

BEFORE

THE NEW HOPE BOROUGH PLANNING COMMISSION

- - - -

In Re: Regular Meeting

- - - -

MONDAY, SEPTEMBER 9, 2019

- - - -

A public meeting was held at the Borough Municipal Building, 125 New Street, New Hope, Pennsylvania 18938, commencing at 7:00 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 PLANNING COMMISSION:
 2 Keith Voss, Chairman
 Howard Savin
 3 John Apuzzio
 Paul Atkinson
 4 Peter Meyer
 5 ALSO PRESENT:
 6 EJ Lee, Borough Manager
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1 MS. LEE: So Keith has called the
 2 meeting to order. So as I explained on the
 3 e-mail a couple weeks ago, Jim Ennis who was our
 4 zoning officer has left the borough to take a
 5 position somewhere else. We do have an interim
 6 zoning officer by the name of Tracy Tackett. She
 7 is only serving as interim right now and she's
 8 only serving as a part-time interim. She
 9 currently serves as the zoning officer at
 10 Solebury, as well as Tincum Township, so she's
 11 stretched pretty thin already. But she's been
 12 really great. Because she's been at Solebury,
 13 she's already familiar with the area, familiar
 14 with our projects. So it's been a pretty smooth
 15 transition, although she's not as available as
 16 Jim used to be, so a lot of filling in of myself,
 17 which explains why I didn't send you your
 18 meetings with the agenda.
 19 MR. SAVIN: You're forgiven.
 20 MS. LEE: But I do expect to hopefully
 21 have somebody in that position a little bit more
 22 permanently in the near future, as well as having
 23 an administrative assistant help with the
 24 distribution of the packets and things like that
 25 so that you don't get piecemeal information from

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1 me at the last minute.
 2 I don't know if you were also -- well,
 3 I think I explained in the e-mail too because
 4 what was his -- what was his name, the previous
 5 chair? I'm blanking out his name.
 6 MR. SAVIN: Lou.
 7 MR. VOSS: Lou.
 8 MS. LEE: Lou, yes, I'm sorry. Lou
 9 resigned as chair. He did give me and Jim a
 10 heads-up a little over a month ago to say that
 11 after this last land development review that he
 12 thinks he's, you know, he's done. So he did. As
 13 soon as we were done the last meeting, he
 14 submitted his resignation; but council also
 15 appointed Peter to serve on the planning
 16 commission as well, which is -- it's not uncommon
 17 for an elected body to also serve on a planning
 18 commission. The MPC does allow that and so --
 19 and he's already the planning commission liaison
 20 for council.
 21 Did you want to chime in on just an
 22 introduction of yourself?
 23 MR. MEYER: No. I think the only thing
 24 is basically a liaison has -- and the ideal has
 25 always been a two-way communicator not just

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1 reporting back to council. So given the
2 possibility of being in both roles, it was just
3 as easy to do it this way as to, you know, be
4 liaison and then sort of -- you sit there when
5 you're liaison, you're not quite sure whether or
6 not you've got a voice or not. And this sort of,
7 I think, simplifies it for me anyway. I may be
8 more onerous for you guys, that's another story.

9 MR. SAVIN: We're more naive than them
10 in those ways.

11 MR. MEYER: No, you're just not having
12 to put up with the crazy stuff that I have to put
13 up with up being on borough council, that's all.

14 MR. SAVIN: Yeah.

15 MS. LEE: But considering there's only
16 been one meeting so far prior to this one this
17 entire year, usually the first meeting of the
18 year, you to do a reorganization. That's very
19 typical of every board. You guys have not done
20 that and then your chair resigned, so you
21 currently don't have a chair. So one of the
22 things you do, hopefully we can accomplish today
23 is to select a chair who would usually serve --
24 it's who I or the zoning officer coordinate with
25 to organize the meeting. So for instance, for

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1 the last meeting, when you guys had the Logan Inn
2 for their planning commission review, Jim and I
3 set up a meeting with Lou prior to the meeting
4 just by himself so that we don't violate any
5 Sunshine Acts, but also to go over with him the
6 details of the plan so that he has a better
7 understanding to be able to know what questions
8 to ask, what concerns that have already been
9 outlined and the staff reviewed letters that he
10 really needed to emphasize and just vet out some
11 of those things so that he can basically chair
12 the meeting and make sure the input and topics
13 are discussed.

