves, just like towns evolve. I don't think
22 that staying stationary is smart for anybody. But some
23 people like to keep things the way they were, and I
24 think that is impossible. You just have to look at
25 change in the right way, and make the changes in the

2 right way, and that's it.

3 MS. FEDER: Mr. Cretella, just as part
4 of your presentation, while you are up there, can you
5 tell us what the changes are from the sketch plan
6 presented in the fall were to this?

7 MR. CRETELLA: Sure. So the height was
8 the biggest change that we made by lowering -- the
9 majority of the buildings are at 35 median height.
10 When you go into the end building, it used to be 40.
11 We dropped that to 36-8, and the spire used to be
12 nine feet.

13 So we were really going against what the
14 PNC building is, which is 48 feet or 49 feet tall. But
15 I agree, this -- but I would just like to keep the
16 variation in height, and if you look at the real street
17 view, across the street, you would see that it's not
18 bad. It doesn't tower over. The lower portion you
19 don't see at all.

20 MS. FEDER: So the only change is the
21 height?

22 MR. CRETELLA: So, no. So the other
23 thing is we looked at different ways of ensuring that
24 truck traffic was interior, to make sure that we can
25 make that commitment, that, A, trucks won't be backing

2 MR. CRETELLA: I missed first part of
3 that. I'm sorry.

4 MS. RETTIG: You say having it
5 interior --

6 MR. CRETELLA: So when a truck makes a
7 delivery right now, it's pulling down --

8 MS. RETTIG: It still has to come and
9 pull down Randolph Street, correct?

10 MR. CRETELLA: No, I'm not saying it
11 doesn't. What I'm saying is it pulls down Randolph
12 Street and pulls into the building. It pulls into the
13 structure, so noise is diminished. That's what I'm
14 saying.

15 MS. RETTIG: Right, but the truck is
16 still going down this tiny little street.

17 MR. CRETELLA: As it does today.

18 MS. RETTIG: For something that's small
19 right now.

20 MR. CRETELLA: So, actually, the
21 deliveries will be less, because the restaurant is
22 less. So the majority of your deliveries, your repeat
23 deliveries are -- you know, if your restaurant is
24 large, you need more deliveries. So your deliveries
25 will be less.

2 up down Randolph with that beep, beep, that trucks
3 could pull in, do their business, and pull out the same
4 way.

5 Trucks are going down Randolph now to
6 service The Landing. It's just having it interior is
7 just going to eliminate the noise and the issues.

8 I don't know if -- Paul, what are the
9 other changes?

10 MR. COHEN: I believe that they're --
11 not that it's not necessarily directly relevant. I
12 think the plan shows some change in the seating,
13 correct? The latest plans.

14 And in response to the first round of
15 the comments by the zoning officer, some additional
16 screening was added to the second level patio, where
17 there's the outdoor seating and the pool, to provide
18 some screening in compliance with or to be closer in
19 compliance with the pool ordinance.

20 MS. RETTIG: Mr. Cretella, excuse me.

21 MR. CRETELLA: Sure.

22 MS. RETTIG: When you say having it
23 interior, please explain what you mean by that.
24 Because from what I'm staring at, the only street
25 access is Randolph Street.

2 You still have linen that gets delivered
3 in a restaurant setting. Now that delivery will also
4 include bed sheets and the whole bit. The hotel
5 doesn't really require truck traffic.

6 After it's built, and you bring in your
7 furniture, it's very little truck traffic, and very
8 little refuse is generated. The restaurants are what
9 creates truck traffic, garbage, that kind of thing.

10 PRESIDENT GERING: Go ahead, Dan.

11 MR. DOUGHERTY: Mr. Cretella, so if I'm
12 hearing correctly, it sounds like there would be a
13 traffic study, and we -- and the traffic study, in your
14 estimation, is going to indicate that traffic will be
15 reduced from the current state.

16 Also, from what you're saying, based on
17 your business experience, the amount of truck
18 deliveries, the deliveries, the trucks going in and
19 out, relative to the current state, will also be
20 reduced. That's what you're saying?

21 MR. CRETELLA: Absolutely.

22 MR. DOUGHERTY: You know, I think zoning
23 is going to have to know the impact aspect of this, is
24 what people are concerned about, two things, the trucks
25 and the traffic.

1 *APRIL 2023 COUNCIL MEETING* 125
2 **MR. CRETELLA:** Uh-huh.
3 **MR. DOUGHERTY:** So if both of those are
4 reduced, that's a wonderful thing. It's a great thing
5 for town, and whatever is going to go in there.
6 How can -- from a zoning -- would your
7 Landmark or your organization be willing to put
8 parameters, fairly strict parameters -- before I
9 forget, I also want to talk about parking -- the pocket
10 park.
11 But strict parameters around the
12 delivery times and that, such things, so that --
13 because I know there's issues whereby, you know, you're
14 allowed to deliver from 7:00 a.m. I don't know the
15 answer, but 7:00 a.m. to 7:00 p.m.
16 would your organization be willing to
17 restrict your deliveries to a time period that would be
18 later in the day, not certainly -- 10 o'clock say, so
19 that the trash isn't being removed.
20 Currently, there is no restriction, I
21 would imagine, on The Landing's trash trucks, nor is
22 there delivery restrictions on when their Cisco truck
23 rolls through.
24 **MR. CRETELLA:** So --
25 **MR. DOUGHERTY:** Is that true?

1 *APRIL 2023 COUNCIL MEETING* 127
2 there's less delivery trucks, and then there -- under
3 the current state, and that the time windows on those
4 things would be happening would also be restricted over
5 the current state, all positive things.
6 Now, I've also heard some stuff from
7 people. At least one person mentioned the pocket park,
8 and the impact on the pocket park. Now, the pocket
9 park is probably nine feet by 12 feet, that particular
10 pocket park. I'm making those numbers up, but it's
11 tiny.
12 **MS. FEDER:** It's tiny.
13 **MR. DOUGHERTY:** It's very tiny.
14 Is that about right, nine by 12 feet?
15 Probably illegal to put a bathroom in a space that big.
16 But would The Landmark be willing to -- I mean, to
17 either -- I don't know, to relocate it or do something
18 to ameliorate the issue that that park -- it sounds
19 like there would be less traffic less often and all
20 that stuff.
21 But the difference is that your cars,
22 okay, the cars visiting The Landing -- the people
23 visiting The Landing are going by car. So there will
24 be traffic for hotel stayers, and that traffic is going
25 to come down Randolph, and that's going to make that

1 *APRIL 2023 COUNCIL MEETING* 126
2 **MR. CRETELLA:** So in some cases, we do
3 have restrictions, especially with the refuse removal.
4 **MR. DOUGHERTY:** On The Landing?
5 **MR. CRETELLA:** Right now we have it at
6 the Logan Inn.
7 **MR. DOUGHERTY:** But not at The Landing?
8 **MR. CRETELLA:** Not on The Landing yet.
9 We inherited -- there's actually two trash companies
10 that we inherited from The Landing. They wanted to
11 get -- you know, they had smaller containers. We'll
12 change.
13 Obviously, we're going to refrigeration.
14 We're going to compacting, so we'll reduce the numbers,
15 but there it's especially bad because of the dual trash
16 companies. I don't know how that happened. All I know
17 is that's what we --
18 **MR. DOUGHERTY:** So you're saying that
19 the existing state has no restrictions at The Landing,
20 as far as delivery times or trash collection times, and
21 then is that something that you would be willing --
22 **MR. CRETELLA:** Absolutely.
23 **MR. DOUGHERTY:** -- to accept on the new
24 state, on the new -- the second thing, so if there's --
25 if you can demonstrate there's less traffic, and

1 *APRIL 2023 COUNCIL MEETING* 128
2 pocket park a little less viable.
3 And I think I've heard people say that
4 that park is important to them, and I think that
5 something has got to be done there. That, to me, is
6 the only outlying piece to me.
7 **MR. CRETELLA:** No, Dan.
8 **MR. DOUGHERTY:** In terms of --
9 **MR. CRETELLA:** I agree with you. I was
10 down there today with a couple of our people and Scott
11 Kelly, and we actually -- Scott was like, you got to
12 check out this park and the views. It's beautiful.
13 The park needs work, that I'll admit.
14 So we had originally, in our proposal,
15 planned on renovating that park, and creating the
16 stairs that when went down to the public dock that we
17 want to create, and that public dock also requires some
18 variances, too, but -- and DEP is very much favor of
19 that public park.
20 So I think that by us finishing this
21 public walkway, that public walkway having access,
22 other than through the pocket park, as well as access
23 from the pocket park, I think that the park will be
24 more vibrant and a better asset to everybody.
25 But I would love to have the opportunity

1 *APRIL 2023 COUNCIL MEETING* 129
2 to propose, obviously, what we would like to do there,
3 just to open it up and make it more inviting. It's
4 terraced now, but it's kind of rough going down.
5 **MR. DOUGHERTY:** It is very small. I
6 think most people -- maybe three or four people could
7 sit in it. It's not like a gathering space.
8 would you -- would Landmark be willing
9 to make that park or perhaps -- or some walkway,
10 whatever it's being called, part of that park?
11 **MR. CRETELLA:** Absolutely.
12 **MR. DOUGHERTY:** Instead nine by 12, it
13 could be nine by 24 or something, where it would be
14 usable by more three people at any given time. I don't
15 know.
16 **MR. CRETELLA:** Absolutely. When we were
17 there, there was -- because the park, like I said, is
18 very small. But then there's some makeshift steps that
19 go down, and then there's another little makeshift
20 landing. I think that that park could be spectacular,
21 and we would be willing to do that.
22 **MR. DOUGHERTY:** Thank you.
23 **PRESIDENT GERING:** Ken?
24 **MR. MAISEL:** Yeah, I have a few things.
25 Good evening.

