

New Hope Borough
Planning Commission
July 17, 2023 / 6:30 PM

The New Hope Borough Planning Commission met on Monday, July 17, 2023 at the Borough Hall community meeting room.

ROLL CALL:

Present: PC Chairman Keith Voss, PC members Lou Bellafronte, Nick Giliias, Lawrence Greenberg and Peter Meyer

Also present: Mary Stover, CKS Engineers and Lisa Littlefield, Zoning Officer

Not present: PC member Kelly Whitman

CALL TO ORDER:

Lawrence Greenberg (LG) called the PC meeting to order at 6:30 PM.

PUBLIC COMMENT:

None.

CONSIDER APPROVAL OF MINUTES:

LG made a motion to approve the June 19, 2023 minutes, and the motion was seconded by Peter Meyer (PM). The minutes were approved 3-0. NG and Lou Bellafronte (LB) were not present at the June meeting and thus abstained.

NEW BUSINESS:

Discussion on CC District Ordinance

PC was tasked with reviewing the proposed CC District Ordinance amendment. Keith Voss (KV) referred to page 6 of the proposed Ordinance, any part of an addition, (5), "below the ceiling". Recommended adding "that part" of the addition shall be non-residential. Also, insert "of the" before non-residential. Include "that part" before "the addition shall be non-residential". LG recommends approval of Ordinance with the non-material change.

Any proposed basement residential use in the proposed CC Ordinance would need ZHB approval. The proposed CC Ordinance is not intended to have a residential use at or below street level.

KV looking for clarification of (7). Moot point as all of CC District in HARB District. No issue with wording of all of Chapter 10. Also asked about (8) off-street parking. (e) states off-street parking is not permitted in front of a multi-use building.

KV asked if all residential units are covered by the current Short Term Rental Ordinance ("STR"). Mary Stover (MV) says that the STR covers all Borough properties and not just ones in CC District. LB also asked about STR Ordinance intersecting with proposed CC District Ordinance.

LB mentioned past notes indicated STR Ordinance would not cover commercial units. PM said Borough Council decided to keep the STR Ordinance to cover all residential units, regardless of commercial or otherwise affiliation. LB believes residential units within a mixed commercial building is different than a residential use within the Village II development.

KV asked what if a property owner wishes to tear down a building - referencing (4) of the proposed Ordinance regarding adding an addition. What about if a new building would be constructed? Does a new building need to be built 1-to-1 with nonresidential matching residential? MV says the building footprint of proposed residential shall be above street level story (3). The answer remains unclear. Resident Jay Freeo says maybe it is not farfetched that a building owner would want to demolish a building.

PM believes we should pass Ordinance for now and return at a later date to address material comments/concerns. NG agrees, believes most properties are non-conforming and therefore the time frame is long enough that the Ordinance could be revised if need be at a later point.

KV explained to a member of the public the intent of the proposed CC District Ordinance.

KV asked if the Ordinance could be approved with any material changes. PM believes, in that event, the Ordinance would need to go back to BCPC & PC for review, plus the Borough Solicitor and then Borough Council for final vote. So, the idea is to approve for now and then at a later point revise with changes.

LG made a motion to approve CC District, PM seconded, With change to (5). Approved 5-0.

Discussion on RB1/RB2 Ordinance

PC was next tasked with reviewing the proposed RB1/RB2 Ordinance and map change. KV said developers mentioned parts of ordinance are confusing. KV discussed maybe included a building number for proposed addition. PM does not believe ordinance is confusing, existing building constitutes the number for reference. PM believes we should have that as an amendment after the ordinance is passed, believes the priority is to pass the Ordinance. Building height was discussed, both the current Ordinance and proposed Ordinance limit a building to 35 feet in height.

Floodplain requirements were discussed. If needed to elevate, then a property is likely elevating similar to how neighbors have elevated.

Resident Jay Freeo asked is the Ordinance changed from the last time the Ordinance was discussed at Council meeting. The response is that no it has not been changed.

Resident Jay Freeo believes the proposed Zoning map is confusing. Street names are not named, unsure how someone would determine where their property is. KV believes we specify the three boundary lines where RB is being split. KV says perhaps we have 11x17 copies on hand at the Borough Council meeting on August 15.

Jay Freeo said someone at the last Council meeting questioned legal standing of the proposed Ordinance. Staff responded that yes, Borough Solicitor reviewed Ordinance.

