

BEFORE

NEW HOPE BOROUGH COUNCIL

In Re: Workshop Meeting

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MONDAY, JULY 1, 2019

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A public meeting was held at the Borough Municipal Building, 125 New Street, New Hope, Pennsylvania 18938, commencing at 4:19 p.m. on the day and date above set forth, before Tara Wilson, Professional Reporter and Notary Public in and for the Commonwealth of Pennsylvania.

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DOYLESTOWN, PENNSYLVANIA 18901

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1 **BOROUGH COUNCIL:**
 2 Connie Gering, President
 3 Tina Leifer Rettig, President Pro Tem
 4 Laurie McHugh
 5 Ken Maisel
 6 Alison Kingsley (Late arrival)
 7 EJ Lee, Borough Manager
 8 Jim Ennis, Zoning Officer

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1 MS. GERING: Call the meeting to order,
 2 please.
 3 MS. LEE: I'll take roll call for the
 4 record. We have Connie Gering, Council
 5 President; we've got Pro Tem, Ms. Rettig; we have
 6 Mr. Maisel; Ms. McHugh and myself, borough
 7 manager; our zoning officer, Jim Ennis and
 8 several members of the community including Gloria
 9 and Anita from the shade tree commission present;
 10 and a couple residents, and a couple members of
 11 the junior council.
 12 MS. McHUGH: Go ahead.
 13 MARYNA CHUMA: As you know we been
 14 working on our ordinance and unfortunately last
 15 Friday Governor Wolfe signed on the budget that
 16 bans banning or restricting single use plastics.
 17 So what that means for us is that right now, our
 18 ordinance has to be put on hold because it would
 19 be illegal to create one, which we're upset about
 20 because we really got the ball rolling on it.
 21 But this could help us in the long run with
 22 educating and making it really more public and
 23 having it an even smoother transition than we
 24 anticipated.
 25 So last -- or two weeks ago, we went

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 5 2. Discussion
 6 a) Cell Tower Consultant Proposal. 17-24
 7 b) Review of procurement process
 8 for volunteer boards/commissions..... 24-25
 9 c) Zoning Ordinance Height
 10 Regulations..... 25-61
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 13 e) Tree City USA Presentation..... 11-17
 14 3. Public Comment..... 61-63
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1 around to all the businesses that we could or who
 2 were open and we recorded some data and kind of
 3 got their opinion on it.
 4 ELLIOT: Yeah, so our worry was that
 5 most of the businesses weren't going to be in
 6 favor of it, but after asking them if they hadn't
 7 switched over, the majority of them were willing
 8 to switch over or already well on their way. So
 9 they were all on their last order of plastic bags
 10 and cups or they were waiting on shipments for
 11 biodegradable eco-friendly stuff, but there were
 12 a few businesses that say, hey, we use plastic
 13 cups for cold liquids or we have plastic bags and
 14 paper bags are more expensive.
 15 So we compiled a little bit of
 16 information on ways that they could work around
 17 that, so instead of giving people a paper bag,
 18 say, hey -- or don't give them a bag initially
 19 and then wait for them to ask and then say, okay,
 20 it'll be five cents extra or whatever. And
 21 eventually that will add up and pay for the extra
 22 price of paper bags.
 23 And we found eco-friendly
 24 biodegradeable cold cups that are a corn starch
 25 base and a lot of people were really interested

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1 by that. It was an overall positive response,
2 I'd say it was around 80 percent positivity and
3 there were a few people who were like, eh, no.
4 Our plan for this year do to having to push back
5 the ordinance, but on the back burner is to
6 educate and kind of refine our plan and maybe
7 even shorten the time from when it's passed from
8 when it becomes a law. So we were originally we
9 were gonna do a year, but now we're thinking
10 maybe four to five months.
11 THE REPORTER: I'm sorry. Your name?
12 ELLIOT: Elliot, sorry.
13 MARYNA CHUMA: And I'm Maryna. Sorry
14 I'm a little sick.
15 So, of course, we're upset that this
16 happened, but we think this could be a good step
17 going forward because the little pushback that we
18 got, those businesses, a lot of their hesitation
19 was because of miscommunication. So, for
20 example, one of the businesses was avidly against
21 it just because they said like, well then I'm
22 gonna throw out all my plastic bags I just
23 ordered when in the ordinance it would allow them
24 to use them. And so it was kind of difficult to
25 communicate that.

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1 We were supposed to have a meeting
2 today that would kind of clear up those confusing
3 interpretations, but that just gives -- now that
4 we canceled the meeting because of this just
5 recent event that happened, we will still have a
6 similar meeting, but maybe a couple months down
7 the road. And we were thinking, we were just
8 brainstorming about giving a type of sticker or
9 notification for the businesses that do already
10 use the single use -- or do not use the single
11 use plastics because if they -- if businesses
12 start to see, like, oh, like visibly see over 50
13 percent or over 80 percent town already is on
14 this bandwagon, I can join it too. And then also
15 once it comes time where we could pass the
16 ordinance, we can have it passed or have all this
17 confusion handled in a month. So it'll make the
18 whole process smoother.
19 MR. MAISEL: I think it's a great idea
20 to do that sticker of some sort and just have
21 people to start noticing it and that's really
22 going to put peer pressure on the businesses.
23 And stick with it, you know, because, you know,
24 it'll be sweeter when the time comes get the
25 opportunity.

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1 MS. RETTIG: And along those lines, I
2 just purchased this and I don't know if you guys
3 want to take a picture of it or anything or look
4 at it, but it's all different kinds of metal
5 straws. It comes with a cleaning brush, two big
6 smoothie straws, four regular straws, two bent
7 straws and in an eco-friendly case. And the
8 whole thing was \$19 and I overpaid because it was
9 at a fancy-schmancy resort. And it's called the
10 last straw you'll ever use.
11 MS. McHUGH: We did look into that, we
12 will take a picture anywhere.
13 MS. RETTIG: The last straw you'll ever
14 buy that's what it is. And I grabbed it because
15 I wanted it, but then also I was thinking about
16 the businesses. And that could also help them
17 'cause then they could also charge whatever --
18 and make up the money per se and people then have
19 their metal straws.
20 MS. McHUGH: We're dealing with
21 Lambertville who -- they grandfathered theirs in
22 before there governors tried to take it and a lot
23 of the stores and bars are selling this in
24 Lambertville. They don't -- I talk to their ECC
25 officer and they said -- she told me that they

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1 have a lot of positive feedback from it and
2 there's been three people -- three businesses
3 that contacted her and have questions and she's
4 working with them directly, but she's saying it's
5 going over really well. So it's a shame that we
6 have this, but they're going to make the best of
7 it and make it really push for the educational
8 part of it.
9 PAMELA KERR: Have you talked Poppy's
10 Green Grocer as of their opening yesterday?
11 MS. McHUGH: That's Solebury.
12 PAMELA KERR: No, I'm just asking
13 because it might give some ideas. I was just
14 thinking that someplace where people go and get
15 their pizza with -- if they had their Spatola's
16 bag, they might not, you know -- they could save
17 something if Spatola's would charge an extra for
18 a plastic bag, they could bring the same bag back
19 because, you know -- I just -- there's things
20 we're just recycling over and over again.
21 There's some things you can't get away from
22 because, you know, you have to put in something
23 and most people aren't going to have their pizza
24 box.
25 But -- it just seems like, you know,

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1 just don't get used to putting bags in the car on
 2 our shoulder, if they could just see that, you
 3 know, even some of us have learned to did it,
 4 that it could just be a culture of the norm.
 5 MARYNA CHUMA: We did promote that to
 6 lot of the business. We did either recommend or
 7 offer them some resources for doing those bags
 8 with your logo on it and a lot of them were open
 9 to it. They were more open to first having it
 10 with paper bags, like putting their logo on a
 11 paper bag that you would use for stores downtown,
 12 but I think that's it very possible that we could
 13 change the culture in that sense in the next
 14 couple years.
 15 MS. McHUGH: And they would be open to
 16 doing a co-op, right? So if we could start a
 17 co-op for all the restaurants. I talked to a
 18 couple of the green packaging suppliers and they
 19 have no problem doing it, what it would be is,
 20 you know, they do a bulk restaurants and it gets
 21 delivered to a restaurant each month or each
 22 order, whenever they order. So it's not one
 23 restaurant that has to deal with getting the
 24 shipment and it would get spread out, so they'd
 25 get the pricing, much cheaper pricing and

