

New Hope Borough
Planning Commission
October 16, 2023 / 6:30 PM

The New Hope Borough Planning Commission met on Monday, October 16, 2023 at the Borough Hall community meeting room.

Present: PC Chairman Keith Voss (KV), PC members Lou Bellafronte (LB), Lawrence Greenberg (LG), Kelly Whitman (KW) and Peter Meyer (PM)

Also in attendance: Mary Stover (MS), CKS Engineers, Lisa Littlefield (LL), Zoning Officer and BCPC member David Kimberly (DK)

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

Public Comment: None.

Approval of Minutes: The minutes of the September 16, 2023 meeting were approved with minor changes.

I. Preliminary / Final LD Review LD23-1 New Hope Solebury School District Fieldhouse

G. Michael Carr in his capacity as the attorney representing the New Hope Solebury School District presented to PC members the submitted Land Development application for the proposed fieldhouse and related improvements. Representatives from the School District as well as from the ELA Group (Chuck Haley, Project Engineer) were in attendance during the meeting. Variances from the Zoning Ordinance related to the project were granted by the Zoning Hearing Board at their scheduled meeting on September 14, 2023 subject to several conditions.

Michael Carr walked the PC through the ELA Group's dated September 27, 2023 letter sent in response to the reviews completed by the Borough Zoning Officer and the Borough Engineer.

KV had a question to the applicant regarding replacement trees. As part of the Zoning Hearing Board approval, the applicant is required to plant two trees for every one tree removed for the project. There was discussion as to whether the School District would comply with this condition. It seems there was uncertainty on the applicant's end regarding the required species of trees and also as to the quantity required. The Zoning Hearing Board in their decision referenced that they recommend "White Oak".

Michael Carr indicated that the School District may pursue appealing the ZHB's decision. Ultimately, the species of trees to be planted is up to Borough Council. Additionally it was clarified during the meeting that it is not required for the applicant to plant white oak. It was stated by Chuck Haley that white oaks are also difficult to find. There was also concern over the fact that the ZHB imposed a five year replacement period for any trees planting that may end up dying.

Ultimately, the School District seemed to indicate that they would comply with the ZHB decision; however, Michael Carr stated that he would confer with the School District and inform the Borough of the School District's intent to appeal or comply with the ZHB decision prior to the appearing before Borough Council at a future public meeting.

There was discussion regarding Hardy Bush Way and public sidewalk installation. The School District's position is that Hardy Bush is not related to the proposed Land Development. There would also be a significant cost involved to install sidewalks if required by Borough Council. There was also past discussion with the Borough exploring installing a trail in this area, which would have borne a significant cost. There is also an existing fence along Hardy Bush, where moving this for the purposes of creating new sidewalks would incur a significant cost. PM mentioned a PennDOT related project that may increase vehicular traffic through Hardy Bush.

It was discussed that an easement could be widened in lieu of the applicant installing sidewalks. This would allow the Borough, at their direction, to install sidewalks if proposed in the future.

LG said that he understands where the School District is proposing the fieldhouse building but expressed concerns over trees being removed. Chuck Haley said that the building is placed central to necessity for public, SD staff, students, faculty, etc.

A waiver is requested from the SALDO requirement to plant street trees along Hardy Bush Way. This requirement is independent of the ZHB decision. If street trees are required, 132 trees would be required according to Borough SALDO (1 for every 40 linear feet of street frontage). Rather than plant trees along Hardy Bush, it was discussed and agreed upon by the School District at the meeting that they would plant twelve trees on the lot.

KV asked if there is an Engineering concern regarding the minimum pipe size of 18" required as part of stormwater management. MS said that CKS does not see an issue.

Regarding IV.5 under General Comments of the CKS review letter, MS said that as part of SWM approval the applicant will need to provide SWM approval documents to the Borough. Michael Carr stated he would comply. A Notice of Determination from the County will also need to be provided.

Discussion over proposed ornamental railing. Discussed installing railing behind retaining wall as to not cause direct pressure on wall.

Michael Carr stated that the applicant is marking 'will comply' with provisions of the Borough SALDO as identified in the CKS 9/27/23 review letter:

SALDO:

- #7: SALDO 4.02.D.1.j & 3.r (Buildings, uses, sewers, etc. within 100 feet of property requirement) – Waiver Request
- #12: SALDO 5.14.B.4 (Street Tree requirement) – Waiver Request
- #14: SALDO 6.08.A (Sidewalk requirement) - Waiver Request
- #16: SALDO 4.00.B (Separate Preliminary & Final LD Plan requirement) – Waiver Request

SWM SALDO:

- # 3: SALDO 5.05.C.2 & 5.07.D.5.c (Minimum 18" pipe diameter for storm sewer requirement) – Waiver Request
- *PC voted 4-1 recommending acceptance & approval of the Preliminary/Final Land Development plan subject to the following comments and conditions:*

1. CKS reviews and gives their approval and agreement that all “will comply” responses have been incorporated into the plans.
2. ZHB requirements written up prior to Council Approval.
3. In lieu of constructing a sidewalk, easement will be widen along Hardy Bush to allow future construction of sidewalk and/or path.
4. In lieu of street trees along Hardy Bush, twelve additional trees will be planted on the lot.
5. All other SALDO waivers are accepted.

II. Sign Ordinance Discussion

PC continued their discussions over revisions to signage sections within the Zoning Ordinance.

Discussed canopy type signs whether they are attached to a structure or directly to the ground. DK brought up canopies at gas stations. Consensus is to consider them freestanding that can be added with internal or external supports.

There was discussion with sign boards, aka wall signs. Suggested by LL to simplify dimensional requirements.

KV asked if right-of-way should be defined, specifically related to discussion of visibility.

MS wondered if signage on New Hope Arts building was previously approved, there are signs are three sides of the building and signage facing canal street.

Signs within the front yard were discussed.

It was discussed that there should be special consideration given to the New Hope Arts and Union Square properties given either the size or amount of facades. Idea is not to unfairly limit the quantity of signs for these properties.

Discussion over façade per A(5). Is this two sides or three sides?

MS asked about quantity of sign types per property and how it appears to be unlimited. DK said that it could be adjusted to add quantity limitations of signs per property.

There was discussion regarding incidental signs. The standard proposed of 6 square feet and 12 feet is too high.

There was a longer discussion regarding regulating flags. DK referenced a Supreme Court case out of Gilbert, AZ that limits content of signs. DK recommends leaving flags out of Ordinance or regulating in a loose fashion. LL will request Borough Solicitor to review Gilbert, AZ case and provide input.

Discussion returned to façade. It was discussed and suggested two signs are permitted per tenant as opposed to per property. This would make it less limiting on businesses.

Adjourn: 9:03 pm.