1 *APRIL 2023 COUNCIL MEETING* 131
2 ago, when Chris had it, it was vibrant. Fred's was
3 open.
4 **MR. MAISEL:** That's what you're
5 referring to, which would be less.
6 **MR. CRETELLA:** Absolutely.
7 **MR. MAISEL:** Right now, for the last
8 two --
9 **MR. CRETELLA:** It's been sleepy.
10 **MR. MAISEL:** And we have this crazy busy
11 town going on right now, these last two years after
12 Covid. So I wanted to make that point clear that
13 circulation --
14 **MR. CRETELLA:** It's true.
15 **MR. MAISEL:** -- is something that has to
16 be reconciled in 2024 or '25, whenever this thing gets
17 done, you know, as a moment of time that we're in.
18 Again, on a circulation standpoint, it's
19 really the construction, which is going to be pretty
20 significant, I would think. And, again, only access in
21 there is through Randolph Street.
22 I agree with you 100 percent, the street
23 has got to be viable, only -- no more cars there
24 parking, nothing. It has to be -- to be able to
25 service this hotel and restaurant facility, and anybody

1 *APRIL 2023 COUNCIL MEETING* 130
2 **PRESIDENT GERING:** Microphone.
3 **MR. CRETELLA:** Hi, Ken.
4 **MR. MAISEL:** It's got an unbelievable
5 property. I want to preface it by saying it deserves,
6 you know, your touch, and whatever you can reasonably
7 get out of it, you know.
8 I personally think it's a little too
9 much, but -- and I'll tell you why, some of the reasons
10 why I think that's the case. You have enough
11 monumental objects to overcome just, you know, beyond
12 this. So this is --
13 **MR. CRETELLA:** Absolute.
14 **MR. MAISEL:** -- almost like child's
15 play, but circulation is a concern. We've heard that
16 all night. How do you really get -- you know, you've
17 spoken to -- you know, it's going to be less -- I mean,
18 there's no activity at The Landing now. There's a
19 garbage truck that comes maybe once every three days
20 now, because there's nothing happening.
21 So, clearly, the retrospection is the
22 way The Landing was two the years ago, three years ago,
23 whenever it was. So we're -- right now, we're in a
24 moment of time where there's nothing going on there.
25 **MR. CRETELLA:** Yeah. Yeah. Three years

1 *APRIL 2023 COUNCIL MEETING* 132
2 who's living in those two houses that have residences
3 on that street.
4 I think it's, you know, a significant
5 issue for those two people, those two entities. One of
6 them is river centric. The other one is North Main
7 Street centric. So you can make a case -- I'm just
8 pointing that out --
9 **MR. CRETELLA:** Sure.
10 **MR. MAISEL:** -- as an issue. The
11 biggest thing that I have that I think is problematic
12 is -- and it's been spoken about all night -- is scale.
13 We all know that -- to some degree. Some people say,
14 look, it's -- the renderings are great and everything,
15 but there is not a single void, and it's 270 or
16 280 feet long.
17 **MR. CRETELLA:** sounds like you walked
18 it.
19 **MR. MAISEL:** I didn't walk it. I took
20 the scale, I took my ruler, and one inches equals X
21 amount.
22 **MR. CRETELLA:** I think it is that long.
23 **MR. MAISEL:** So it's 270 feet. There is
24 nothing on the Delaware that -- in our end of the
25 Borough that comprises that length without a void of

2 any kind. So I think I heard you say that you would
3 consider a reduction of the homes. Is that --

4 MR. CRETELLA: Correct.

5 MR. MAISEL: And it can strategically
6 create voids in areas that -- can you go back to the
7 Main Street photo with the --

8 MR. DOUGHERTY: Main Street with the
9 overlay.

10 MR. MAISEL: with the overlay, yeah.
11 Back there. Back there. Yeah, there.

12 So in this particular case, you know,
13 it's kind of faded out in the back, but the building is
14 completely -- every void that exists on North Main is
15 filled by the back -- even though there's trees there,
16 and some of them are coming down.

17 So recognizing that there's that entire
18 swath across there with not a single void, forgetting
19 the riverside, you know, where there's a solid no void,
20 I think it would be a lot more --

21 MR. CRETELLA: To create a void?

22 MR. MAISEL: To create some voids.

23 MR. CRETELLA: A void on the second
24 floor, second, third floor, because it's difficult --

25 MR. MAISEL: No, I meant, you know,

2 MR. MAISEL: Okay. Those are my
3 comments.

4 PRESIDENT GERING: Okay.

5 MR. CRETELLA: Thanks, Ken.

6 MR. MEYER: A couple of things. First
7 of all, as I looked over the parking study that you
8 commissioned -- and I thank you for trying to do that
9 for us, I know the -- because I've done some studies
10 related to that, transportation.

11 what those table reflect is the
12 projected demand for transportation, based on X number
13 of homes, Y number of seats in the restaurant, and part
14 of the problem that we have -- and you presented the
15 numbers which show the fact that it would be lower,
16 what you're projecting and what's there now, and what
17 was there before.

18 Part of the issue -- and that comes
19 mainly from the reduction of numbers in seats in your
20 proposed restaurants relative to The Landing. The real
21 problem we have with that is that those tables all
22 assume every single person comes there comes by car,
23 and the problem with The Landing and the comparison is
24 that The Landing was mostly pedestrian coming in from
25 people who were already in town.

2 separate.

3 MR. CRETELLA: It's difficult though on
4 the ground floor with the parking and the podium, but I
5 think this second floor, and creating a void above that
6 would --

7 MR. MAISEL: I think what we're talking
8 about now is just something that -- I don't know if
9 we're in favor or opposed to the way that we're going
10 with specific things or not. I'm just -- these are
11 just off the top of our head recommendations that maybe
12 would make this thing a whole lot better, but I think
13 the circulation, construction for two years that it
14 might take --

15 MR. CRETELLA: About 18 months, you're
16 right. The construction, though, I think that we can
17 come up with a plan where do not disturb any of our
18 neighbors. I spoke to Diana Michaels, Joe, about how
19 to work with them during construction, because of their
20 restaurants and the outdoor setting.

21 And we're business people, and, again,
22 we're not here to make enemies. We are here to make
23 friends. So we'll do everything we can so it's seen
24 minimally, noise minimal, dust minimal. We'll work
25 especially hard at it.

2 So I'm not at all convinced that you
3 have a reduction in the number of parking spaces --
4 excuse me -- in the traffic that you have coming in
5 there, and that seriously concerns me as something that
6 we need to pay attention to, but let me go on a little
7 bit further.

8 There's also the whole question of the
9 number of parking spaces that you are providing for
10 yourself within the context of the building. All of
11 those cars are, obviously, going to have to come in off
12 Randolph and leave off of Randolph. They come in, I'm
13 assuming they're going to go out.

14 Were you to think more -- and I'm going
15 to present you with something else here. Were you to
16 think more in terms of utilizing the projected parking
17 garage, you could, in fact, reduce your demand for
18 parking, reduce your traffic on Randolph, and, finally,
19 give you more room and more space for the kind of
20 breaks, in terms of the visual openings that have been
21 suggested.

22 And it seems to me that the thinking
23 more in those terms is going to make this project much
24 more reasonable from the point of view of the kind of
25 impact.

2 when you listen to the stuff that came
3 through in the opening comments and so on, everybody is
4 freaking over the traffic issue. And if you think
5 about it in terms of the possibility of using vans,
6 coming down from the parking garage, rather than
7 everybody coming in to park for those 44 hotel rooms,
8 if you even have 44 hotel rooms, at that point, that's
9 reducing far less impact in what we know to be an
10 extremely crowded traffic area.

11 **MR. CRETELLA:** So, Peter, you're right.
12 I think that, historically -- and I don't know if it's
13 going to change. The Landing has been the place where
14 people park, they wander around town, they go into The
15 Landing.

16 That parking lot is usually full, but I
17 don't know, and I haven't monitored it since we have
18 owned it, how much turnaround is in it, but that I
19 don't know.

20 But what I am doing, the same firm that
21 did that study has been waiting for the Logan to hit
22 season. The Logan has actually been a very good model
23 for us, and I'm looking for a professional to really
24 analyze it, and that comes down with a couple of
25 different things.

2 end up at The Landing ended up at The Landing because
3 when they came across the bridge from New York or New
4 Jersey or anything else, they saw those --

5 **MR. CRETELLA:** Red umbrellas.

6 **MR. MEYER:** -- umbrellas at the side of
7 the river, and when I look at your vision that I see
8 here, I don't see those umbrellas, and it seems to me
9 that --

10 **MR. CRETELLA:** Absolutely.

11 **MR. MEYER:** -- you're cutting your
12 marketing.

13 **MR. CRETELLA:** No. Absolutely, the red
14 umbrellas are definitely a part of it. We discussed it
15 in the renderings. We tried to keep the renderings all
16 about the buildings.

17 **MR. MEYER:** You know, I mean --

18 **MR. CRETELLA:** But that to me is part of
19 the history. I've been coming to town, there's always
20 been red umbrellas.

21 **MR. MEYER:** What I'm raising here is the
22 fact that the riverfront perspective, the view from the
23 river, I think, certainly, even if you have breaks
24 above it, the kind of facade that you're showing on the
25 river right now is not doing you or doing the town any

2 Our pricing structure is set to only
3 encourage people that are staying there. You know,
4 it's \$20 the first two hours, and I had gotten the idea
5 because somebody else that the Mayor knew, and it works
6 great, because it's prohibitive for those people that
7 are going to come, park, take that space all day. We
8 give our guests the first two hours free, and then it's
9 \$7 after that.

10 So we also charge \$15 a night in the
11 rooms. It's an add-on charge, because we had to
12 generate money for the valet company, to be honest with
13 you. That is why we did it, and we take those cars off
14 site.

15 So until the garage is built, we'll
16 probably take them off-site to our where I am now, but
17 as a person who's committed to New Hope, you know, if
18 the -- when the garage gets built, we're committed to
19 participating in it with everybody else.

20 **MR. MEYER:** I guess my question is, I'm
21 thinking in terms of -- there's another piece that I
22 want to add to it. You just made reference to the fact
23 that there are a lot of people walking around town and
24 end up at The Landing, who have historically done that.

25 May I point out that a lot of them that

2 good, and it seems to me that we need to think a little
3 bit about how to make that easier to do.

4 One of those possibilities is by
5 thinking about where you're putting parking, putting,
6 for example, some of the hotel rooms or something else,
7 so that The Landing itself sits at about the same
8 ground level as it is now, as has been, and then you're
9 not changing the riverfront view.

10 You're also not providing everybody a
11 solid piece all the way across the front, in terms of
12 how you might be able to set that up. I mean, those
13 are the kinds of things --

14 **MR. CRETELLA:** Uh-huh.

15 **MR. MEYER:** -- that seem to me can serve
16 your objective and the town's objective at the same
17 time.

18 **MR. CRETELLA:** The only thing I would
19 want to say, having dealt with the DEP, New Jersey, New
20 York and Pennsylvania, because of the flood zone -- she
21 can tell you -- you can't have living quarters, and
22 they deem hotel rooms on the ground floor, but there's
23 other things that we could do.

24 **MR. MEYER:** Yeah.

25 **MS. FEDER:** So, first of all, I want to

1 *APRIL 2023 COUNCIL MEETING* 145
2 is just not something I'm comfortable with, when it
3 comes to preserving the story of this town through its
4 architecture. So that's one thing.
5 I echo some of the sentiments that have
6 been said, in terms of the massing. The site lines,
7 when you walk down North Main, are so important, and we
8 would lose so much because of the scope and scale of
9 this project.
10 We have looked at so many historic
11 properties that come before us through the HARB
12 process, and we have, as we should, labored over
13 whether an added dormer blocks the view of another
14 building. We have talked about whether just shifting
15 the roof line blocks views of the river, and that's our
16 role.
17 To say here that we're going to have --
18 and I appreciate you lowering the roof line, but it is
19 still so high. It's going to -- I understand the
20 perspective is so important, but even in the materials
21 that you've offered, we'll see that roof line, and I
22 understand -- I'm looking at it, and there's another
23 one there on the next page that makes it clear,
24 especially with the removed trees, but it's moving over
25 the top.