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1 Forest Service and the National Association of
 2 State Foresters. Tree City USA program, it's
 3 been around since 1976. There are over 3400
 4 cities in America right now that participate and
 5 it encompasses about 143 million people that live
 6 either in or right around a tree city.
 7 So why do we want to be a member?
 8 Predominantly because it provides resources to
 9 the shade tree commission and the borough. It
 10 provides advice regarding the establishment of
 11 tree programs, not only how to implement, you
 12 know, development them, but how to implement
 13 them. Tells visitors that we care about the
 14 environment, it may influence a business maybe
 15 wants to conduct a meeting or open a shop. And
 16 it presents an image that most citizens want to
 17 have as a place to live. So it also encourages
 18 volunteers such as us, you know, to participate
 19 on the shade tree commission.
 20 So there are four standards that you
 21 need -- that a city has to have in order to
 22 become a Tree City USA member. And one is have a
 23 tree board or department, we have shade tree
 24 commission, so check that one off. You have to
 25 have a tree care ordinance, we got that Ordinance

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1 everybody would be on the same page. So that's
 2 something else they'll be working on.
 3 And also Lambertville has a green
 4 packaging vendor day July 31st, which is all the
 5 green vendors will come in, so they'll be there
 6 and see what other solutions are, that maybe we
 7 overlooked and then pass that on to Main Street.
 8 MS. GERING: Good job, guys.
 9 MARYNA CHUMA: Thank you.
 10 MS. McHUGH: All right. Thank you for
 11 the update.
 12 MS. GERING: Enjoy the rest of your
 13 summer.
 14 GLORIA BROEKER: All right. Tree City
 15 USA. I have a 28 page PowerPoint presentation,
 16 which I'm not going use, but that's directly
 17 think from the Tree City USA, but I extracted
 18 several key elements here. So I want to talk
 19 about what is Tree City USA, why should New Hope
 20 Borough be interested in becoming a Tree City
 21 USA, and what do we need to in order to join.
 22 And then what else you might want to talk about.
 23 So what the heck is it? So it's a
 24 national program sponsored by the Arbor Day
 25 Foundation in conjunction with USDA National

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1 Chapter 245, we got that one covered. And you
 2 have to have a budget for a community forestry
 3 program with a per capita annual budget of at
 4 least \$2, we currently have that. Not only do we
 5 have that in our allocation, but we can
 6 incorporate our time, the time of public works
 7 employees, any other time associated with
 8 maintaining or doing anything having to do with
 9 trees.
 10 So we got three out of the four right
 11 away. The fourth one is you have to have an
 12 Arbor Day observance and a proclamation. So this
 13 past year we actually had an observance of Arbor
 14 Day in April. And what we'd like to do in 2020
 15 is have a natural ceremony, you know, a little
 16 bit more structured ceremony and the Tree City
 17 USA actually has a lot of resources that you can
 18 pull down to help you in that regard. And we
 19 need a proclamation, which is one of the reasons
 20 we're here. We need council to approve an actual
 21 proclamation, we have -- they even provide an
 22 example.
 23 MS. GERING: Oh, you got one for us,
 24 that makes life so much easier. I love it
 25 already.

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1 GLORIA BROEKER: We can just -- I can
 2 fill in the blanks, you know, and rewrite it be
 3 applicable for, you know, the New Hope Borough.
 4 And there's really -- there's no cost associated
 5 with it, there's no other action.
 6 The application process you have to be
 7 complete by December 31st. So our plan is to
 8 start the application process between September
 9 and October, so we have plenty of time, but
 10 before we do that, we have to have the
 11 proclamation. So that's really what we're asking
 12 here, but once we do that and get the application
 13 signed and approved, it opens us up to have
 14 access to numerous resources, no charge.
 15 It also tells, you know, once approved
 16 through our state forester, which is the one that
 17 has to sign off on it, we get a Tree City USA
 18 road sign so we can actually publicize the fact,
 19 you know, we are a Tree City USA member and it
 20 tells visitors that we care about our community.
 21 We get a Tree City USA flag that we can fly
 22 proudly that, you know, indicates quality of life
 23 might be better.
 24 MS. GERING: Is it a little flag.
 25 ANITA MAXIMO: No, it's a big flag.

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1 MS. LEE: We can August.
 2 I'll work with you, Gloria, I just need
 3 --
 4 GLORIA BROEKER: Anita could also.
 5 ANITA MAXIMO: I'll be here.
 6 MS. LEE: And I think you guys already
 7 did this, but you would just need to make a
 8 formal motion at the shade tree meeting to
 9 request this from council and we'll legalize that
 10 as the impetus for council's consideration at
 11 their next public meeting or at the August
 12 meeting, whichever works for you.
 13 MS. GERING: That's great.
 14 MR. MAISEL: That's fantastic.
 15 MS. GERING: That's really --
 16 MS. RETTIG: I like those signs when
 17 you drive somewhere and it says Tree City USA.
 18 GLORIA BROEKER: You've seen them?
 19 Yeah, Doylestown's a member and Newtown's been a
 20 member since 1984. So, you know, we'd be
 21 catching up to other members of the community.
 22 MS. GERING: That is really good and we
 23 could get some money for trees, that would be
 24 even better.
 25 GLORIA BROEKER: Exactly, because we

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1 GLORIA BROEKER: It's a nice size flag.
 2 MS. GERING: That's really nice.
 3 GLORIA BROEKER: You know, and like I
 4 said access to numerous resources that we would
 5 love to tap into.
 6 MS. GERING: Is there grant money
 7 available through that and so forth?
 8 GLORIA BROEKER: They do have programs
 9 that allow you to access grants.
 10 MS. GERING: That's perfect.
 11 GLORIA BROEKER: So what we would like
 12 to do is get the approval to move forward with
 13 the proclamation. I'll be glad to draft one up
 14 using the example that they provide and if we get
 15 that done by September or so, we can go through
 16 the application process.
 17 MS. GERING: Can we put it on the July
 18 agenda, would that give you enough time, July
 19 16th?
 20 MS. LEE: Yes, absolutely.
 21 MS. GERING: Are you going to be
 22 around?
 23 GLORIA BROEKER: I am not going to be
 24 here July, but August.
 25 MS. GERING: How about August?

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1 have lots of ideas. We hear more every day.
 2 MS. GERING: Nice job, ladies. Thank
 3 you so much.
 4 GLORIA BROEKER: Aren't you glad I
 5 didn't do the 28-pager?
 6 MS. GERING: Oh, then you'd be reading
 7 to us. We thank you for that. Thank you so
 8 much.
 9 All right. Okay. So that's on your
 10 agenda, the cell tower.
 11 MS. LEE: Yes, the cell tower.
 12 Actually, yeah, the next two items were, I think,
 13 Dan was going to cover, but I can cover them on
 14 his behalf. They actually are from the finance
 15 committee meeting that took place last week.
 16 So the first item is the cell tower.
 17 We had discussed this before at a workshop where
 18 the borough -- we currently have an existing
 19 easement agreement with American Towers for a
 20 cell tower over right behind -- right next to the
 21 public works facility and the borough receives X
 22 amount of revenue from that easement agreement;
 23 but we were approached by them sometime in early
 24 2018 for an amendment to that easement where they
 25 wanted to be able to outright have a long term

