

New Hope Borough Planning Commission
Thursday, February 23, 2023
Meeting Minutes

The New Hope Borough Planning Commission met on February 23, 2023 in the public meeting room. In attendance and voting were Chairman Keith Voss and members Lawrence Greenberg, Lou Bellafronte and Nick Gialias (who arrived late). Also in attendance were David Kimmerly of the Bucks County Planning Commission (BCPC), and Mary Stover, Interim Zoning Officer.

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

Public Comment: None.

Minutes: Monday, October 17, 2022 and Thursday, January 19, 2023 Meeting Minutes; Postponed to later in meeting.

Review of Formula Retail and Formula Restaurant Zoning Ordinance Amendments

It was discussed that the Borough Council is proposing the changes to the use definitions for Formula Retail and Formula Restaurant to allow non-franchise privately owned stores or restaurants that have locations elsewhere to be located within the CC – Central Commercial Zoning District. The Borough Solicitor prepared the proposed ordinance revisions.

Mr. Voss asked about the meaning of “elsewhere” in the ordinance section. It was noted that Section E says “within or outside the Borough”.

Mr. Greenberg and Mr. Bellafronte had no objection to the proposed change. Mr. Voss agreed and noted that this is what the Planning Commission had suggested back in 2022 when Formula Retail was adopted.

Mr. Greenberg made a motion to recommend approval of the proposed revision to the Zoning Ordinance regarding Formula Retail as written. Mr. Bellafronte seconded the motion. Motion passed 3-0.

Mr. Bellafronte made a motion to recommend approval of the proposed revision to the Zoning Ordinance regarding Formula Restaurant as written. Mr. Greenberg seconded the motion. It was noted that the formatting changes should be fixed. On second page, “Retail Restaurant” should just say “Restaurant”. Mr. Bellafronte made a motion to amend the prior motion to change “Retail Restaurant” to “Restaurant” in II.(1). Mr. Greenberg seconded the motion for the amendment. Motion passed 3-0.

Mr. Gialias arrived at 6:52 pm.

Comprehensive Plan

A question was raised about updating the Comprehensive Plan. The update was budgeted for 2023. Mr. Bellafronte made a motion to recommend to Council to solicit proposals to start the Comprehensive Plan. The motion was seconded by Mr. Greenberg.

Mr. Kimmerly noted that the chosen consultant should talk to Borough staff and public to get input. Bucks County Planning Commission is looking into preparing an Implementable Plan which looks at specific problems and prepares a plan to address these issues. He noted that the City of Allentown did one.

Mr. Greenberg noted that they want the Planning Commission to be involved in preparing the plan. They do not want it brought to the Planning Commission at the end of the process for approval. Mr. Kimmerly suggested that they ask Council to get the ball rolling by hiring a consultant. He would suggest that the first meeting be with the Planning Commission. Mr. Kimmerly recommended that when municipality hires consultant that they publicize to encourage participation. It was suggested that for the first meeting, they invite Council, staff, business leaders, real estate, arts, HARB, etc. Some municipalities create a task force with these members. There should be a survey that is distributed to the public. Mr. Bellafronte asked if it will be up to the Planning Commission to determine how the consultant will work with the Planning Commission. The members do not want to be left out of the process.

It was noted that Mr. Meyers has been pushing to get the work on the Comprehensive Plan started. Mr. Kimmerly noted that if the Planning Commission wants input on the selection of the consultant, they should communicate that to Council.

Mr. Greenberg suggested that they modify the recommendation to convey the Planning Commission's wishes. Mr. Bellafronte said that they would like to manage the process through the Planning Commission. Mr. Gialias said that in the end, Council can do what they want. It was suggested that they request a process where the Planning Commission can give recommendations.

Mr. Bellafronte noted that in his experience, even when there was a committee, the Planning Commission did most of the work. Mr. Kimmerly noted that they could have the Planning Commission be the core group and bring in outside people like business leaders, HARB, etc. into the Planning Commission to discuss. Mr. Greenberg suggested they recommend that the Comprehensive Plan be prepared under the "leadership" of the Planning Commission. Mr. Kimmerly noted that Council should also be involved. He noted that the Bucks County Planning Commission had a photo contest to involve the public by asking for pictures of their favorite places around the County. They also had other meetings/activities to involve the public in the process. Mr. Greenberg noted that it would be good to look at towns outside of Bucks County, outside PA, and even outside of the Country to see what other places are doing.

Mr. Bellafronte withdrew the earlier motion.

Mr. Gialias made a motion to request that Borough Council solicit proposals from potential consultants to prepare a new Comprehensive Plan and that the Planning Commission would like to be involved in managing the process including the selection of the consultant. Mr. Greenberg seconded the motion. Motion passed 4-0.