1 *APRIL 2023 COUNCIL MEETING* 147
2 I know you guys run wonderful hotels.
3 We've seen it with the Logan. I look forward to the
4 mansion opening, but having a business of this size on
5 North Main is so different than the character.
6 Like I said, I've lived there for almost
7 ten years. It's the quieter section of town, and I
8 understand it's commercial, but the reason why our
9 zoning code is so thorough is so that we can really dig
10 into something, especially a project of this size, and
11 consider whether its presence changes the character of
12 the town.
13 And like has been said, I'm not opposed
14 to change. Change is good. Change is essential.
15 Updates are wonderful, but it's not a light switch,
16 right? It's not either we do enormous change or no
17 change.
18 There are ways to update businesses,
19 especially thriving businesses, like The Landing. I
20 love going to The Landing. I enjoyed Fred's when it
21 was open. But to say that our only option is a
22 three-story hotel with a pool and with all of these
23 parking spots on the river on our tiniest street, I
24 think, is just not the path forward that makes sense
25 for this section of town.

1 *APRIL 2023 COUNCIL MEETING* 146
2 I understand there's wiggle room, in
3 terms of how much it looms and where you stand, but
4 you're going to see it. You're going to see it over
5 the buildings. You're going to see it through the
6 buildings and through the town. It's our life blood.
7 It's why people want to come. They want to come visit
8 a river town.
9 North Main is important to have the
10 presence of the river there, and, of course, for
11 visitors to your new hotel and restaurant, they'll
12 enjoy the river, but for folks who are not patrons, and
13 for folks who are residents, it is a severe
14 distraction.
15 Also, I wanted to talk about the scope
16 and scale of the hotel. 44 hotel rooms is, I believe,
17 the biggest of any planned hotel in town. It's bigger
18 than the River House at Odette's, which, you know, you
19 can have your own opinions of that, but that's off on
20 its own.
21 The idea of putting a hotel of that
22 scale, no matter how beautiful it may be, and expecting
23 a business of that size to not irrevocably change the
24 character of that section of town, I think, is a
25 mistake, no matter how well it's run.

1 *APRIL 2023 COUNCIL MEETING* 148
2 So I'm all set. Thank you.
3 **PRESIDENT GERING:** All right. So I was
4 going -- all right. All of you who have been patiently
5 here for all of Council, we are not here tonight to
6 discuss the height, the design, the amount of rooms.
7 We're here for zoning hearing board applications, and
8 those decisions will be made at the zoning board.
9 This plan still has to go to HARB for
10 design, and it still has to go through the planning
11 commission, who will instill limits on it. So just so
12 you know, no matter how this Council votes, we are not
13 here approving this project as it's being shown.
14 That's not what our job is.
15 Our job tonight is, do we support this
16 application to go to zoning or are we going to oppose
17 it, so everybody is clear, and you're not disappointed
18 about what's being said. And I've heard everybody.
19 It's been a very passionate night, judging by the
20 turnout that we had.
21 **MR. MAISEL:** Connie, can I just --
22 **MS. MCHUGH:** No, it's my turn.
23 **PRESIDENT GERING:** She's next.
24 **MR. MAISEL:** Well, I want to
25 specifically respond to what she said.

1 *APRIL 2023 COUNCIL MEETING* 149
2 **PRESIDENT GERING:** I'm sorry. Go ahead.
3 **MR. MAISEL:** I hear --
4 **PRESIDENT GERING:** Microphone, Ken.
5 **MR. MAISEL:** -- what you're saying, but
6 if there is an opposition, the opposition -- the
7 solicitor has to go there with the sentiments of the
8 Council, right? I mean --
9 **PRESIDENT GERING:** That's correct.
10 **MR. MAISEL:** So there has to be some
11 consensus as to, if he there was a denial, what they're
12 going there for, and what needs to be addressed, and
13 what our solicitor is going to be representing as
14 Council, right?
15 **PRESIDENT GERING:** Correct.
16 **MR. MAISEL:** So it is important that
17 some specifics that we're going with, and then we can
18 craft --
19 **MS. MCHUGH:** But we have specifics.
20 **MR. MAISEL:** That presupposes there's a
21 denial or there's an opposition. I'm not making that
22 judgment.
23 **PRESIDENT GERING:** Okay. Go ahead.
24 **MS. MCHUGH:** Well, I just wanted to
25 start with, personally, I don't watch Facebook. I

1 *APRIL 2023 COUNCIL MEETING* 151
2 I'm not here to say what that is, but I
3 think I trust you more than another developer from out
4 of town to come in and do something. Again, you've
5 demonstrated that you work very closely with our staff.
6 You don't try to get away with things.
7 And I think we need to trust our zoning
8 board and our planning board in the process this
9 Council and the staff and this Borough has put in
10 place, and it's taken us many years to get it to where
11 it needs to be, and I think we need to trust them.
12 Now, that being said, I'm concerned
13 about the river. Actually, that's another point is, I
14 am on the river all time. I know it. There is no
15 public access to the river. You are giving that. The
16 only public access to the river is that tiny little
17 park, which is just steps down. So you can walk down
18 the steps, you can look at the river and that's it.
19 I'm thrilled that you are even
20 considering updating that, and then putting docks open
21 to the public is amazing. I would like just to hear a
22 little bit about what your environmental plan is during
23 construction for the impact on the river.
24 **MR. CRETELLA:** So DEP is very much
25 involved in everything that we're doing now. We have

1 *APRIL 2023 COUNCIL MEETING* 150
2 think it's a toxic environment, so --
3 **MR. CRETELLA:** Somebody shared it with
4 me.
5 **MS. MCHUGH:** It's not a good place for
6 public opinion and for public comment, and I know
7 things get nasty there.
8 And I agree with Louise. We do really
9 appreciate you. You are not just a developer that
10 comes through. I think you have demonstrated time and
11 time again that you keep giving back to the town.
12 I work closely with the Chamber of
13 Commerce. You are always a very strong supporter of
14 that. You demonstrated it with the Christmas tree.
15 People were freaking out that you're taking the
16 Christmas tree down, and you offered to replant it, to
17 take it, plant it and bring it back. You replaced it
18 with a much nicer tree. You have freely given at
19 Christmastime hot chocolate in the center of town, and
20 that's you. That makes you a resident, and you are
21 part of this town.
22 **MR. CRETELLA:** Thank you.
23 **MS. MCHUGH:** The Landing certainly needs
24 something. It needs to be replaced. It needs
25 something done to it.

1 *APRIL 2023 COUNCIL MEETING* 152
2 moved that process along, just in advance, to see what
3 we can and can't do. The public walkway is probably
4 the most work for us going through DEP.
5 **MS. MCHUGH:** I can imagine.
6 **MR. CRETELLA:** But we're -- not only do
7 we have to abide by certain rules during construction,
8 which they will inspect, but we're replanting that
9 whole bank with native plants that they specify. We're
10 restoring that whole bank.
11 And, I mean, the other thing, too, I
12 mean, we're big supporters. Chris Bollenbacher was a
13 volunteer fireman, had a great history of doing the
14 events at the volunteer fire department, and part of
15 our commitment -- really, our commitment to Chris, even
16 though we're close to the firefighters, is that their
17 rescue boat will also be docked there, you know, for
18 free at one of the docks. They feel that will speed up
19 their rescue time by a good 20 minutes, so.
20 **MS. MCHUGH:** Well, we know that. Yeah,
21 that's fabulous. That right there is amazing. I don't
22 think a lot of people realize how long it takes the
23 fire department to get from the firehouse, go to a --
24 sometimes they have to go over to Lambertville.
25 **MR. CRETELLA:** Yes.

1 *APRIL 2023 COUNCIL MEETING* 153
2 **MS. MCHUGH:** When we found out, we were
3 outraged about this, because we all know how that
4 bridge is, especially given it's under construction.
5 **MR. CRETELLA:** And they required a few
6 rescues on the water. I was surprised by the number.
7 **MS. MCHUGH:** Okay.
8 **MS. FEDER:** Just a quick question, if I
9 could, quick one.
10 With the artists' residences, how is
11 your -- what is your plan to maintain those are
12 artists' residencies? Is there a nonprofit that you're
13 planning on working with? Is that something that we
14 can tie into the plan to ensure that they remain an
15 artist residency?
16 I ask this because I think the intent is
17 a good one, but I'm concerned about how you maintain
18 that going forward, and if it turns out, for whatever
19 reason in the future, that it's hard to fill an artist
20 residency, it doesn't just magically become a hotel
21 cottage or an extended stay apartment, and I'm curious
22 how those sales would be.
23 **MR. CRETELLA:** So, obviously, I'm
24 sincere about it, and I would be willing to do a deed
25 restriction on it. I have talked to Joe Franlin

1 *APRIL 2023 COUNCIL MEETING* 155
2 I understand going into this with the best of
3 intentions.
4 As someone whose career has been in the
5 cultural sector and in nonprofits, specifically museums
6 and art centers, it's not something to just be jumped
7 into as, like, this is a great idea, I'm going to pair
8 with an independent nonprofit, and just hope that it
9 will stand the test of time.
10 And I am not saying that's what's
11 happening here, but I think, again, with a project of
12 this scope and scale, with its changing nature of this
13 part of the community, it's something where we have to
14 be so deliberate about what an artist residence means,
15 what its long-term plan would be, and how that
16 agreement works, so just a long time.
17 **MR. CRETELLA:** Yeah. We have a
18 nonprofit. Our nonprofit deals with hospitality
19 training, bringing people in.
20 **MS. FEDER:** Sure.
21 **MR. CRETELLA:** You know, obviously, we
22 will try to incorporate it, but I think there's better
23 people out there to do it than us for the arts.
24 **MR. COHEN:** Just from a practical
25 standpoint, something like that, I think we could

1 *APRIL 2023 COUNCIL MEETING* 154
2 briefly about how it would operate.
3 I wouldn't mind operating it, but I
4 think that having that asset to, let's say, New Hope
5 Arts would help them even more than just me programming
6 it, letting them program it. We also talked about us
7 hosting. Again, the property would come free to the
8 artist, no utility cost, no real estate taxes, nothing.
9 So we would underwrite that.
10 We would also underwrite every new
11 artist that comes to town, that we have two artists'
12 residences, that we would do a cocktail reception to
13 introduce them to the town, let them show their works.
14 And I also wanted you to know that in
15 our calculations with zoning, that artist residency
16 will have -- it's nonprofit. We'll have one artist
17 staying there.
18 **MS. FEDER:** So it would be a nonprofit?
19 Would it be --
20 **MR. CRETELLA:** I don't want to form a
21 nonprofit, but --
22 **MAYOR KELLER:** I would say that New Hope
23 Arts we would be able to --
24 **MS. FEDER:** So and that's wonderful,
25 but -- and the reason I'm saying this, because I think

1 *APRIL 2023 COUNCIL MEETING* 156
2 agree, and I know in the past, when the Board has
3 decided -- Council has decided to remain neutral, that
4 they have sent a letter to zoning to explain what they
5 might be looking for.
6 And I think you mentioned a deed
7 restriction. I don't know if that's what it would look
8 like, but we could certainly agree to work with an
9 organization, like New Hope Arts and Borough Council to
10 come up with an arrangement that would address those
11 concerns, so that there would be something in writing
12 that we would work with your solicitor on to satisfy
13 that.
14 **PRESIDENT GERING:** Okay. All right.
15 All right, guys.
16 **MR. COHEN:** Just real quick, Connie. My
17 apologies for jumping up and down over here. I did
18 want to make one other comment.
19 Really, Ken, this is to yours, as far as
20 input, and it's mentioned with regard to planning.
21 Just to be clear, and we already mentioned this in the
22 review letter.
23 The inn with restaurants still require
24 conditional use approval. So we would be back before
25 you for a conditional use approval, as well as land

2 development approval.
3 So, ultimately, the plans will have to
4 be approved. What we're looking for now from zoning is
5 just to be able to do the base of being able to go
6 forward with the construction, but the final plans will
7 be reviewed, and will have your opportunity for comment
8 further along the process, not to mention HARB.