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1 buyout of that easement. Right now the easement
 2 is just on an annual basis where the borough
 3 receives X amount of dollars for them for an
 4 annual lease. They wanted to do a longer lease
 5 of 40 plus years for a flat dollar amount one
 6 time contribution.
 7 We received this -- none of us here are
 8 cell tower experts, telecommunications experts.
 9 All we can do is review it and compare it to what
 10 we currently have. And what we currently have,
 11 we don't know, again, not being cell tower
 12 experts, we don't know if that's a great deal.
 13 It could be a great deal, it could not be a great
 14 deal, we don't know. There are a lot of
 15 open-ended questions as to what it is that we
 16 need to be asking from them, what are some things
 17 that we need to be comparing things to.
 18 So one of the ideas is that the
 19 borough's already currently engaged with a
 20 consulting firm who is negotiating our cable
 21 franchise agreements for Verizon and Comcast.
 22 And that firm is based out of Pittsburgh and
 23 telecommunications is their expertise. And so I
 24 did reach out to them to ask them and they said
 25 this is a very common situation where

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1 won't be voting in July, will we, on this?
 2 MS. McHUGH: Yeah.
 3 MS. LEE: Yeah, I mean, that is what is
 4 currently on the --
 5 MS. RETTIG: Just to engage the
 6 services of the consultant, that's it.
 7 MR. MAISEL: All right. Okay.
 8 MS. LEE: And like I said, mainly
 9 because no one here is a telecommunications
 10 professional.
 11 MR. MAISEL: No, that makes complete
 12 sense.
 13 MS. McHUGH: Especially if we need
 14 legal advice anyway we might as well get it.
 15 MR. MAISEL: Frankly, I thought it was
 16 like -- I wasn't sure that it was enough money
 17 for it to be a thorough analysis.
 18 MS. LEE: I did have a little bit of
 19 their -- their -- and I'm sure as we discuss
 20 things with them and other items come up, I'm
 21 sure they would make other recommendations and
 22 proposals to look into other things more
 23 thoroughly if that were the case. They did, when
 24 I did speak with them, they did provide me with a
 25 second option that was a little bit more in depth

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1 municipalities are approached by these private
 2 telecommunications companies wanting to try to
 3 buy them out so that they don't have to worry
 4 about agreements for the next X number of years.
 5 And they did provide us a proposal to help
 6 negotiate us through this. They don't guarantee
 7 that they're going to get us more money, but they
 8 are going to review our current agreement,
 9 compare it to the trends in the market of what
 10 telecommunications is moving in and just advise
 11 us on how to move forward. And then also help
 12 with the agreement process and a copy of that
 13 proposal was provided to you in your packets and
 14 they -- the proposal is for a total cost of
 15 \$3,000 for those services.
 16 Keep in mind, we would need legal
 17 services for an agreement amendment regardless
 18 with an attorney, so this would actually already
 19 cover that and plus a little bit extra for them
 20 to do a little bit of research for us. This is
 21 not presented to you for any kind of formal
 22 motion at the workshop just for a more informal
 23 discussion to tee off for the July 16th public
 24 meeting.
 25 MR. MAISEL: So will we be voting -- we

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1 and thorough in them kind of looking at even
 2 reaching out to other companies to see if they
 3 can even get other bids, really and not just
 4 stick with this one. That's another option too,
 5 if you wanted to look into that. Obviously,
 6 that's a much --
 7 MS. RETTIG: Its' a costlier endeavor.
 8 MS. LEE: It's a little more costly,
 9 it's going to take a little bit more time. So
 10 that's something else that has to be weighed.
 11 MR. MAISEL: So is time of the essence
 12 here?
 13 MS. LEE: You know, there was a little
 14 bit of discussion about wanting to move things
 15 along quickly only because they had approached
 16 this as early as April of 2018, it's been over a
 17 year and, you know -- we don't know in terms of
 18 what their --
 19 (Ms. Kingsley arrived at the meeting.)
 20 MS. LEE: -- time line is. I have been
 21 approached by them regularly for the last six
 22 months just asking where things were. They did
 23 also give us another offer during that time to
 24 increase it. So at this point, they obviously
 25 are always going to rush us to say this is

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1 urgent. But considering they did -- it has been
2 a little over a year, I don't know really how
3 urgent that is. So, you know, these are all
4 things that we do have to consider a little bit
5 more, but right now this is the proposal that
6 they were able to put together quickly so that we
7 can try to move quickly.

8 If this is something that council would
9 like to explore deeper in terms of looking at
10 other options that I -- you know, the other
11 option that he said, which is just to bid the
12 whole thing out and see where things go, which
13 would probably be a longer -- a much longer
14 process than just negotiating with them
15 currently.

16 MR. MAISEL: Yeah, well, I mean, that's
17 just part of the -- their work. Is there a
18 market to shop this thing around? I mean, we
19 don't even know that.

20 MS. LEE: We don't really and like, you
21 know, at this point, you know, they would just
22 again review what our current agreement is and
23 give us some feedback on our current agreement
24 whether it's even a viable -- if there's
25 potential for increases, if there isn't potential

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1 obviously we would discuss that with them as
2 well, but with them right now, I -- there really
3 is no conflict. And I did try to ask around to
4 get a couple of other proposals from other
5 companies like them and in speaking with other
6 municipalities who have been in similar
7 situations, this was the only company that
8 they've all referenced.

9 There really wasn't any other
10 telecommunications company. They really have a
11 niche in the market, which is why they also have
12 almost the state -- the entire state of -- all
13 the municipalities in the state of franchise
14 agreements for Verizon and Comcast as well
15 because this is really their niche.

16 And so that's really where we are with
17 this. And that's just something for you to
18 consider and mull over until the July 16th
19 meeting.

20 MS. GERING: Good summary. Okay.

21 Now, EJ, you've got the review of
22 volunteer boards. I'm not sure why that's on
23 there, but there must have been a reason.

24 MS. LEE: Yeah. I mean, that was --
25 again, that was in the finance committee meeting

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1 for increases compared to other things that
2 they've seen. If at that point -- I mean, they
3 did tier it out to two different phases. The
4 first phase is for them to review our current
5 agreement. And after that first phase, if we
6 decide maybe we do want to explore larger
7 options, I'm sure we can modify the agreement
8 with them.

9 The second phase, though, that they
10 proposed -- the first phase is a thousand
11 dollars, the second phase is 2,000. The 2,000
12 really is to come to a completion of an
13 agreement. And so if there was something else
14 that we wanted to research more in between, I'm
15 sure they can provide us with another proposal to
16 explore other options in between; but the 1,000
17 and the 2,000 really is the beginning phase and
18 the end phase. If there was other things that we
19 wanted to do in between, I'm sure we can have
20 that conversation with them.

21 MR. MAISEL: Okay. And the only other
22 question that I have that might have been
23 explored already is the -- there's no conflict
24 here with them?

25 MS. LEE: Not that we are aware of and

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1 -- what was it? -- in the distribution from the
2 finance committee that Dan distributed after our
3 meeting last week just about the process because
4 in there were some internal confusion as to how
5 invoices get paid and whether some things need
6 quotes, whether some things need bids.

7 So I just added that in there that
8 we're look -- that staff, we're working on
9 putting together a more formalized policy on what
10 would trigger quotes, what would trigger bids,
11 what would trigger, you know, at least some kind
12 of a research prior and then a more formalized
13 motion at a public meeting for -- you know, so
14 that things are documented as to how things got
15 to -- get to eventually get paid; but that the
16 was it.

17 That was just a more -- it was just a
18 summary of what was discussed at the finance
19 committee so that things are a little bit more
20 streamlined and a little bit more formal.