Minutes: Monday, October 17, 2022 – approval of these minutes was tabled.

Thursday, January 19, 2023 Meeting Minutes – Mr. Greenberg made a motion to approve the minutes. Mr. Gialias seconded the motion. Motion passes 3-0-1 with Mr. Bellafronte abstaining.

Signs

It was suggested that the discussion start by looking at the definitions in the current ordinance and in sample ordinances distributed to the Planning Commission. They could look at what definitions should be added to the New Hope Zoning Ordinance and then they could discuss what type of signs should be permitted.

The issue of signs that are visible through the windows that are placed directly inside the window.

The definition of a "Window sign" was provided in the Montgomery County Model Ordinance that had been distributed to the Planning Commission. It was discussed that this definition includes signage within 3 ft. of the glass. Mr. Voss asked what if it set back 5 ft. from the glass or what if it is illuminated and it is clearly visible from the street.

Mr. Gialias noted that there have been changes in sign technology. There are restrictions that prohibit LED lights, but now many signs use LED lighting.

It was suggested that the Planning Commission request a list from Code Enforcement to see what the current issues are. It was noted that enforcement is an issue for signs such as sandwich board signs which are prohibited. The shop owners are told to remove these signs, but they continue to put them out on weekends when they know he is not checking.

Mr. Greenberg noted that they should look at repetitive signs such as lawn signs and see if they can limit these. There was a concern about realtor signs.

It was noted that some businesses have started using paint or chalk on sidewalks to get people to notice their shop. Mr. Gialias noted that they should focus on solving problems that the Borough is having and not try to solve everything situation.

The only sections provided to the Planning Commission was various definitions sections to begin the conversation. Mr. Kimmerly asked if the Borough wanted the Bucks County Planning Commission to be involved in this process. It was noted that they do want their assistance. Mr. Kimmerly noted that there is a court case called the Gilbert decision which requires that sign regulations must be content neutral. The ordinances from Warrington Township and Montgomery County that were provided are content neutral. Mr. Kimmerly noted that there are some parts of the current New Hope ordinance where content is regulated.

Mr. Gialias noted that the maximum size of wall signs is based on linear feet of signage. He questioned if the size should be the same for one story building vs. 3 story building. It was noted that in places, if further back from road, then they could consider allowing a larger sign. Mr. Gialias noted the sign on the Bucks County Playhouse as an example of a larger sign on a large building setback from the road.

Mr. Bellafronte asked what definitions should be added and what should be changed based on issues having. He noted that they should be revising ordinances based on what is going on the community. Mr. Gialias agreed that they should be addressing issues that we are having and look at additional changes later.

Mr. Kimmerly said they could take the current ordinance and insert certain definitions that will address problems. For example, there are problems with sandwich board signs, banners, lawn signs, and visual pollution.

It was asked if you can differentiate between custom-made or hand-made signs vs. mass produced LED open sign or other unimaginative signs.

Mr. Gialias asked about how a sign is measured by taking the size of the outer perimeter. Maybe allow for a sign that uses negative space for artistic value to be larger. Mr. Voss noted he would like to see artistic mounting brackets. It was discussed how to define the framework, as long it does not have content, to not be counted toward size.

It was noted that safety issues would remain regarding heights.

Mr. Gialias discussed the process for approval, where the sign is reviewed for compliance with the Zoning Ordinance first, then it goes to the Historic Architectural Review Board (HARB) for review. He noted that since HARB is part of process, they could give HARB the authority to grant relief for certain criteria. Mr. Kimmerly said that he looked at the HARB requirements for signs and felt they should include additional requirements. They could also put some incentives in the Zoning Ordinance to allow for a larger sign. The HARB guidelines encourage traditional signs such as wood with carved or painted lettering, but this is not a requirement. Other requirements could be specific to the Historic District or the CC – Central Commercial Zoning District. They could restrict the lighting so that the signs in these districts not be permitted to be internally illuminated. The HARB guidelines currently says internally illuminated signs are generally not recommended.

Mr. Gialias noted that it would be difficult to have a definition for creativity. He noted that the sign for his restaurant is made of metal so would rust and contrast. Mr. Greenberg noted that they don't want all signs to be a carved wood sign. There was a discussion about how to encourage creativity.

Mr. Kimmerly noted that they will look at definitions and write some design guidelines to discuss that would be specific to New Hope.

There was further discussion regarding signs types, motion, illumination, etc. Mr. Kimmerly noted that they should first define signs and then determine where they can be.

Mr. Bellafronte suggested that they may want different sizes in pedestrian areas vs. driving areas. It was suggested that the members may want to take pictures of signage that they would like to see and signage that they would not want to encourage. It was also suggested that they get a list of the issues from code enforcement.

The meeting was adjourned at 9:00 pm