9 PRESIDENT GERING: Okay. Thank you.
10 All right. I am going to hold you -- so, first, let's
11 have a motion to stay neutral.

12 MS. MCHUGH: I'll make that motion.

13 MR. MEYER: I'll second.

14 PRESIDENT GERING: Ken, are you in
15 favor?

16 MR. MAISEL: Can we have a discussion?

17 UNIDENTIFIED SPEAKER: Can we ask a
18 question before you vote? I'm just curious what the
19 variances are. What are you staying neutral on?

20 PRESIDENT GERING: There is almost 40
21 variances, and you're going to have to really go to
22 zoning. For us to sit here and go through every
23 variance, they've got a lot of hurdles to overcome
24 before they do this.

25 UNIDENTIFIED SPEAKER: So you basically

2 happening. I just want to make that clear.

3 PRESIDENT GERING: Thank you.

4 we have a vote on the table. I'm really
5 sorry.

6 MS. KERR: I wanted to respond to
7 something specifically that was said by Council and not
8 objected.

9 PRESIDENT GERING: I'm sorry. We have a
10 motion on the table. We're taking a vote.

11 okay. We have a motion to stay neutral.
12 We can vote individually.

13 Ken?

14 MR. MAISEL: I have a question. If we
15 stay neutral, does that mean there's no provisions that
16 go there with a neutral?

17 PRESIDENT GERING: Well, then we can say
18 we oppose it and send counsel.

19 MR. MAISEL: So, I mean, so that means
20 that, even if we had conversations about
21 reconsideration of reducing the size, and
22 reconsideration of creating a void, there would be
23 consideration of circulation issues, that doesn't go
24 with the neutral vote?

25 MS. FEDER: That is correct.

2 are neutral on all 40?

3 PRESIDENT GERING: So that means zoning
4 will approve them. So you'll have to go to the zoning
5 hearing board meeting.

6 MS. FEDER: Stacey, we can't cherry-pick
7 which variances --

8 UNIDENTIFIED SPEAKER: I'm sorry.

9 MS. FEDER: It's okay. It's a
10 procedural thing, right. We can't say this one we
11 oppose, this one we -- it's a package.

12 UNIDENTIFIED SPEAKER: Thank you.

13 MR. MEYER: For those of you that are
14 further concerned about it getting out of hand, let me
15 remind everybody that the reference that was just made
16 to land development means that it goes through the
17 planning commission before it comes back to our
18 Council.

19 And one of the things that still has to
20 be approved by the planning commission -- well, the
21 planning commission only recommends, but that has to be
22 approved by Council, is, in fact, merging the three
23 properties, which is yet an altogether different piece.

24 So there are still plenty of
25 opportunities here for us to influence what's

2 PRESIDENT GERING: Mark, this is where I
3 need your guidance.

4 MR. LABRUM: The Board always has the
5 opportunity to express concerns to the zoning hearing
6 board without necessarily stating an objection to the
7 application, as proposed, to the Board.

8 MS. FEDER: But, Mark, if we send
9 counsel, you would be there to argue in opposition to
10 those points that have been raised?

11 MR. LABRUM: It's not necessary to send
12 counsel. You can send a Council representative.

13 MS. FEDER: Sure, but when we oppose, we
14 send a representative to represent us?

15 MR. LABRUM: That's typically the
16 process that would happen, if you were to go there to
17 oppose.

18 MS. FEDER: Right.

19 MR. MAISEL: It seems to me -- I mean,
20 we're going to do a vote, but it seems like there's
21 enough here, and there's enough consideration by the
22 applicant to consider, you know, alternatives that
23 could have an impact on everyone who's voiced concerns
24 about it.

25 Then, without going there adversarially,

2 but going there with the intent to try to make this
3 thing palatable to everybody --

4 **PRESIDENT GERING:** So, Mark, so then we
5 could say -- and I hear Ken. So we could say, we're
6 neutral, but we have issues that we're opposing to.
7 For example, it's the height, the mass, if I hear it
8 correctly. I mean, we got to be clear --

9 **MR. MAISEL:** I'm trying to. I'm trying
10 to be specific. I'm saying that there's a parking
11 study, which is somewhat in question. There's specific
12 construction issues, you know, circulation concerns,
13 and the scale and voids.

14 I mean, I don't know if anyone wants to
15 add to that, but they would --

16 **MS. FEDER:** We're not here to make that
17 list. What we've all done in this discussion now is
18 enumerate many, many things that we are concerned
19 about. We're not here to change the applicant's
20 application.

21 **MR. MAISEL:** That does not mean we're
22 represented by counsel. They have to go there with
23 something.

24 **MS. FEDER:** We've done this before
25 though. We send counsel --

2 mean, if we're not careful, we're going to effectively
3 try -- we turn ourselves into the zoning hearing board.

4 **MS. FEDER:** No, but I think one of the
5 reasons why we considered this before it goes to zoning
6 is zoning -- and all of these variances are there
7 because we're trying to consider whether to grant them,
8 because of the essential nature of the community,
9 right?

10 So we talk about voids, we talk about
11 the character of the building. That goes to -- and
12 that is one of the central reasons for zoning, the
13 whole --

14 **MR. DOUGHERTY:** But if there's not
15 something in the zoning code that dictates certain
16 requirements of those areas, we don't get to make those
17 things up on the fly. We're not empowered in any way
18 to do that.

19 **MS. FEDER:** We're going to talk about
20 the essential character though.

21 **PRESIDENT GERING:** Well, yeah, but
22 that's not part of the zoning. A lot of that is going
23 to be addressed in the planning commission and HARB, a
24 lot of the issues that were brought up.

25 **MS. MCHUGH:** And that's why we have

2 **PRESIDENT GERING:** Well, right now,
3 we're staying neutral. We're not sending counsel, but
4 we can also send a letter, as Mark said, that there
5 were certain concerns.

6 **MR. DOUGHERTY:** Yeah, I think --

7 **PRESIDENT GERING:** We're staying
8 neutral. We're not opposing this application.

9 **MR. DOUGHERTY:** I agree, there's been
10 enough said that there should be something we could do,
11 but let's vote.

12 My concern with saying the voids or the
13 parking or the traffic or whatever, those are not
14 zoning variances that they're going to zoning for.
15 Those are concerns that we're bringing up that we have
16 societal concerns that there's no voids that can be
17 seen.

18 They are not asking -- there's nothing
19 that they need a variance for that's going to say
20 that's got to create the thing, so --

21 **MS. FEDER:** He hasn't pushed back on
22 that though, because part of --

23 **MR. DOUGHERTY:** It's not --

24 **PRESIDENT GERING:** One at a time.

25 **MR. DOUGHERTY:** That's my thought. I

2 Council liaisons that go to these meetings, correct?

3 **PRESIDENT GERING:** Well --

4 **MR. DOUGHERTY:** Could we do this? Is
5 this something we could do? There's been a lot of
6 concerns raised. Would it be possible that our minutes
7 from this meeting could be sent, or a letter from
8 Council to the zoning hearing that said, these were the
9 discussions that took place?

10 Multiple concerns of various natures
11 were voiced, some of which may interact with these 30
12 variances that they're asking for, please consider
13 these as you make your decision. I think that's about
14 the most we should be able to do.

15 **PRESIDENT GERING:** Mark?

16 **MR. DOUGHERTY:** Do you like that? She
17 said she likes it.

18 **PRESIDENT GERING:** Go ahead.

19 **MR. MAISEL:** I think if somebody is
20 going to really go through the minutes, everyone on the
21 zoning hearing board is going to look through the
22 minutes --

23 **PRESIDENT GERING:** Okay. Mark, we need
24 to move this along. We have got a packed agenda yet.

25 **MR. LABRUM:** The answer to that

1 *APRIL 2023 COUNCIL MEETING* 165
2 question, Dan, unfortunately, is no.
3 **MR. DOUGHERTY:** We're not allowed to
4 give them our minutes?
5 **MR. LABRUM:** No, because the zoning
6 hearing board has ultimate jurisdiction over zoning
7 issues. It's one thing to bring concerns to their
8 attention, whether as a member of the community,
9 somebody who may claim party status, but as a board, a
10 letter of expression can be sent, but they do not have
11 to consider it, because it's this -- they don't have to
12 consider it, because it's not part of their official
13 record.
14 **MR. DOUGHERTY:** The zoning hearing
15 board -- educate me though -- will have public comment?
16 **MR. LABRUM:** They absolutely --
17 **MR. DOUGHERTY:** They have to, right? So
18 all the things that were heard tonight could be
19 conveyed to the zoning hearing board directly to them,
20 without a filter of the seven people up here, at the
21 meeting?
22 **MR. LABRUM:** That's correct, and not
23 only that, but at the zoning hearing board, unlike
24 Council meetings, where we are right now, individuals
25 of the public could seek party status.

1 *APRIL 2023 COUNCIL MEETING* 167
2 example, all the letters that went to Mr. Gray earlier?
3 **MR. LABRUM:** Well, that information
4 would have to be conveyed separately from those
5 constituents who --
6 **MR. DOUGHERTY:** Would Council be
7 permitted to communicate to these letter writers that
8 it would be -- if they want the zoning hearing board to
9 get these letters, they should convey them to them?
10 would we be allowed to do that?
11 **MR. LABRUM:** The constituents in the
12 community should know that they always have that
13 opportunity to do that. Again, what occurs here is not
14 an official record for the zoning hearing board to
15 consider.
16 **MR. DOUGHERTY:** No. Thank you.
17 **PRESIDENT GERING:** We're going to start
18 again.
19 We have a motion on the table to stay
20 neutral. We're going to start again.
21 Ken, you're first. Do you want to stay
22 neutral or opposed?
23 **MR. MAISEL:** I think we need
24 representation. I oppose.
25 **PRESIDENT GERING:** Okay. Dan?