21 MS. GERING: Questions?

22 Jim, you're next. This is my favorite
23 topic.

24 MR. ENNIS: So I wrote a memo to
25 everyone last week and right now when it comes to

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1 this topic, this memo really kinds of covers the
 2 basis.
 3 MS. GERING: The topic is over the
 4 zoning in the height of the building.
 5 MR. ENNIS: Oh, yes, I guess I -- that's
 6 right. If you don't have the agenda in front of
 7 you, we're talking about building heights, how
 8 they're currently regulated within our zoning
 9 ordinance comparisons to other zoning ordinances
 10 out there and then if it's a consensus that
 11 somebody's -- the building height requirements
 12 need to be fixed or tweaked or amended then what
 13 are the next steps in kind of going ahead and
 14 doing that.
 15 Our current zoning ordinance for the
 16 most part, it has a maximum building height of 35
 17 feet or three stories, whichever's less. On of
 18 the interesting things I would say in comparison
 19 to most of the other places that I've been able
 20 to research out there, we -- we as the borough
 21 measure from only the street facing side when it
 22 comes to the grade level of a building or
 23 building in height measurements. That's kind of
 24 an oddity. There was only one other place -- and
 25 that was one place I did work before and it

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1 said, basics when it comes to building height. I
 2 can say that the 35 feet is a very, very common
 3 building height requirement and that's actually
 4 it has synergy with building code. Building code
 5 when you talk about three stories or 35 feet in
 6 height, you're still staying within the realm and
 7 and considered meeting the requirements of the
 8 residential building code and not going into the
 9 nonresidential building codes, commercial zone.
 10 So that's -- there is a synergy there and that's
 11 why it's very common that it's 35 feet in
 12 Doylestown Borough, Warminster Township, every
 13 one place that I spelled out as far as where I
 14 did some research and comparisons. So that's not
 15 the oddity, I would say, right now as far as your
 16 zoning ordinance, it's just this sort of only
 17 measuring the street facing side.
 18 Now, there has been some criticisms
 19 about newer buildings built in this community
 20 that go beyond the fact that they're even
 21 measured from the street facing side, but I say
 22 that they probably go more into massing and scale
 23 related issues that a lot of times zoning doesn't
 24 necessarily cover. There is a possibility of
 25 looking further into that maybe within the form

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1 Warminster Township that also has the same form
 2 of measurement.
 3 Most places use a mean grade from the
 4 post-development grade for building height and
 5 that's basically a mean grade even though it's
 6 not clearly stated from all four sides of a
 7 building. And even furthermore, there's Tinicum
 8 Township that actually measures from the
 9 predevelopment grade not the post-development
 10 grade.
 11 All right. So what does all that mean?
 12 It means that we're a little bit odd in how we
 13 measure things from the building height
 14 measurement perspective and you are finding how
 15 some of that stuff is played out in your own
 16 environment and the community. You'll see that
 17 as specifically with the Canal Street development
 18 where you see the houses facing the street or two
 19 to three stories high, but those same houses on
 20 the Aquetong side are -- especially with the way
 21 they played with grade levels, almost even four
 22 stories high in some cases. So you get these
 23 kind of irregular sort of building forms when you
 24 only measure from the street facing side.
 25 Now beyond that, these are very, like I

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1 base coat areas, but right now as far as just
 2 normal conventional zoning, you know, you could
 3 consider maybe getting rid of that street facing
 4 side only measurement and talk about the entirety
 5 of the grade at a property. And even further
 6 consider whether you want to do it when it's at
 7 the predevelopment grade level or the
 8 post-development grade level. I know I just
 9 covered a whole lot very quickly. I'm sure you
 10 have numerous questions.
 11 MS. GERING: Okay. You need to speak
 12 English to me. What is predevelopment and post
 13 -- I get --
 14 MR. ENNIS: So say you have a property
 15 right now, that is -- it's undeveloped. That is
 16 its predevelopment grade. Okay? What happens a
 17 lot of times if say someone wants to construct
 18 something, a building there. They will maybe
 19 regrade it, even add some fill at that property
 20 then measure from that grade level, which is the
 21 post-development grade level.
 22 MS. MCHUGH: So here to here still 35
 23 feet?
 24 MS. GERING: Okay.
 25 MR. ENNIS: Right, right. And so --

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1 MS. McHUGH: So it seems bigger?
 2 MR. ENNIS: Right. So you -- it also
 3 -- I mean, it depends on how much flexibility you
 4 want to give someone that's going to develop on a
 5 property because you give them more flexibility
 6 if they can base it off the post-development
 7 grade level than the predevelopment grade level.
 8 MS. McHUGH: Right. Okay. I get that.
 9 MS. RETTIG: So what you're saying is
 10 -- got to make sure I have this.
 11 MS. GERING: Pre and post --
 12 MS. RETTIG: Right. That the
 13 predevelopment, so if something is at street
 14 level, whatever we call street level --
 15 MR. ENNIS: Right.
 16 MS. RETTIG: -- 35 feet would be the
 17 pregrade --
 18 MR. ENNIS: No, so if --
 19 MS. RETTIG: -- but if they built -- if
 20 they graded -- if they regraded it --
 21 MR. ENNIS: That's correct.
 22 MS. RETTIG: -- and now it's 10 feet
 23 above street level --
 24 MR. ENNIS: That's correct.
 25 MS. RETTIG: -- now they get 35 feet on

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1 going to make sure that it's measured from the
 2 predevelopment grade level when it comes to
 3 measurements of building height, that's still not
 4 necessarily going to avoid some of the
 5 developments that have occurred in as far as how
 6 high one perceives them that have occurred within
 7 the last few years here that was one development
 8 I can think of in particular was it had that
 9 predevelopment mean grade level as was and they
 10 just were able to build up 35 feet from it.
 11 MS. GERING: One of the ones that
 12 Laurie and I were involved with was the 1820
 13 Mechanic Street project. We're going to end up,
 14 as much as we did our best, we're going to end up
 15 with four-story high buildings that are just so
 16 oversized for over there. And I guess you're
 17 right, the other thing to address as we move
 18 forward is the mass that goes on this and we're
 19 getting these oversized buildings.
 20 And we just had the example of the
 21 Chateau Exotique that just got approved from
 22 zoning to be residential instead of commercial.
 23 And what they're building in there is just an
 24 oversized building for that small size, height
 25 and dimensionwise. So and that's why this

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1 top of that. So in essence it's really 45 feet.
 2 MR. ENNIS: Well, from what it was
 3 originally.
 4 MS. RETTIG: From where it was
 5 originally.
 6 MR. ENNIS: That's correct.
 7 MS. RETTIG: Right. And so that could
 8 mean that it's 10 feet taller than the
 9 surrounding properties, because they're based off
 10 of -- let's just say, they're based off of what I
 11 would refer to as street level.
 12 MR. ENNIS: That's correct, yes.
 13 So I mean, these are just some things
 14 to consider. I have to admit that right now I
 15 don't know what problems there are as far as
 16 consensus from the community. I've only heard
 17 from some individuals here and there, so that's
 18 --
 19 MS. GERING: I've been the most vocal.
 20 MR. ENNIS: Okay. So that's the thing.
 21 I think it's also we need to -- I need to really
 22 know exactly what are the issues and then what
 23 are some solutions because just changing the
 24 zoning ordinance say, if we were to go well,
 25 we're going to do it at a mean grade and we're

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1 conversation started because we could end up with
 2 a town with these huge oversize --
 3 MS. RETTIG: They're going to look like
 4 skyscrapers.
 5 MS. GERING: -- on these small lots.
 6 MS. ENNIS: So you're going into realms
 7 that in Pennsylvania especially within the County
 8 of Bucks, Montgomery and Chester don't -- not
 9 saying that there's not probably out there, but
 10 conventionally speaking, that's not really what
 11 -- how zoning handles building height and
 12 especially when you start getting into massing
 13 and scaling and maybe even trying to figure out
 14 the context of what's the right height giving the
 15 neighboring properties and neighboring buildings
 16 to that, whatever proposed development there is.
 17 So that's where you would have to do a
 18 lot of a deeper, longer, sort of research of what
 19 is out there. And I'm not -- at least still let
 20 my imagination kind of run wild, I do probably
 21 think that there's some sort of form base code
 22 provision that we could maybe integrated into our
 23 zoning ordinance for sorts of numbers. I'm not a
 24 hundred percent on that, I would actually hope to
 25 maybe reach out to people that have far more