LB raised an issue with not taking last 10 years into average - (6)(b)[1] & [3]. Believes rule is unfair to owners. Believes there are many houses within N Main St. Asked how many houses would you need to go through before you find five to meet the Ordinance requirements for reference points. NG says a property owner could get variances potentially, if a neighbor received a variance for their addition. LB is concerned with lowering property values if a owner cannot do an addition the way they want if they cannot do what their immediate neighbor did. NG believes the line has to be drawn somewhere. KV says perhaps it could be amended in the future to say 1) Obtain a variance. 2) Adhere to strict setback number. or 3) Adhere to average requirements within the Ordinance.

KV believes the individuals (outside of the meeting) raising issues about the Ordinance are on their way out of the Borough, or they have buildings that are being flipped. These are not long term residents.

LB says there is an error in the letter that went out to Borough residents. 2002 to 2022, when the letter should read 2012 to 2022. Suggested a clarification at the start of the next Borough Council meeting.

PM says PC will be voting tonight on Ordinance, and that he understands LB's concerns. Believes this is what PC originally agreed to. **(Was LB present at PC meeting when RB Ordinance was discussed?? - He does not believe he was at PC meeting when vote was taken? (not sure if heard correctly))**

PM made a motion, LB seconded, 4-1 approved. LG opposed - KV mentioned perhaps explain the reasoning for opposing the Ordinance in the future, and said will not get into now. (7:44 PM)

Discussion on Comprehensive Plan

Next on the agenda was discussion of the comprehensive plan. PM said he will need to forward the RFP draft to all PC members. PM ran draft Ordinance past someone else, proposal needs to demonstrate the characteristics of New Hope. Borough requirements/standards of New Hope are different from similar population size municipalities. New Hope Borough is a tourist town as opposed to other municipalities of similar size that may not be tourist towns.

PM said Borough Council at tomorrow night's Council meeting they will authorize discussion of draft RFP for comp plan.

PM - Community outreach is a critical process. PM wants an advisory board to include residents of the Borough. MS said PC is the steering committee of the Planning Commission, and not this additional advisory board. The RFP would need to be changed to include the advisory board if that is the goal of PC.

PM believes you would want representatives from all neighborhoods. PM said Borough Council is aware that comprehensive plans could take multiple years. Could take a look at taking a look at process at the next PC meeting. Who would we want to have meet with PC first, what kind of process would be defined in accordance with the RFP.

LB said his last community did a land survey in his municipality. MS said a survey would be required for the comprehensive plan. PC briefly discussed divvying up representation of PC members.

Discussed sidewalks, PC believes new developments should have sidewalks regardless of whether or not adjacent properties have sidewalks or not. KV believes places for pedestrians to walk safely is the important issue as opposed to strictly saying sidewalks are the issue alone. Does not want to draw a line in the sand. LB does not believe safety should preclude sidewalks from being installed.

LB feels there should be some way to approve solar panels and believes the Borough should not be in a position not to approve solar panels. PM brought up Riverwoods and a current solar panel proposal with HOA, and that the HOA says residents cannot have solar at this time. He mentioned that from a state level, future planned residential developments cannot ban solar panel projects. MS says solar panel/energy is in the RFP in a general sense and PC could steer how much they want to discuss solar when the topic arises.

LB asked about traffic impact and said did not see it in the RFP. MS responded that 4 and 5 talk about a work plan where it goes into a general sense of traffic. Another section that talks about topics, broadly brought up as topics. Believes can drill down later.

KV believes time should be given for PC members to review draft RFP. Believes PC should give copy of the RFP to the Zoning Hearing Board. Does not agree with ZHB and decision making, believing they act in one-off fashions against PC wishes.

Resident Michele Freeo asked if is there a timeframe for the RFP. Response is that the draft RFP could go to Council workshop and doesn't believe they could get the RFP until September. Resident Jay Freeo asked about the existing comp plan and finds existing comp plan to be relevant, believes it should be used it to address any current issues. Questioned why waiting until new comp plan to be adopted knowing that it will take a few years. NG believes a past Borough Council did not want to take action on current comp plan. LG said it is a good question.

KV believes PC should be the most familiar with the comp plan. Believes there is an issue with ZHB applications going to Borough Council and then going to ZHB. PC does not see ZHB application, believes it is an issue as a variance could be approved without PC even ever being aware until the variance is approved.

LB said his community all applications go through PC first and then go through ZHB for variances. PC would advise on variances first. MS responded and said the MPC does not allow for this. PM suggested perhaps they meet twice a month to discuss ZHB applications. It was briefly raised if a member of the PC could be a ZHB member as a liaison.

Resident Jay Freeo mentioned six goals of the comp plan where the last goal said enforcement goal of current comp plan. MS said consultant will review current comp plan, and PC will decide which goals they want to carry forward.

ADJOURNED at 8:35 PM.