1 *APRIL 2023 COUNCIL MEETING* 166
2 **MR. DOUGHERTY:** And could Council
3 members physically go and make a public comment? Are
4 we permitted?
5 **MR. LABRUM:** They could make a public
6 comment, so as long as --
7 **MR. DOUGHERTY:** As a person.
8 **MR. LABRUM:** So long as their position
9 in public comment does not place them in a position of
10 creating a conflict with their position with the public
11 as a whole.
12 **MR. DOUGHERTY:** Okay.
13 **MR. LABRUM:** And if they were to take a
14 position like that, then they would be recused from
15 voting at a future --
16 **MR. DOUGHERTY:** Got it, but the point
17 is, everything that we heard today, and everything that
18 everybody said up here said today can be conveyed to
19 the zoning hearing board as concerns from the public,
20 right?
21 **MR. LABRUM:** From the public, that's
22 correct.
23 **MR. DOUGHERTY:** Okay.
24 **PRESIDENT GERING:** All right.
25 **MR. MEYER:** That would include, for

1 *APRIL 2023 COUNCIL MEETING* 168
2 **MR. DOUGHERTY:** I'll be neutral.
3 **MS. RETTIG:** I oppose.
4 **MS. MCHUGH:** Neutral.
5 **PRESIDENT GERING:** I'm neutral.
6 **MR. MEYER:** Neutral.
7 **MS. FEDER:** Opposed.
8 **PRESIDENT GERING:** Okay. So what do we
9 have, four neutral?
10 **MR. LABRUM:** Four/three.
11 **PRESIDENT GERING:** Okay.
12 **MS. MCHUGH:** Good luck.
13 **MR. COHEN:** Thank you, everyone.
14 **PRESIDENT GERING:** All right. All
15 right. Guys, in order to move along here, can I have a
16 motion to consider the letter from the Playhouse
17 requesting to not pay the fee in lieu of parking?
18 They were at the zoning hearing board
19 for the barn, and zoning sent them back to the Borough
20 in reference to the parking there. The parking
21 committee had a meeting, and felt there was no need
22 because the use isn't changing. So can I have a motion
23 for approval?
24 **MS. RETTIG:** I'll make that motion.
25 **MR. MEYER:** Second.

1 *APRIL 2023 COUNCIL MEETING* 169
2 **PRESIDENT GERING:** Okay. Any questions?
3 All in favor?
4 **THE BOARD:** Aye.
5 **PRESIDENT GERING:** Next, can I have a
6 motion to approve the amendment to Chapter 259, vehicle
7 traffic? This has to do with fines and updates.
8 **MS. MCHUGH:** I'll make the motion.
9 **PRESIDENT GERING:** Can I have a second?
10 **MR. MEYER:** Second.
11 **PRESIDENT GERING:** All in favor?
12 **MR. DOUGHERTY:** Can we have -- can we
13 have some clarification?
14 **PRESIDENT GERING:** Okay, Pete. I'm
15 going to let you do one.
16 **MR. DOUGHERTY:** We got to at least know
17 what the content means.
18 **MR. GRAY:** Currently, all of the fines
19 for the vehicles and traffic are currently in the
20 ordinance, Chapter 259. So by making an amendment to
21 the ordinance, it will take all of the fees out and
22 then put them into the fee schedule. So if Council
23 wants to make these changes, they can do it via
24 resolution, instead of ordinance.
25 **MR. DOUGHERTY:** A resolution once a year

1 *APRIL 2023 COUNCIL MEETING* 171
2 **THE BOARD:** Aye.
3 **PRESIDENT GERING:** All your trees will
4 be done.
5 **MS. MCHUGH:** That is a big deal. It's
6 going to look fantastic.
7 **PRESIDENT GERING:** Can I have a motion
8 to accept Best Buddies withdrawal of their bid and
9 authorize the withdrawal of the award of the project to
10 Best Buddies?
11 **MR. MEYER:** So moved.
12 **MS. RETTIG:** I'll second it.
13 **PRESIDENT GERING:** Okay. Any more
14 questions?
15 All in favor?
16 **THE BOARD:** Aye.
17 **PRESIDENT GERING:** Can I have a motion
18 to accept Holly Days' bid in the amounts of 29,915,
19 authorizing approval of the award to Holly Days?
20 **MS. RETTIG:** I'll make that motion.
21 **PRESIDENT GERING:** Second?
22 **MS. MCHUGH:** I'll second.
23 **PRESIDENT GERING:** Any questions?
24 All in favor?
25 **THE BOARD:** Aye.

1 *APRIL 2023 COUNCIL MEETING* 170
2 will take a stare at the fee schedule and update it?
3 **MR. GRAY:** Correct.
4 **MR. DOUGHERTY:** Thank you.
5 **MR. MEYER:** There is no change, is
6 there?
7 **MR. GRAY:** There is a change that also
8 includes Division Street will also be noted in Section
9 259-60, and that will require permitted parking on that
10 street.
11 **MR. MEYER:** Thank you.
12 **PRESIDENT GERING:** Anyone else?
13 All in favor?
14 **THE BOARD:** Aye.
15 **PRESIDENT GERING:** Can I have a motion
16 to accept a quote from Q. Marshall Landscaping? This
17 is --
18 **MR. DOUGHERTY:** It says porous paving.
19 **PRESIDENT GERING:** -- for the porous
20 paving project for 13 trees?
21 **MR. MAISEL:** I'll make a motion.
22 **PRESIDENT GERING:** Can I have a second?
23 **MS. RETTIG:** I'll second it.
24 **PRESIDENT GERING:** Any questions?
25 All in favor?

1 *APRIL 2023 COUNCIL MEETING* 172
2 **PRESIDENT GERING:** Can I have a motion
3 to approve the hiring of Lisa Littlefield as the zoning
4 officer for the Borough?
5 **MS. MCHUGH:** Yeah, I'll make that
6 motion.
7 **MR. MEYER:** Second.
8 **MS. RETTIG:** Second it.
9 **PRESIDENT GERING:** Any questions?
10 **MR. MAISEL:** Just a word of thanks for
11 Mary. You've been wonderful.
12 **MS. MCHUGH:** Yes. Thank you.
13 **PRESIDENT GERING:** All in favor?
14 **THE BOARD:** Aye.
15 **PRESIDENT GERING:** Can I have a motion
16 to approve the special events application for New Hope
17 celebrates?
18 **MS. RETTIG:** I'll make the motion.
19 **MS. MCHUGH:** I'll second.
20 **PRESIDENT GERING:** All in favor?
21 **THE BOARD:** Aye.
22 **PRESIDENT GERING:** Thank you, ladies.
23 You've been sitting there. You picked the wrong night
24 to be at a Council meeting.
25 **UNIDENTIFIED SPEAKER:** Sure did, but it

1 *APRIL 2023 COUNCIL MEETING* 173
2 was fun.
3 Thank you, guys.
4 **MR. DOUGHERTY:** Do you want to run for
5 Council?
6 **PRESIDENT GERING:** Can I have a motion
7 to approve the resolution to appoint Laura Roth as an
8 alternate for the zoning hearing board?
9 **MR. MAISEL:** I'll make that motion.
10 **MS. MCHUGH:** I'll second it.
11 **PRESIDENT GERING:** Any questions?
12 All in favor?
13 **THE BOARD:** Aye.
14 **PRESIDENT GERING:** Can I have a motion
15 to approve the resolution to amend the 2023 fee
16 schedule?
17 **MR. DOUGHERTY:** I'll make that motion.
18 **PRESIDENT GERING:** Can I have a second?
19 **MR. MEYER:** I'll second it.
20 **PRESIDENT GERING:** All in favor?
21 **THE BOARD:** Aye.
22 **PRESIDENT GERING:** Can I have a motion
23 to --
24 **MR. DOUGHERTY:** I want to go back one
25 second. So the numbers that are in here on this fee

1 *APRIL 2023 COUNCIL MEETING* 175
2 **MR. MEYER:** Do you want to discuss the
3 ones from --
4 **MR. DOUGHERTY:** I'm okay with this. If
5 we actually approved it, we can put a motion in to
6 cancel it.
7 **PRESIDENT GERING:** It hasn't changed in
8 15 years.
9 **MR. DOUGHERTY:** So I would like the
10 Borough manager to send us an e-mail, after the
11 meeting, to tell us which ones changed, and if we
12 have -- if we are violently opposed to it, we would
13 come back next month.
14 **MR. MEYER:** Yeah.
15 **MR. DOUGHERTY:** We will amend the fee
16 schedule.
17 **MS. FEDER:** We did go over it in work
18 shop, but we discussed this. We had a comparison of
19 which fees changed.
20 **MR. DOUGHERTY:** And these are the ones
21 that were in that?
22 **PRESIDENT GERING:** Yes.
23 **MR. DOUGHERTY:** They are. Okay.
24 **MS. RETTIG:** We talked about it.
25 **MR. DOUGHERTY:** Thank you. Nevermind.

1 *APRIL 2023 COUNCIL MEETING* 174
2 schedule, none of them have changed from the current
3 state; is that true?
4 **MR. GRAY:** Nothing has changed. The
5 only items that have changed are in red, and they were
6 the fees that were taken out of the ordinance to --
7 **MR. DOUGHERTY:** Oh, I understand, but
8 the numbers in the -- that were taken out and moved
9 into here haven't increased or changed?
10 **MR. GRAY:** They have changed. There are
11 some changes that were increased for some of the
12 specific charges related to fines.
13 **MR. DOUGHERTY:** Well, I think we should
14 have talked about that.
15 **PRESIDENT GERING:** Well, they were from
16 the police department. They had not been changed in 15
17 years.
18 **MR. DOUGHERTY:** Well, we should have
19 been told --
20 **PRESIDENT GERING:** Would you like to
21 talk about that?
22 **MR. DOUGHERTY:** I would. I'm sorry, but
23 if we're changing the fee structure, we should at least
24 know which ones we just approved that are different
25 from the old ones.

1 *APRIL 2023 COUNCIL MEETING* 176
2 **PRESIDENT GERING:** All right. Let's get
3 moving here.
4 Can I have a motion to approve the
5 Council meeting minutes for March 6th and March 21st?
6 **MR. DOUGHERTY:** Absolutely.
7 **MS. FEDER:** I'll make that motion.
8 **PRESIDENT GERING:** Second?
9 **MR. MEYER:** Second.
10 **PRESIDENT GERING:** All in favor?
11 **THE BOARD:** Aye.
12 **PRESIDENT GERING:** Can I have motion to
13 approve the April accounts payable for \$340,299.37, and
14 for March 24th, March 31st, April 7th payrolls in the
15 amount of \$95,479.89, \$4,373.28 and \$77,883.88?
16 **MS. RETTIG:** I'll make that motion.
17 **PRESIDENT GERING:** Second?
18 **MS. MCHUGH:** I'll second.
19 **PRESIDENT GERING:** All in favor?
20 **THE BOARD:** Aye.
21 **PRESIDENT GERING:** Okay. Committee
22 reports.
23 Louise, you're first.
24 **MS. FEDER:** I'm first. So parks and rec
25 did a wonderful job on the spring plantings and the

1 *APRIL 2023 COUNCIL MEETING* 177
2 planters. Everyone worked really hard on that, and
3 we're so grateful for all of your hard work.
4 We're also working with New Hope Arts to
5 get the ball rolling and get the sculpture back into
6 Ferry Landing Park and over by the visitor center. So
7 stay tuned for more news on that.
8 Obviously, we all saw we had to let Best
9 Buddies step back from their bid, but I know the group
10 is really excited that this Council approved the next
11 bid, and we'll get started really soon, right, Pete?
12 **MR. GRAY:** That is correct. We are
13 going to be -- actually, I'm contacting them right now
14 to get their paperwork in order, and they anticipate
15 being out at the site in late April.
16 **MS. FEDER:** Thank you.
17 **PRESIDENT GERING:** Shade tree.
18 **MS. MCHUGH:** That's me.
19 Yes, so we are very happy to, again,
20 alert everybody that our Arbor Day celebration is
21 coming up. It will be Friday, April 28th, and I've
22 already ordered fabulous weather. So make sure you're
23 there.
24 It's from 12:00 to 3:00. We're working
25 with the New Hope Historical Society. It's at the