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1 expertise in those matters to see if they even
 2 have any things like that.
 3 MR. MAISEL: Jim, what's the -- give me
 4 an idea of what form based means.
 5 MR. ENNIS: Okay. So form base is
 6 exactly kind of like the title is kind of
 7 embedded in that where you're -- where
 8 conventional zoning normally just deals with like
 9 setbacks, coverages and very standard stuff.
 10 Form base actually gets into the building in
 11 relation to other buildings and kind of finding
 12 the right sort of build environment and you get
 13 just more --
 14 MR. MAISEL: Ambiguous.
 15 MR. ENNIS: Exactly, scale, massing,
 16 that sort of thing. Now, you have not
 17 necessarily form based code forefront, but you
 18 still have the HARB in place, which are supposed
 19 to be considering those levels of the building
 20 environment and what's appropriate or not --
 21 MR. MAISEL: So you potentially --
 22 excuse me, I'm sorry. So your HARB, which some
 23 people are it's possible that it could perceived
 24 as somewhat arbitrary because it's not absolute
 25 in one board that's a nonbinding in terms as it

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1 spaces and community spaces within a community.
 2 It's not just about height.
 3 MR. ENNIS: Right, yeah.
 4 MS. KINGSLEY: In some cases height's
 5 irrelevant.
 6 MR. ENNIS: Yeah, I was -- I didn't
 7 really get into all the nuances of form based,
 8 but I'm just saying there might be a provision
 9 within that grand spectrum of form based for
 10 height that's dealing with massing and that sort
 11 of thing.
 12 MS. KINGSLEY: Can I ask what created
 13 the discussion just around one tiny segment of
 14 zoning?
 15 MS. GERING: I did. And what triggered
 16 the whole thing was, we're getting these immense,
 17 they're oversized for the lots. And I guess
 18 after talking to Jim and he did the research, he
 19 said, well, it can't be just height, it really
 20 should be -- but originally, I kind of went
 21 online myself and looked at what other towns are
 22 doing in their historic district and like right
 23 now if we're relying on an advisory board to
 24 determine the mass -- if it fits the community, I
 25 don't think it's a fair burden to put on an

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1 relates to council and then introducing that with
 2 zoning as a potential area of -- 'cause zoning,
 3 the beauty of zoning is that it is very, you know
 4 --
 5 MR. ENNIS: So I should -- when you
 6 used the term ambiguous, I probably shouldn't
 7 have agreed to it so quickly. When it comes to
 8 zoning, it would be a lot more hard lined and
 9 concrete and used with these scales and these
 10 measurements would absolutely be within your
 11 ordinance so that it would be something that
 12 could -- you wouldn't get into the ambiguous, you
 13 would really get into true dimensional
 14 measurements and what can or can't happen and
 15 having that measurement in place.
 16 MR. MAISEL: I understand. That's
 17 helpful.
 18 MS. LEE: But -- I'm sorry.
 19 MS. KINGSLEY: There's a it's called
 20 the Form Based Institute it's in Washington. You
 21 can actually pull it up online and start to read
 22 what form based zoning really is and it has a lot
 23 more to do with more -- it's more than just
 24 dimension and massing, it's all about how people
 25 use spaces and trying to create people friendly

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1 advisory board. I personally feel it should be
 2 part of our zoning since there's more guidelines
 3 of what you can do than expect an advisory board
 4 to say, well, geez, I really like that, I don't
 5 feel it's too big, it should go in there. And
 6 we've run into some problems because of that I
 7 think right now.
 8 MR. ENNIS: So just to make this
 9 distinction real fast. I've heard two criticisms
 10 that although both are building height related,
 11 they're actually two totally separate issues or
 12 criticisms that I heard about newer development
 13 that's either been proposed or built. And one of
 14 them is the, for lack of a better description,
 15 oddity of having this street facing side
 16 measurement where then you have this ability to
 17 have these almost unproportioned irregular
 18 buildings that are all -- all other sides of a
 19 property, especially like on the river facing
 20 sides, that you can get almost, in essence, like
 21 a four story to the rear, but only a two to three
 22 story to on the side that's fronting on the
 23 street especially when you get to play with grade
 24 levels and only measure from the street.
 25 MS. KINGSLEY: So in a town like ours,

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1 how do you count for -- we have a building that's
2 built in 1820 or '30, that's a historic mill,
3 that's five stories in the back and it's two and
4 a half stories in the front? So now we're saying
5 that somebody coming along who wants to build a
6 new building can't do that.

7 MR. ENNIS: Well, it's not necessarily
8 that they can't, it's just that they would --
9 they would have to be a little bit more uniform
10 and actually base it on the grade and also base
11 it on the mean grade and base it on all sides of
12 a building and not just the street facing side.

13 MS. KINGSLEY: But then what you're
14 doing is you're asking somebody if they're basing
15 it on mean grade, you're now -- this area has
16 bank farms, bank houses, that's part of the
17 history. That's the kind of homes that were
18 built here.

19 So when you have terrain that's -- we
20 have gorges, you know, we got gorges going up
21 Windy Bush, we have gorges on the back of they
22 had built closer to the property lines, they got
23 gorges in the back of Riverwoods, you've got
24 gorges on the Aquetong and those people built
25 their houses -- you can you go all the way down

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1 And as you talk the charm in the small buildings,
2 they're going to be torn down and you're going to
3 oversize properties lining on the streets.

4 MS. KINGSLEY: This is why I asked at
5 the last meeting when are we going to start doing
6 the SALDO and then zoning because my only -- I
7 mean, it's great that we're talking about this
8 because it's bringing the subject up in a
9 meaningful way.

10 The entire zoning ordinance needs to be
11 looked at in whole not taking little pieces of
12 it, that's what got this town into trouble with
13 zoning to begin with, I believe. Because what
14 they did was they went to other towns and they
15 took this little piece of ordinance and they said
16 that looks good and then they went over here and
17 they took this one and said, that looks good,
18 they glommed them together and they don't work
19 for what's here.

20 Zoning didn't start till 1960 so it
21 worked for Riverwoods, it worked for Village 2,
22 doesn't work in the downtown, planning commission
23 told us that.

24 MS. GERING: Well, the SALDO's going to
25 be redone and my understanding is it's going to

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1 Ferry Street and the houses that face on Bridge,
2 the backs of them have an extra story built --
3 the little houses on Ferry Street, they're two
4 and a half stories from the front, they're three
5 and a half stories in the back.

6 MS. GERING: But, Alison, that's not
7 what we're getting with the new construction
8 that's coming --

9 MS. KINGSLEY: No, but what I'm saying
10 is --

11 MS. GERING: That's where -- this is
12 where -- this is what --

13 MS. KINGSLEY: That's what you did get,
14 Connie. You got that with Canal Street, that
15 development was built that way, the new houses
16 down New Street are built that way.

17 MS. GERING: But you also have -- look
18 at the houses that are being built on North Main
19 Street, the oversized houses.

20 MS. KINGSLEY: But again --

21 MS. GERING: You've got -- you have
22 Mechanic Street project, it has these huge houses
23 crammed into this little lot. So I mean, if we
24 keep sitting back as a council, in the next five
25 years, you're not going to recognize this town.

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1 take three years to redo it. In three years
2 you're not going to recognize this town if we
3 don't make some changes immediately and that's
4 just my personal opinion.

5 MS. KINGSLEY: Well, your big
6 properties have already been done. There's
7 nothing left to build on unless you tear
8 something and you can't tear down the buildings
9 that are historic. So I don't know that the
10 amount of impact is going to be as dramatic as
11 you might think. You know, the big properties
12 have been addressed; the Trading Post was torn
13 down and you got a big apartment building, the
14 Four Seasons Mall went down, you know, we've got
15 a big front there. Odette's, I mean, your big
16 stuff has already been done.