1 *APRIL 2023 COUNCIL MEETING* 179
2 taxes come with a rebate or I should say a discount by
3 paying early.
4 So we get a decent amount by the end of
5 the month. Over the next two or three months, they
6 start pouring in as well. So the percentage of the
7 budget that's attached to those taxes, and other
8 enabling taxes doesn't give you the complete picture
9 that you would like to get on a calendar basis.
10 So it's not like taking one month, and
11 it's 1/12 of the budget. It's a little more involved
12 than that. As a matter of fact, some line items that
13 are part of the revenue side of the budget don't even
14 come until the end of the year.
15 So the five items that I am looking at
16 very closely -- this is available to anybody else who
17 wants to see it -- represents almost 80 percent of our
18 budget, and we're consistent with what existed over the
19 last several years. So there's no anomalies here that
20 we can report right now that would speak to any
21 concerns that we would have for the first quarter.
22 On the expense side, somewhat similar.
23 There is five items making up the revenue side.
24 There's ten items that make up 80 percent of the
25 expense side, and those two are fairly consistent with

1 *APRIL 2023 COUNCIL MEETING* 178
2 Parry Mansion, and there's going to be food and
3 beverages and prizes and dogs are allowed, and be there
4 or be square.
5 **PRESIDENT GERING:** Great.
6 All right. Parking facilities, Peter,
7 do you have a report?
8 **MR. MEYER:** I really don't have anything
9 in particular to report on the facilities itself. With
10 regard to our ability to move forward, we will be
11 moving forward in the next couple weeks.
12 **PRESIDENT GERING:** Thank you.
13 Finance committee, Ken?
14 **MR. BALDERSON:** I requested to speak.
15 **PRESIDENT GERING:** Can we finish,
16 please?
17 **MR. BALDERSON:** I'm sorry.
18 **PRESIDENT GERING:** Ken?
19 **MR. MAISEL:** Okay. Finance, I'm going
20 to try to make this fairly brief, but the first quarter
21 report is -- it's got limitations because of timing
22 issues with our budget.
23 Specifically, the real estate property
24 taxes we're trying to do to the end of the month. So
25 they start trickling in. The real estate property

1 *APRIL 2023 COUNCIL MEETING* 180
2 what we would expect at this time of the year.
3 There's nothing that's all that
4 alarming, that needs to be spoken to, and just to give
5 you an example, one of the expenses on the -- is the
6 pension contributions, which is budgeted for 307,000
7 for 2023, and right now the contribution to be made is
8 \$4,000. October 1st is the day where we make those.
9 So you can't spread it out and look at
10 it, you know, on a month-to-month basis because of just
11 timing issues. So after the second quarter, we'll have
12 a much stronger idea of, you know, the substance of the
13 budget, but right now everything looks consistent and
14 the way you would want it to look, based on the budget.
15 **MS. MCHUGH:** Thank you. That was
16 fabulous.
17 **PRESIDENT GERING:** Thank you. Ken, do
18 you have anything for HARB?
19 **MR. MAISEL:** HARB, no report.
20 **PRESIDENT GERING:** Next, okay. Zoning
21 hearing board, there's no report. I'm sure I'll have a
22 lot to tell you about after the next month's meeting.
23 Peter?
24 **MR. MEYER:** The planning commission was
25 working last night, extensively working on the revision

1 *APRIL 2023 COUNCIL MEETING* 181
2 of the sign ordinance. We have a more explicit
3 ordinance that deals with all of the different kinds of
4 signs.
5 And the only other thing that's come up
6 there is that my colleagues on the planning commission
7 wanted to point out that The Landing should be coming
8 to the planning commission first, according to them,
9 and the other thing is that they are desperate to try
10 and get going on the comprehensive plan, which they
11 really feel that they need in order to better guide
12 their decisions in the current period in the Borough.
13 **PRESIDENT GERING:** Thank you.
14 Pete, do we have a manager's report?
15 **MR. GRAY:** Not at this time.
16 **PRESIDENT GERING:** Solicitor's?
17 **MR. LABRUM:** I will make one comment,
18 that I'm very pleased to report that on Wednesday,
19 March 22nd, 2023, the Court of Common Pleas of Bucks
20 County, Pennsylvania, granted full and final approval
21 of the settlement of the Union Square litigation. That
22 case has been marked settled, discontinued and ended
23 with the court, bringing that litigation to a close.
24 **PRESIDENT GERING:** Yay. Thank you.
25 Does anyone have any announcements?

1 *APRIL 2023 COUNCIL MEETING* 183
2 all have our heart in the same place, right? We care
3 about New Hope.
4 The canal is vital to us. So please get
5 out there, donate, do your Facebook thing, invite
6 friends. You know, it's New Hope for our Canal. They
7 are looking for the money. Hopefully, we'll come up
8 with a better solution in the near future, so we don't
9 have to keep doing this. It's a tireless problem
10 that's been going on way too long. So write DCNR. Let
11 them know.
12 **PRESIDENT GERING:** Matt, how many people
13 are online?
14 **UNIDENTIFIED SPEAKER:** Thirty-one.
15 **PRESIDENT GERING:** Wow, that's a record.
16 Yes, Mr. Balderson. We're stopping at
17 10 o'clock, so.
18 **MR. BALDERSON:** You did that on purpose.
19 **PRESIDENT GERING:** I meant time.
20 **MR. BALDERSON:** I'm kidding. I'm not
21 going to go through all of my comments in regards to
22 the parking situation. I'm going to address just
23 several to refresh your memory from way back in
24 September 22nd, 2021, at the first meeting.
25 we presented all the photos of the

1 *APRIL 2023 COUNCIL MEETING* 182
2 **MS. MCHUGH:** I wanted to say something
3 about the canal. The canal is not our district at all.
4 The Borough has nothing to do with it. It is not our
5 property. It is DCNR.
6 This Council and many members on this
7 Council have worked very tirelessly over the last 12,
8 15 years to keep water in that canal. We have done
9 many fundraisers. All of us have given a lot.
10 We are not allowed, as a Borough, to
11 give money to DCNR. The government is not allowed to
12 give another government entity any money. So we
13 implore everybody. We realize we all live here. We
14 all live by the canal. It's horrible. It's a shame.
15 It's really ridiculous, but so we implore all -- I love
16 to see everybody here.
17 This is democracy at work. People have
18 to come out. We can't do it ourselves. So if you guys
19 can keep doing this, do it for the canal, start those
20 funds, help the people that are fatigued right now, and
21 get them going. You guys can do it. We're a fabulous
22 Borough. When we care about something, everybody shows
23 up.
24 Look, tonight was a good example of it.
25 We might not agree on everything, but we're all -- we

1 *APRIL 2023 COUNCIL MEETING* 184
2 existing parking lot, and showed there was no cars
3 parked there for quite some weeks, from 9/18/2021 to
4 eight -- excuse me. It started on 8/7 to 9/18, no
5 cars, as there are now no cars, and have been no cars.
6 My point is, I think that the lot is
7 mismanaged. There's no direction signs to tell people
8 coming into New Hope off of 202 and along 29 that there
9 is parking down there, and, furthermore, I know you all
10 disagree with me, but nobody yet, including myself, has
11 been able to produce a drawing actually showing where
12 the wetlands stop and where the wetlands start.
13 The area that I have been discussing to
14 be used, after all of these heavy rains that we have
15 had -- I have been there right after rains. There's no
16 water in this area that I talked about.
17 what everybody doesn't realize, if you
18 get down in there and walk this, from the wetlands to
19 the area I am talking about, there is a five-foot to
20 six-foot elevation drop, and this not a gradual drop.
21 This is a drop that goes like this and drops off.
22 That space can be used for parking,
23 rather than spending millions of dollars for a parking
24 garage, and if it is wetlands, everyone of you know
25 that we have the engineering skills to build bridges

1 *APRIL 2023 COUNCIL MEETING* 185
2 across water.
3 There's no reason why we can't build
4 across wetlands. You are building underground wetlands
5 in this Borough every time one of those big underground
6 drainage systems is approved, and I'm going to end it
7 there, and I'm going to be back with a lot more.
8 **PRESIDENT GERING:** Thank you. Thank
9 you.
10 **MR. BALDERSON:** Thank you.
11 **PRESIDENT GERING:** Pam, we haven't heard
12 from you.
13 **MS. KERR:** New Hope Arts got a new
14 public sculpture last week at their studio sculpture
15 gardens, and if anybody wants to see it, the next
16 installation should be going up this weekend, and
17 professional landscape services across from the town
18 bank.
19 **PRESIDENT GERING:** Thank you.
20 You're the last one.
21 **MR. FREEO:** Real quick, I want to say --
22 Jay Freeo. The issue with water in the canal -- I
23 don't know if everyone realizes. I think it's the pump
24 seven bridge. The funding for the pump at seven
25 bridge, which provides the water to the canal, the

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2 did, Connie, but I called DCNR and I called Friends of
3 the Canal, because it was dry, and there's about 100
4 dead fish just north of The Porches restaurant, the
5 B&B.
6 And so they started the water, which, of
7 course, takes -- once the pumps starts, it takes about
8 a day and a half before you see water by the train
9 station. Fortunately, we had that good storm come in,
10 and that brought some water in, but I got phone calls
11 every time those dead fish went 30 to 40 feet, because
12 then the next business got bothered.
13 The toy store guy called me, and I got a
14 call from our executive director at New Hope Arts. So
15 I was going to say, we have to call DCNR and get them
16 to remove the fish or --
17 **PRESIDENT GERING:** Yeah, we had this
18 discussion. We're not going there and doing that.
19 **MAYOR KELLER:** Okay.
20 **PRESIDENT GERING:** Sorry.
21 **MAYOR KELLER:** They need to be moved.
22 **MR. FREEO:** And I do know that June 1st
23 they're supposed to start the pump, fill the canal.
24 They were supposed to de-vegetate the canal and put a
25 dredge in there.

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2 funding dried up, the water dried up. That's where
3 we're at. So I don't know that people understood that.
4 **MS. MCHUGH:** Thank you for clarifying.
5 We're so close to the issue that, obviously, the money
6 is gone. You're absolutely right.
7 **MR. FREEO:** I hope DCNR funds it, but
8 what are the options to fund that pump, if common
9 citizens, residents, would like to do that?
10 **PRESIDENT GERING:** Jay, I don't know
11 normally comment. I was one of the founding members of
12 the New Hope Borough Canal. In 12 years, we raised
13 \$200,000 as an ad hoc committee and ran it through the
14 friends, and that's how the pump was paid for. The new
15 pump was replaced from money that was raised.
16 The committee just got tired. So they
17 don't have an ad hoc committee to raise money for the
18 friends, and that's what they need.
19 **MR. FREEO:** Interesting. Okay. So
20 there is no means right now for residents to donate to
21 that effort?
22 **MAYOR KELLER:** There is. Robert has
23 already done it and other residents. I know that he
24 was the spearhead, because I spoke to him last Thursday
25 and Friday, because I called -- I don't know if you

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2 And so I don't know how long the canal
3 is going to stay full, but for the entire duration of
4 the dredging and vegetation removal. So there will be
5 water in there effective June 1. Again, I don't know
6 for how long.
7 **PRESIDENT GERING:** Call the Friends.
8 They're the ones who pay for the pump to be run.
9 Okay, guys. Can I have a motion to
10 adjourn?
11 **MS. RETTIG:** I make that motion.
12 **MS. MCHUGH:** Second.
13 **PRESIDENT GERING:** All in favor?
14 **THE BOARD:** Aye.
15 (At 10:02 p.m., proceedings were
16 concluded.)

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C E R T I F I C A T E

I hereby certify that the proceedings
and evidence are contained fully and accurately in the
notes taken by me in the above cause and that this is a
correct transcript of the same.