17 MS. GERING: But now we're starting to
18 tear down small properties, Mechanic Street's a
19 beautiful example; Chateau Exotica, it's going to
20 be this oversize immense building that they're
21 putting.

22 MS. KINGSLEY: How many square feet is
23 that?

24 MS. GERING: Four thousand square feet
25 is what they're proposing.

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1 MS. KINGSLEY: Three stories?
 2 MR. ENNIS: It's kind of be --
 3 MS. KINGSLEY: So it's like 1200 square
 4 feet.
 5 MS. RETTIG: It's going to be the same
 6 thing where it goes --
 7 MS. GERING: Four stories and then --
 8 MS. RETTIG: Four in the back.
 9 MS. KINGSLEY: Yeah, see, in the back.
 10 I mean, all those houses on New Street, they all
 11 have walkouts. They're all -- their kitchens a
 12 lot of them are in the basements and so -- even
 13 the brand new ones where Joe used to live and
 14 stuff, those are all four stories. So I don't
 15 know that you're going to get away from that ask.
 16 PAMELA KERR: My concern about doing
 17 anything piecemeal is very often it's based on
 18 aesthetic choices and as I talk to other people
 19 about North Main Street, which has changed a lot
 20 since I grew up, several times. And now with the
 21 houses being bigger, I can't see the river. So,
 22 you know, I'm a little less happy because I used
 23 to be able to walk down the street and see the
 24 river and now everything's taken up.
 25 The question about any given house

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1 people what to do instead.
 2 MS. McHUGH: That's what this whole
 3 discussion is about. That's the whole discussion
 4 and I know from being on council here and we all
 5 feel the same way, we want to get to that point
 6 where zoning makes sense. And we've been handed
 7 a rats' nest in trying to pull it apart and get
 8 it to make sense and this is the first step is
 9 how do we -- we know it's going to take three to
 10 four years. The concern is by then we're going
 11 to have all these things and we're even further
 12 down that road of well, they already did it, so
 13 how can you tell us we can't do it.
 14 So we're trying to stop the bleeding a
 15 little bit right there for that and this is the
 16 first of discussion is how do we do. Is it mass?
 17 But there's no magic bullet for this on how we
 18 can just fix it. Unless you get a magic wand.
 19 MR. ENNIS: Right, no. But Pam does
 20 touch on something very point -- I mean, a very
 21 key point, which I was going to get into
 22 depending where this conversation goes, is that
 23 if you, as a collective, do want to pursue some
 24 kind of amendment to this issue, you also as a
 25 collective have to fully understand what the

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1 didn't sort take into consideration how New Hope
 2 wanted to look overall. It's not about whether
 3 we want Victorian froufrou or a more modern
 4 building because after all, New Hope is
 5 considered interesting because all of the
 6 buildings weren't uniform. And then when we did
 7 do more uniform buildings, they were tucked away
 8 from where tourists go.
 9 It's -- if we just keep talking about,
 10 oh, I don't like this or oh, I don't like that,
 11 when I walk down North Main Street, talk to
 12 somebody else, each of us doesn't like a certain
 13 house and loves another house and they aren't the
 14 same houses. I mean, the whole point is we want
 15 the freedom to be able to -- this is supposed to
 16 be country of the free and people should be able
 17 to do what they want. How does it impact us
 18 really as a whole? And the fact that I like to
 19 see the river, doesn't mean that that's important
 20 unless New Hope as a whole says that's important.
 21 What's important is more like how can
 22 we deal with our septic and our water and the
 23 environment, blah, blah and then do zoning based
 24 on what exits and then what makes sense for the
 25 future. Because otherwise we're just telling

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1 problem is, right? And you have to really in
 2 that essence identify that there is a problem
 3 collectively agree with the problem what it is.
 4 Because when you do an amendment, you're also
 5 going to have to fully convey the purposes of the
 6 amendment and why you're even pursuing it.
 7 So I mean, I'll be honest with you, I
 8 don't know as a collective what -- from you guys,
 9 what the problem is for me to further pursue
 10 this. I just know that I've identified at least
 11 one very odd sort of measurement requirement that
 12 you have in your ordinance especially in
 13 comparison to many other places.
 14 MS. McHUGH: So you should really have
 15 a zoning workshop and get a report from Bucks
 16 County Planning Commission.
 17 MS. RETTIG: And we have to figure out
 18 what the grade level is.
 19 MS. McHUGH: Study that, and try to
 20 come up with something.
 21 PAMELA KERR: But Chateau Exotique used
 22 to be, Ember Glo, which used to be who knows what
 23 before that, part of it is when -- for me, when
 24 he came in, whoever he is, with this sort of
 25 sitting glass, massive steel thing I thought, oh,

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1 geez, we've turned into -- Ferry Market then they
2 wanted glass on the other side for Paul's place
3 and I just thought okay, you know, I -- I when I
4 saw the glass at Paul's place, I went to Ralph
5 and said, what are you doing?

6 Oh, I thought that maybe we should talk
7 a little bit about the vision is that we care
8 about and my personal one is fine, but
9 collectively what is it people are trying to
10 preserve because quite frankly, New Hope doesn't
11 look like what I grew up in and there's going to
12 be change.

13 MS. MCHUGH: Let's ask them. Let's ask
14 them, they are not here.

15 PAMELA KERR: No, but my point is, it's
16 not --

17 MS. RETTIG: But everybody that wants
18 to come into New Hope and make a big glass and
19 metal box house, we need some checks and balances
20 to say, well, it's okay in maybe this area, but
21 not okay in that area. I mean, there has to be
22 something.

23 PAMELA KERR: But what I'm saying is
24 aesthetically I don't like that, but then who the
25 hell am I to tell somebody what to do if there is

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1 Hope, then get rid of the historic character and
2 don't even bother and just say any builder that
3 wants to come in New Hope can build whatever they
4 want, whatever guidelines there are, and we're
5 going to do this.

6 But again, if you want to be historic
7 town, then you got to have some control over the
8 builders who come in and the architects and feel
9 they can put in anything they want because what I
10 was told was, well, this is what they are doing
11 in Princeton, so we should do in this New Hope,
12 even though it does not fit the character of New
13 Hope and that's just my opinion.

14 PAMELA KERR: Well, first of all, you
15 have 75 pages of what you should or shouldn't do.

16 MS. GERING: Yeah, but it's not
17 followed.

18 PAMELA KERR: Well, if it's not
19 followed, that's a whole other thing than adding
20 more paperwork that won't be followed. So I'm
21 just saying, you need to look at how serious are
22 you --

23 MS. GERING: Can I interrupt you for a
24 minute? These architects have found the
25 loopholes in zoning.

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1 no other reason for it. Now, if I'm going along
2 the canal and that's a historic canal and I said,
3 I want that side to look more green, more in
4 keeping with what else is there, then that's one
5 thing. If I'm looking at how to keep it more
6 apart do I have to define that look. If I'm just
7 saying I don't want somebody to go more down and
8 then up, it's like, well, it already is down.
9 You're not looking to expand the.

10 MS. GERING: Let me tell you something,
11 you have a historic district in this town, okay?
12 We have a designated historic district, by state
13 guidelines because we do we have to have a
14 historic board with some guidelines. And there's
15 a 75 page booklet that was written by our
16 historic board. And one of the things that I
17 personally didn't agree with, I don't want to
18 tell you what kind of house or color you should
19 build, but it has to fit the character of the
20 town, okay.

21 And my opinion is, what we're putting
22 in there, if you're going to have a historic
23 district, does not fit the character of New Hope,
24 we're only one square mile. So if we feel that
25 the big glass modern houses are suitable for New

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1 Jim, please correct me.