EDWARD T. MCKENNA
Official Court Reporter

- - -

<p>CORPORAL GIOVINAZZO: [21] 49/3 50/16 50/19 50/22 51/1 51/6 51/9 51/13 51/17 51/21 51/25 52/4 52/6 52/9 52/11 52/13 52/15 52/17 52/20 52/23 53/3</p> <p>GARRETT RHOADS: [6] 93/8 94/14 94/22 95/4 98/23 99/8</p> <p>MAYOR KELLER: [30] 2/24 45/19 47/13 47/19 49/4 50/13 50/18 50/20 50/24 51/4 51/8 51/11 51/15 51/19 51/23 52/3 52/5 52/8 52/10 52/12 52/14 52/16 52/18 52/22 52/25 53/5 154/22 186/22 187/19 187/21</p> <p>MR. BALDERSON: [10] 41/11 42/17 42/21 42/25 45/21 178/14 178/17 183/18 183/20 185/10</p> <p>MR. BRESSI: [3] 99/19 100/11 100/17</p> <p>MR. COHEN: [6] 110/17 110/19 122/10 155/24 156/16 168/13</p> <p>MR. CRETELLA: [55] 112/19 121/7 121/22 122/21 123/1 123/6 123/10 123/17 123/20 124/21 125/1 125/24 126/1 126/5 126/8 126/22 128/7 128/9 129/11 129/16 130/3 130/13 130/25 131/6 131/9 131/14 132/9 132/17 132/22 133/4 133/21 133/23 134/3 134/15 135/5 137/11 139/5 139/10 139/13 139/18 140/14 140/18 141/5 141/10 143/11 150/3 150/22 151/24 152/6 152/25 153/5 153/23 154/20 155/17 155/21</p> <p>MR. DARLINGTON: [1] 38/14</p> <p>MR. DOUGHERTY: [124] 2/22 57/10 59/11 59/22 60/6 60/9 60/13 60/24 63/21 63/24 64/4 64/8 64/12 64/18 65/13 65/16 66/18 66/20 66/24 67/3 67/11 67/16 67/21 68/3 68/9 68/12 69/1 69/11 69/17 69/22 73/12 74/5 74/10 74/20 74/23 75/13 75/18 76/1 76/9 76/24 77/3 77/12 83/20 86/13 86/15 86/20 87/1 87/16 88/5</p>	<p>88/11 88/16 88/18 89/5 89/14 89/18 90/1 90/5 90/16 91/1 91/4 96/11 97/19 97/23 98/8 101/9 101/16 106/9 108/8 108/13 108/17 108/21 108/24 110/10 124/11 124/22 125/3 125/25 126/4 126/7 126/18 126/23 127/13 128/8 129/5 129/12 129/22 133/8 162/6 162/9 162/23 162/25 163/14 164/4 164/16 165/3 165/14 165/17 166/1 166/7 166/12 166/16 166/23 167/6 167/16 168/1 169/12 169/16 169/25 170/4 170/18 173/4 173/17 173/24 174/7 174/13 174/18 174/22 175/4 175/9 175/15 175/20 175/23 175/25 176/6</p> <p>MR. FREEO: [4] 185/21 186/7 186/19 187/22</p> <p>MR. GRAY: [31] 2/10 2/13 2/15 2/17 2/19 2/21 2/23 2/25 3/15 5/7 6/23 9/24 10/17 12/25 14/19 15/20 17/5 17/24 18/14 21/22 24/4 25/13 26/10 31/18 169/18 170/3 170/7 174/4 174/10 177/12 181/15</p> <p>MR. KELLEY: [1] 39/1</p> <p>MR. LABRUM: [20] 62/20 63/15 64/3 64/6 64/17 160/4 160/11 160/15 164/25 165/5 165/16 165/22 166/5 166/8 166/13 166/21 167/3 167/11 168/10 181/17</p> <p>MR. LIENBACH: [10] 102/6 102/11 102/16 103/10 103/15 103/17 103/24 104/3 104/6 104/9</p> <p>MR. MAISEL: [50] 2/18 53/15 86/11 90/14 95/19 95/25 96/13 97/12 97/14 98/6 98/10 98/13 98/22 103/4 129/24 130/4 130/14 131/4 131/7 131/10 131/15 132/10 132/19 132/23 133/5 133/10 133/22 133/25 134/7 135/1 148/21 148/24 149/3 149/5 149/10 149/16 149/20 157/16 159/14 159/19 160/19 161/9 161/21 164/19 167/23 170/21 172/10 173/9 178/19 180/19</p> <p>MR. MEYER: [39] 2/20</p>	<p>9/15 50/6 83/21 83/25 84/11 85/19 90/21 91/5 92/14 94/8 94/18 94/25 101/3 103/19 135/6 138/20 139/6 139/11 139/17 139/21 140/15 140/24 157/13 158/13 166/25 168/6 168/25 169/10 170/5 170/11 171/11 172/7 173/19 175/1 175/14 176/9 178/8 180/24</p> <p>MR. PANZICA: [30] 64/21 65/14 65/18 66/1 66/10 66/19 66/21 67/1 67/6 67/12 67/19 68/1 68/8 68/10 69/10 69/15 69/21 70/7 71/1 73/6 77/19 77/21 78/24 79/3 79/10 81/9 83/1 83/8 84/10 84/13</p> <p>MR. PHILLIPS: [2] 34/14 34/17</p> <p>MR. RHOADES: [5] 46/8 46/22 46/25 47/5 47/7</p> <p>MR. RHOADS: [5] 91/22 97/22 98/4 98/14 99/7</p> <p>MR. VanLUVANEE: [56] 53/18 53/20 55/8 55/12 56/23 57/4 57/8 58/24 59/20 60/3 60/8 60/11 60/14 61/12 62/1 62/7 62/10 64/20 65/24 66/9 67/7 68/24 71/3 72/6 72/12 72/17 73/1 73/10 74/4 74/6 74/14 74/22 75/8 79/22 80/14 80/18 80/21 81/6 84/21 85/20 86/25 87/15 88/3 88/9 88/13 88/17 91/9 104/16 104/21 106/8 106/13 108/11 108/23 109/11 109/20 110/13</p> <p>MR. WILLIAMSON: [5] 45/1 45/6 45/8 45/23 47/17</p> <p>MR. WOLSTERHOLME: [22] 71/5 71/10 71/19 75/9 75/16 75/23 76/5 76/18 76/25 77/6 83/7 83/13 83/24 84/24 86/4 86/12 89/3 89/8 89/16 89/22 90/4 91/10</p> <p>MS. ENDRESS: [1] 33/7</p> <p>MS. FEDER: [43] 2/16 9/18 67/9 79/14 79/19 90/23 96/14 99/16 100/9 102/23 103/1 103/22 104/1 107/11 108/19 109/3 121/3 121/20 127/12 140/25 141/6 141/12 143/18 153/8 154/18 154/24 155/20 158/6 158/9</p>	<p>159/25 160/8 160/13 160/18 161/16 161/24 162/21 163/4 163/19 168/7 175/17 176/7 176/24 177/16</p> <p>MS. GIBSON: [1] 43/7</p> <p>MS. KERR: [2] 159/6 185/13</p> <p>MS. MANITTA: [2] 100/23 101/23</p> <p>MS. McHUGH: [46] 2/12 5/4 38/4 50/5 53/13 71/15 89/7 90/19 92/25 98/12 99/14 102/3 102/8 102/15 104/19 106/7 108/1 108/4 110/11 110/18 148/22 149/19 149/24 150/5 150/23 152/5 152/20 153/1 153/7 157/12 163/25 168/4 168/12 169/8 171/5 171/22 172/5 172/12 172/19 173/10 176/18 177/18 180/15 182/1 186/4 188/12</p> <p>MS. MILLER: [3] 35/13 38/5 38/11</p> <p>MS. RETTIG: [29] 2/14 50/7 80/12 80/16 80/19 80/23 82/23 90/18 92/16 101/5 109/8 109/16 109/24 122/20 122/22 123/4 123/8 123/15 123/18 168/3 168/24 170/23 171/12 171/20 172/8 172/18 175/24 176/16 188/11</p> <p>MS. STOVER: [3] 107/14 108/15 109/18</p> <p>MS. WHITMAN: [1] 32/6</p> <p>PRESIDENT GERIG: [237]</p> <p>THE BOARD: [17] 50/11 99/5 100/14 101/20 103/6 169/4 170/14 171/1 171/16 171/25 172/14 172/21 173/13 173/21 176/11 176/20 188/14</p> <p>UNIDENTIFIED SPEAKER: [20] 5/1 9/4 9/7 9/11 9/16 9/20 14/5 14/11 14/16 17/19 17/21 21/16 23/20 23/23 157/17 157/25 158/8 158/12 172/25 183/14</p> <p>\$</p> <p>\$15 [1] 138/10</p> <p>\$20 [1] 138/4</p> <p>\$200,000 [1] 186/13</p> <p>\$340,299.37 [1] 176/13</p> <p>\$4,000 [1] 180/8</p> <p>\$4,373.28 [1] 176/15</p>	<p>\$7 [1] 138/9</p> <p>\$77,883.88 [1] 176/15</p> <p>\$95,479.89 [1] 176/15</p> <p>.</p> <p>'16 [4] 62/12 62/12 64/14 64/16</p> <p>'18 [1] 62/12</p> <p>'25 [1] 131/16</p> <p>1</p> <p>1/12 [1] 179/11</p> <p>10 [1] 183/17</p> <p>10 o'clock [1] 125/18</p> <p>100 [3] 18/19 131/22 187/3</p> <p>101 [1] 43/8</p> <p>103 [1] 45/8</p> <p>104 [3] 91/19 92/13 98/24</p> <p>106 [2] 25/11 98/24</p> <p>107 [1] 71/10</p> <p>108 [1] 98/24</p> <p>10:02 [1] 188/15</p> <p>11-33 [1] 38/14</p> <p>114 [1] 83/15</p> <p>12 [7] 46/20 117/22 127/9 129/12 179/11 182/7 186/12</p> <p>12 feet [2] 7/18 127/14</p> <p>12-year [1] 3/24</p> <p>120 [1] 49/10</p> <p>120-seat [2] 19/3 19/7</p> <p>123 [1] 1/7</p> <p>12:00 [1] 177/24</p> <p>13 [2] 7/16 170/20</p> <p>143 [1] 16/25</p> <p>15 [4] 7/11 174/16 175/8 182/8</p> <p>150 [1] 95/10</p> <p>150-year-plus [1] 93/9</p> <p>1640 [1] 26/25</p> <p>17 [1] 112/22</p> <p>18 [3] 1/10 134/15 184/4</p> <p>18-month [2] 56/10 56/15</p> <p>180 [1] 101/25</p> <p>18902 [1] 41/13</p> <p>18938 [1] 1/8</p> <p>1980 [1] 14/22</p> <p>1982 [1] 29/16</p> <p>1990 [1] 14/22</p> <p>1st [2] 180/8 187/22</p> <p>2</p> <p>20 [9] 29/14 49/18 58/17 64/25 66/23 70/10 88/25 106/25 152/19</p> <p>20 feet [1] 116/15</p> <p>20-plus [1] 37/18</p> <p>200 feet [1] 19/5</p> <p>2008 [1] 18/6</p> <p>2016 [21] 64/7 64/22 64/24 67/18 68/9 70/21 70/24 71/14 71/17 71/20 72/9 72/13 72/18</p>
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<p>2 2016... [8] 72/22 73/17 74/8 76/23 77/8 80/13 81/15 81/21 2017 [2] 64/25 67/18 2018 [6] 54/3 60/18 62/12 81/17 82/6 82/8 2019 [2] 65/6 67/18 202 [1] 184/8 2021 [2] 183/24 184/3 2022 [2] 62/21 71/22 2023 [5] 1/5 1/10 173/15 180/7 181/19 2024 [1] 131/16 21st [1] 176/5 22 [4] 6/25 53/12 53/17 65/7 22nd [2] 181/19 183/24 23 [1] 22/3 24 [1] 129/13 24th [1] 176/14 25 [3] 14/4 29/13 33/8 259 [2] 169/6 169/20 259-60 [1] 170/9 267-902-2970 [1] 1/25 270 [1] 132/15 270 feet [1] 132/23 28 [1] 100/19 280 feet [1] 132/16 28th [1] 177/21 29 [2] 120/6 184/8 29,915 [1] 171/18 2970 [1] 1/25</p>	<p>5 50 [1] 14/20 57 [3] 5/9 6/17 8/14</p> <hr/> <p>6 6-year-old's [1] 141/19 60 [1] 170/9 68 [2] 99/13 99/20 6:30 [1] 1/10 6th [1] 176/5</p> <hr/> <p>7 75 [1] 14/19 75-foot-tall [1] 116/9 77 [2] 4/8 26/17 7:00 a.m [2] 125/14 125/15 7:00 p.m [1] 125/15 7th [1] 176/14</p> <hr/> <p>8 8/7 [1] 184/4 80 [1] 179/24 80 percent [1] 179/17</p> <hr/> <p>9 9/18 [1] 184/4 9/18/2021 [1] 184/3 96 [1] 104/13</p>	<p>134/18 137/5 139/16 140/3 140/5 140/7 141/3 141/14 142/17 142/19 143/15 144/3 145/14 146/15 148/18 151/13 151/22 153/3 153/17 153/24 154/2 154/6 155/14 158/14 159/20 160/24 161/19 163/10 163/10 163/19 164/13 174/14 174/21 175/24 180/22 182/3 182/22 183/3 184/16 184/19 187/3 187/7 above [3] 134/5 139/24 189/7 Absolute [1] 130/13 absolutely [11] 79/24 124/21 126/22 129/11 129/16 131/6 139/10 139/13 165/16 176/6 186/6 abstain [2] 90/21 91/5 abstaining [2] 91/3 91/4 Academy [1] 49/10 accept [4] 126/23 170/16 171/8 171/18 acceptable [1] 96/21 access [15] 19/4 19/10 19/12 23/21 23/23 62/25 63/12 84/5 122/25 128/21 128/22 131/20 143/12 151/15 151/16 accessed [1] 19/13 accessibility [2] 44/21 89/9 accommodate [2] 22/10 28/23 accommodating [1] 32/11 accommodations [1] 24/15 according [2] 74/11 181/8 accountable [2] 53/1 53/4 accounts [1] 176/13 accurately [1] 189/6 achieved [1] 71/24 acknowledge [2] 51/15 51/17 acknowledging [1] 88/1 across [10] 61/7 68/14 69/13 121/17 133/18 139/3 140/11 185/1 185/4 185/17 Act [1] 49/10 actively [1] 103/23 activity [2] 11/15 130/18 actual [3] 7/16 11/7 56/12 actually [14] 83/16 83/17 84/4 88/6 89/12 95/4 123/20 126/9</p>	<p>128/11 137/22 151/13 175/5 177/13 184/11 ad [2] 186/13 186/17 ADA [2] 85/23 85/24 add [9] 4/8 18/5 22/25 32/9 76/6 138/11 138/22 142/25 161/15 add-on [1] 138/11 added [4] 20/7 30/16 122/16 145/13 adding [5] 22/23 26/4 115/20 142/23 143/8 addition [3] 3/17 98/19 99/23 additional [5] 4/2 19/24 74/19 92/9 122/15 additionally [1] 49/15 address [16] 17/14 29/20 34/16 41/24 42/21 42/22 45/4 45/7 54/13 54/23 63/5 72/4 113/11 120/7 156/10 183/22 addressed [6] 41/23 63/8 81/6 141/15 149/12 163/23 addressing [1] 54/14 adjacent [8] 105/20 107/16 107/17 108/5 108/9 108/11 108/14 108/16 adjoin [1] 10/12 adjoining [4] 105/17 105/20 108/11 108/14 adjourn [1] 188/10 adjustments [2] 60/20 110/24 admire [1] 49/20 admit [1] 128/13 Adolf [1] 17/15 advance [1] 152/2 adversarially [1] 160/25 adversely [1] 24/10 advisability [1] 10/7 aesthetic [1] 59/10 affect [2] 24/10 27/22 affluent [1] 20/11 afford [1] 27/20 afraid [1] 120/11 after [18] 3/17 8/20 45/20 46/17 47/3 47/15 48/22 57/15 57/23 64/19 124/6 131/11 138/9 175/10 180/11 180/22 184/14 184/15 afternoon [1] 142/14 again [20] 21/14 23/19 54/17 62/13 62/13 82/5 112/6 131/18 131/20 134/21 142/12 150/11 151/4 154/7 155/11 167/13 167/18 167/20 177/19 188/5 against [8] 23/6 27/25 32/19 32/24 81/23 88/8 92/18 121/13</p>	<p>Age [2] 52/8 52/9 agencies [1] 85/24 agenda [8] 3/3 3/6 53/10 53/22 91/19 99/11 100/18 164/24 ago [11] 48/13 64/5 68/7 68/13 74/25 86/6 88/14 120/13 130/22 130/22 131/1 agree [15] 5/2 16/22 33/10 76/11 88/3 92/25 118/21 121/15 128/9 131/22 150/8 156/1 156/8 162/9 182/25 agreement [5] 3/19 80/4 87/17 95/7 155/16 ahead [17] 4/23 6/22 9/13 9/13 12/24 14/8 14/15 18/12 24/3 25/12 77/20 80/11 86/14 124/10 149/2 149/23 164/18 aim [1] 13/4 air [1] 96/17 Alan [1] 23/17 alarming [1] 180/4 alarms [1] 20/7 alert [1] 177/20 all [173] 5/6 8/24 12/22 14/13 14/14 15/9 15/17 17/4 17/17 18/3 18/7 18/10 18/13 22/5 22/7 23/7 24/4 26/12 26/23 28/11 31/2 31/18 33/25 35/11 35/18 37/5 37/22 38/8 38/19 39/21 41/6 41/6 42/7 43/5 45/20 46/3 46/4 47/7 47/8 48/24 50/10 53/8 53/18 55/3 55/18 55/21 56/2 56/7 57/6 57/23 59/5 61/16 62/3 62/8 63/18 68/23 71/24 75/4 77/4 77/13 78/18 80/8 85/19 87/23 88/20 88/21 90/11 90/13 91/5 91/16 92/11 93/25 96/6 98/9 98/25 99/4 100/11 100/13 101/16 101/19 102/18 103/5 105/13 105/17 106/15 106/16 106/23 107/16 108/15 110/8 110/14 110/17 110/18 110/20 111/14 112/11 112/20 115/7 115/14 116/13 117/9 118/9 119/6 120/17 121/19 126/16 127/5 127/19 130/16 132/12 132/13 135/7 135/21 136/2 136/10 138/7 139/15 140/11 140/25 141/8 143/6 147/22 148/2 148/3 148/4 148/4 148/5 151/14 153/3 156/14 156/15 157/10 158/2 161/17 163/6 165/18 166/24</p>
<p>3 30 [3] 49/5 164/11 187/11 307,000 [1] 180/6 30th [1] 61/9 31st [1] 176/14 33 [1] 38/14 35 [3] 118/9 118/21 121/9 35.D [1] 16/6 35.K [1] 16/2 350 [1] 78/10 36-8 [2] 117/19 121/11 39 [3] 25/14 34/17 38/16 3:00 [1] 177/24</p> <hr/> <p>4 40 [3] 121/10 157/20 158/2 40 feet [2] 117/19 187/11 44 [4] 5/24 137/7 137/8 146/16 44-bed [1] 27/3 44-unit [2] 18/21 19/3 45 [1] 120/13 4565 [1] 41/12 46 [1] 39/4 48 feet [1] 121/14 49 feet [1] 121/14 4th [3] 30/4 54/4 54/16</p>	<p>A a.m [2] 125/14 125/15 A117.1 [1] 86/5 abide [1] 152/7 ability [2] 106/10 178/10 able [20] 44/2 44/9 70/14 75/10 77/14 77/15 79/20 95/12 96/3 98/16 103/19 107/11 112/12 131/24 140/12 154/23 157/5 157/5 164/14 184/11 about [128] 6/4 9/25 15/14 16/22 17/2 17/6 17/19 18/19 21/13 22/19 23/2 23/4 24/8 26/8 26/11 27/9 29/17 32/21 34/5 34/18 34/20 34/22 39/12 40/15 42/12 43/10 44/6 55/1 56/24 57/17 58/8 58/11 60/12 61/9 63/4 69/8 71/17 73/19 75/5 75/5 77/21 77/22 78/4 78/5 78/20 79/16 79/20 79/25 80/3 80/6 80/7 83/6 83/7 86/6 88/10 88/15 90/3 90/6 93/11 95/10 95/21 96/15 96/24 107/12 109/25 111/3 111/12 111/22 112/22 112/22 113/18 114/16 114/24 115/5 115/12 116/6 116/20 119/13 120/6 120/9 124/24 125/9 127/14 132/12 134/8 134/15</p>			

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