2 That's why you're having flat roofs
3 instead of peaked roofs, because that gives them
4 more height and space for living space so the can
5 get their 4,000, 5,000 square foot houses. If
6 they have to do the peak roofs which would
7 probably --

8 Jim, please correct me, because I need
9 you --

10 MR. ENNIS: Well, I don't know if it's
11 a -- I don't know from a zoning perspective --

12 MS. GERING: Yeah, because they can't
13 have living space in that.

14 MR. ENNIS: Well, yeah, but from a
15 zoning perspective whether a building has a flat
16 roof or a pent roof, that's not something I can
17 consider in the zoning, it's not really something
18 that zoning should even teeter with, that's where
19 you do have the HARB.

20 MR. MAISEL: Unless they were form
21 based.

22 MR. ENNIS: Well, I don't even know if
23 it really gets into you should really have more
24 pent roofs or flat roofs --

25 MS. KINGSLEY: You got a town right now

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1 that has flat roofs that are on old buildings,
 2 1840 to 1870, three story buildings you got them
 3 on Bridge street right next to Union Square that
 4 have flat roofs. So when they design a building
 5 like the one that's now the Trading Post, that
 6 has a flat roof and it's designed in a
 7 quasi-federal type period, it sort of mirrors
 8 what's going on with the firehouse and some other
 9 buildings that also have flat roofs that are
 10 historic. So, you know, it's a lot more than
 11 just saying you can't have this kind of roof, you
 12 can't have that kind of roof or you shouldn't
 13 build this or that.

14 I think, to Connie's point, in the
 15 historic district, if it's -- actually Ralph made
 16 a really good point at the last meeting when he
 17 explained that whatever's being built now is
 18 historic, it's -- you know a hundred years from
 19 now they're going to be looking at that and
 20 that's going to be historic because it represents
 21 a period of history.

22 So when you look at this town and
 23 what's we're preserving, if you go down to
 24 downtown, if you go down South Main Street, the
 25 little houses are obliterated. They're

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1 end result, versus, you know, when you want to
 2 have some kind of plan that makes things feel
 3 comfortable at least for people who currently
 4 live here. The problem is New Hope became the
 5 charming place it was when there was no zoning.

6 And zoning came in and then we got more
 7 uniform buildings, so it's -- and then people
 8 complain it's more uniform or that, you know,
 9 like I won't even go to John & Peters, I'm
 10 waiting for it to crash on my head, but it's
 11 historical at this point.

12 So there's no one way -- you have to
 13 have a plan and right now we keep trying to shove
 14 things into the plan, 'cause we don't like what X
 15 is doing and Y is doing and yet, other people
 16 love it.

17 MR. ENNIS: So just to back track, I
 18 think when we were talking about loop-holes, it
 19 more about how our zoning does allow for extra
 20 heights if a space is not occupied in an attic
 21 kind of pent roof. And then what happens is
 22 later on we find out that they did convert the
 23 attic into liveable space at another time. But
 24 that's an idea that's --

25 MS. KINGSLEY: Well, what happens is

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1 obliterated by the storefronts that went on in
 2 1970 and 1980; it actually started in 1980. And
 3 that obliterated those buildings. So, yes, it's
 4 the historic district, but it doesn't look it, if
 5 you really look at the buildings, so I think that
 6 considering what our historic district really is,
 7 is step number one.

8 And maybe it shouldn't be just a
 9 blanket area, maybe it should be specific
 10 buildings that are rated, these are pristine,
 11 they got to stay, these are, you know,
 12 marginally, you know, been bastardized and they
 13 need to be, you know, held at a certain level of
 14 preservation and then there's buildings that are
 15 falling down, that once they fall down, then they
 16 can put up pretty much whatever they want.

17 So I think it's a deeper discussion
 18 about, you know, what is the vision for the town
 19 of New Hope and what do people want to see
 20 whether it's the river or if they want to see all
 21 the buildings look like in Williamsburg, I don't
 22 know, but --

23 PAMELA KERR: The whole thing between
 24 the balance of having as little government as
 25 possible so you can have freedom, which is the

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1 Person A builds the house and says, yeah, I'm not
 2 going to use the attic. They sell the house, 20
 3 years later, buyer B doesn't know that they said
 4 I wasn't going to occupy this space.

5 MS. RETTIG: That's why you're supposed
 6 to get permitted, because then you get a permit
 7 and they would say, that's not --

8 MS. KINGSLEY: And then after the
 9 inspector leaves, they go occupy the space. So
 10 we're putting people in a position where they're
 11 -- where they're basically trying to backboard
 12 the borough.

13 And I think to Pam's point, trying to
 14 eliminate the position or we have so many rules
 15 that people wait till the weekend to do their
 16 work or they, you know, wait to the weekend to
 17 put tables out and take them in during the week
 18 so they won't be seen, that's what's going on.
 19 So you have so many rules that people are trying
 20 to get around and you have to decide what rules
 21 are really worth having and which ones aren't.

22 PAMELA KERR: It's not easy, I wasn't
 23 pretending it was easy. What might work for me
 24 won't work for somebody else, so it's really how
 25 what's best for the collective in terms of the

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1 environment, which we're so concerned about in
2 other ways. And as far as what will allow New
3 Hope to be New Hope, especially is somebody
4 builds some huge thing around New Hope, you know
5 what's the point? You only can control so much,
6 so what's really important to control? What is
7 really important for to us as a group who have
8 all sorts of different sensibilities. What makes
9 this town --

10 MS. McHUGH: Well, this council was
11 presented -- we inherited a lot of problems and
12 we've been spending the last, I've been on three
13 and a half years trying to weed through those
14 problems. And we have been worked to a point
15 that we cannot take on anymore, so this, again,
16 is first discussion of zoning. We knew it's been
17 a problem and we know there's no easy answer. We
18 know what the problems are because we all live in
19 this community and we've all heard it.

20 So none of this is new to any of us is
21 just what we have to decide how we are going to
22 approach it to start to hopefully fix it. And I
23 think is the first time we've had a chance to
24 breathe and even introduce this on to our agenda.
25 So I congratulate us on that first step, we had

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1 it will probably take about a year, you know,
2 maybe even a little bit when you start factoring
3 in all the time lines for the amendment process,
4 then public input and everything else that gets
5 involved.

6 Once you've actually settled on the
7 language itself and then you're probably looking
8 at a whole another year for the subdivision and
9 land development ordinance, which absolutely has
10 to have synergy with the zoning, you have to have
11 the zoning first before you can go into the
12 SALDO.

13 PAMELA KERR: But they were here in
14 December, right and that's --

15 MR. ENNIS: Yeah, we established the
16 contract, the borough that is, I'm going to say
17 spring of last year.

18 MS. KINGSLEY: Yes.

19 MR. ENNIS: And they --

20 PAMELA KERR: So do they need a fire
21 lit under them or shouldn't they be just doing
22 it?

23 MR. ENNIS: No, they've reached out to
24 us and it's just been tabled, that's all I can.

25 And tabled by us more so than them not pursuing

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1 to get a lot of stuff down to get this point.

2 MR. ENNIS: Again, I've only mapped out
3 what I've been hearing and what we have and what
4 the comparisons are. But I mean, next steps are
5 -- they can go -- we can go in numerous different
6 directions, but I mean, it has been raised
7 already during this meeting, we can't forget the
8 fact that we did establish a contract with Bucks
9 County Planning Commission to do a comprehensive
10 zoning ordinance amendment, which would cover
11 this aspect, but I don't know -- I don't know if
12 this has more a sense of urgency than waiting for
13 the entirety of the amendment, that's for you
14 guys to decide.

15 MS. KINGSLEY: What's their time frame?

16 MR. ENNIS: Their time frame? We
17 haven't really had a chance to really discuss too
18 much of it, it's been tabled considerably. I
19 would like to -- I think EJ and I have talked
20 maybe this fall finally getting them back into a
21 room and really starting to plow ahead and try to
22 take advantage of the contract that we
23 established with, which I believe -- you know, in
24 most cases, the comprehensive zoning ordinance
25 update to the extent that we are looking at one,

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1 it.

2 MS. GERING: We've had too many other
3 projects to deal with that's why it was --

4 MS. LEE: Sorry. It was -- a lot of it
5 was me because I was still new and I just
6 couldn't at the time.

7 MS. RETTIG: There's been a lot.

8 MS. LEE: The priorities --

9 MS. RETTIG: It's not you, thank you
10 for falling on your sword, but that's not --
11 yeah.

12 MS. LEE: No, but this is something
13 that's been on -- it has been on my list of
14 to-dos for this year, we just haven't gotten to
15 it yet. But, yeah, I mean, I'm wondering --
16 maybe Jim and I could talk a little bit more
17 after this and meet with the planning commission,
18 if there's a way we might be able to phase things
19 and address some of the more immediate things.
20 Just so that you guys have some more information
21 up front knowing that these things are coming
22 down the pike.

23 And I don't know if there's a way that
24 we can phase out different amendments to the
25 zoning ordinance. I know that we were looking to

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1 do a more comprehensive. Jim might be thinking
 2 in his head right now that, no, we can't do it,
 3 but these are just creative ways we might be able
 4 to approach things.
 5 MR. ENNIS: What was I thinking no?
 6 I'm sorry.
 7 MS. LEE: If we're able to phase things
 8 out.
 9 MR. ENNIS: I just know that the
 10 contract we laid --
 11 MS. LEE: Is for the whole
 12 encompassing, yes.
 13 MR. ENNIS: It's for the entirety. If
 14 we start using whatever we contracted in four
 15 pieces, we're not going to get the whole down --
 16 further down the line, you know.
 17 MS. McHUGH: Okay.
 18 MS. LEE: But either way we will start
 19 -- I do think we need to start speaking with
 20 them. I know they've already done some
 21 preliminary work because they did some --
 22 MR. ENNIS: Yeah, they did a lot of
 23 mapping analysis on trying to identify the level
 24 of conformities that we have especially within
 25 our historic district and they identified a

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1 bit longer, the zoning with the HARB process.
 2 You know, if we can work creatively, those are
 3 goals that we can try to change in that endeavor
 4 for the rest -- you know, from the now to the end
 5 of the year.
 6 PAMELA KERR: Thank you for explaining.
 7 I just -- I really just think it's so important
 8 when we make changes to not just catch everyone
 9 up because we know what potholed roads look like
 10 with people carefully change a pothole one at a
 11 time, but it's just everything is so
 12 interconnected and so if we're just talking about
 13 piece of zoning, instead of the whole thing, then
 14 you start missing like do we want to become
 15 Lambertville, which looks so much nicer -- how
 16 nice it is.
 17 And all the poor people who lived in
 18 Lambertville, no longer live there and where the
 19 poor, even middle income people can't afford to
 20 move in there. And it looks so much prettier
 21 because we like it being more gentrified and yet
 22 all those people who've gotten moved out, are
 23 probably old families no longer there.
 24 Does it matter? Does it not matter? I
 25 think it's all part of what you have to think

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1 wealth of them right now.
 2 MS. LEE: Right. And also keep in mind
 3 that we are working to make some very much needed
 4 modifications to the HARB process. I think with
 5 the last application, there was some -- there was
 6 a deeper conversation where, you know, their
 7 original plan was to meet the zoning height
 8 regulation that they could do, but they did come
 9 back and modify it to reduce that height a little
 10 bit to fit with the character of the surrounding
 11 properties as well.
 12 So there is room in using the HARB
 13 process with the zoning process in collaboration
 14 that we can try to meet the goals of what it is
 15 that we're trying to do, which is to make
 16 everything look nice at the end, that everyone
 17 can appreciate.
 18 And I think the two right now working
 19 hand in hand, it is a lot of work, it's two
 20 pretty significant processes, but I think this is
 21 an opportune time where the two processes with
 22 the zoning ordinance amendment and with the HARB
 23 process amending together at the same time they
 24 can complement each other. We might have to meet
 25 some of the things that we have to wait a little

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1 about because, you know, New Hope used to have
 2 little pockets of places where artists could
 3 live, the poor people could live and we don't
 4 have that anymore and does it matter or not?
 5 We've become more uniform, but that's less
 6 charming. It's just there's so much, you can't
 7 get it perfect because people aren't all saying
 8 that.
 9 But I think it's important enough that
 10 even with all the fear of another big building
 11 coming in, I still think it's important to try to
 12 work it out here right instead of just stumbling
 13 along knee jerk reaction to each irritating
 14 things.
 15 MS. GERING: Thank you.
 16 Any other public comments? Any
 17 questions?
 18 ANITA MAXIMO: My question is where we
 19 are in the SALDO, I wasn't sure of that time
 20 frame was, so I stuck on that. My only -- my
 21 only thought was that, you know, with this
 22 process now that would just create more work back
 23 into the zoning and to --
 24 MR. ENNIS: Well --
 25 ANITA MAXIMO: -- it intersects with

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1 the SALDO.
 2 MR. ENNIS: There is that potential.
 3 There is that potential when you do things in
 4 pieces that you're -- you're facing an area
 5 without it really communicating will all these
 6 other areas that should be communicating. And
 7 not even really understand that that's what's
 8 happening.
 9 So further down the line when you
 10 actually have a property presented before you end
 11 realized there's, what I like to call synergy or
 12 lack thereof, whether it be internally within
 13 your zoning ordinance itself or how it's going to
 14 communicate with these other ordinances that are
 15 out there.
 16 ANITA MAXIMO: And I guess my only
 17 question for you would be is, how familiar you
 18 are with the SALDO, having to anticipate around
 19 their major changes that you really anticipate.
 20 MR. ENNIS: All right. The SALDO even
 21 more so than zoning, we're operating on a SALDO
 22 that's been last revised in the early '90s. And
 23 I even tell other engineers that are working in
 24 other communities, let alone our engineer who
 25 runs a short circuit, it's been tough to

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1 also internal guidelines that really are needed
 2 for staff to be able to follow in order to help
 3 process applications as well. So it's a
 4 two-fold.
 5 MR. ENNIS: Yeah.
 6 MS. LEE: So when he says it's massive
 7 meaning on both sides. The part that you see
 8 from the public, but really a part of that we
 9 handle at least a year to two years prior to it
 10 even coming before the public.
 11 ANITA MAXIMO: The Bucks County
 12 Planning Commission is your partner?
 13 MS. LEE: Yeah, they're the consultant
 14 that's assisting us in that.
 15 MS. GERING: Any other questions?
 16 Public comments? Council?
 17 Meeting adjourned.
 18 (Meeting concluded at 5:25 p.m.)
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1 (inaudible) up, other engineers don't even
 2 understand how that's possible, the fact that we
 3 have not done a comprehensive update to our
 4 SALDO, 'cause there's been so many newer or
 5 updated types of requirements and design measures
 6 that are actually more beneficial to a community
 7 than what's contained in the subdivision and land
 8 development ordinance from the early '90s.
 9 So I mean, that's absolutely needs to
 10 be done and we do need to update our -- there's
 11 no even discussion from my perspective, I mean,
 12 it needs to be done, you know.
 13 ANITA MAXIMO: Well, you know, then I
 14 guess question was, do you anticipate some major
 15 developments?
 16 MR. ENNIS: Yeah, the subdivision and
 17 land development ordinances needs an overall, a
 18 major overhaul. I mean, it's --
 19 MS. LEE: Not just in design
 20 guidelines, but internal procedures as well.
 21 MR. ENNIS: Exactly, right.
 22 MS. LEE: You're probably thinking in
 23 your mind like, you know, guidelines in setback
 24 regulations and/or how buildings are supposed to
 25 look, how it's supposed to be set. But there are

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 4 **C E R T I F I C A T E**
 5
 6
 7
 8 I hereby certify that the proceedings
 9 and evidence are contained fully and accurately,
 10 to the best of my ability, in the notes taken by
 11 me at the meeting in the above matter; and that
 12 the foregoing is a true and correct transcript of
 13 the same.
 14
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 16
 17 **TARA WILSON, C.R.**
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