14 That was something new that we
15 implemented about a year ago, so we did that for
16 when the Mansion Inn came in last year --
17 actually no, we did that after that because that
18 was -- the Mansion Inn was my first meeting after
19 I became borough manager. There were some things
20 that could have been tightened up a little bit,
21 so we have that in place for any review board,
22 such as the HARB or anybody else that we have a
23 one-on-one with the chair prior, just so that the
24 chair at least has a full understanding of the
25 details of what's going to be presented. So

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1 that's basically what the role of the chair for
2 the planning commission is. They would usually
3 keep close contact with me or whoever is the
4 staff person, the zoning officer or the planning
5 commission so that they already have a heads-up
6 on what's going on. So I will leave it open to
7 you.

8 MR. MEYER: Question. I may be wrong.
9 I thought that you said to me at some point when
10 we're talking about whether or not I'd be on the
11 planning commission that one of the rules the
12 chair played was -- well, the chair of the
13 planning commission along with the president
14 council would look at things like sketch plans.

15 MS. LEE: Yes.

16 MR. MEYER: That's separate of the
17 meetings.

18 MS. LEE: Yeah, yeah. So, yeah, I
19 mean, every now and then the board -- I mean, the
20 borough gets a sketch plan application, which is
21 a very, very preliminary, just a very quick and
22 dirty sketch of what it is that an applicant
23 would like to do. And often in those situations,
24 they ask for just a staff review, but in those
25 situations, I'll usually pull the council

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1 president as well as the chair of the planning
2 commission just so that they're aware of what's
3 coming down the pike. Those are not public
4 meetings, those are just, you know, staff reviews
5 basically, but it's helpful when you have
6 representatives of the different bodies also
7 there to be able to, you know, ask any questions
8 that, you know -- that they see. Because
9 oftentimes the sketch plans do eventually become
10 land development applications, so it's always
11 helpful when you have a, you know, a head start
12 on what's coming down the pike. So that's, you
13 know, another role of what the chair of the
14 planning commission will do.

15 But it would have to be decided amongst
16 the five of you today who you would like to
17 nominate and vote for as the chair.

18 MR. ATKINSON: Do they have to be here?
19 MS. LEE: Yes, they would, because they
20 would have to formally accept.

21 MR. MEYER: Yeah, I going like this and
22 I'm ready to go -- question is, you know, if he's
23 not here very regularly, that's not a
24 particularly constructive situation.

25 MR. SAVIN: He had been here in the

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1 past, he's hasn't been here. We only met twice
 2 going back to October of '18.
 3 MR. ATKINSON: Did Lou give any
 4 indication as to who?
 5 MS. LEE: No, he did not, no. He
 6 didn't. But also keep in mind, you know, there
 7 are some projects coming down the pike too. I
 8 have it on agenda. Right now the borough's
 9 currently working with Wawa on the land ordinance
 10 amendment that they requested and in addition,
 11 the borough is going to be starting the zoning
 12 ordinance amendment process with Bucks County
 13 Planning Commission as well. So the zoning
 14 ordinance amendment is something that the
 15 planning commission's going to have to review at
 16 a public meeting, but the chair would also be a
 17 little more involved with the process of
 18 reviewing in being part of the subcommittee.
 19 So it is a lot more time commitment,
 20 that's something that you do need to consider.
 21 And, yeah, I mean just commitment to make sure
 22 you'll be at each meeting.
 23 MR. ATKINSON: I mean, I'm terribly
 24 interested just to lay my cards on the table.
 25 Keith, are you?

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1 MR. MEYER: And Paul seconded.
 2 MS. LEE: Now, can I ask if you guys --
 3 some places jut have a chair, some places have a
 4 vice-chair in the event that the chair can't
 5 attend. For instance, if there was a vice-chair,
 6 then we wouldn't have to be doing this right now
 7 after Lou resigned, so it's helpful. I don't
 8 know, it's up to guys if you want to have a
 9 vice-chair. You don't have to, it just -- you
 10 know, we do need a chair, though, to help chair
 11 the meeting, but if you want to have --
 12 MR. SAVIN: We can reflect upon that
 13 for the next time.
 14 MS. LEE: If you want to think about
 15 it. Okay.
 16 Congratulations, Keith. That was a
 17 nail biter. So now that you're chair, you
 18 control the agenda.
 19 MR. VOSS: Let's see is everyone okay
 20 with postponing the approval of the minutes till
 21 next meeting?
 22 MS. LEE: Yeah, sorry that was my
 23 fault.
 24 MR. VOSS: Just give us a chance to
 25 read them.

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1 MR. VOSS: I don't know what my time is
 2 like, but I'd certainly be willing to help, but I
 3 don't know what my times like.
 4 MR. SAVIN: Keith, I would be
 5 supporting you.
 6 MR. ATKINSON: Yeah, if you wanted to
 7 give it a shot. We can fire him, right?
 8 MS. LEE: Did you take the course?
 9 MR. VOSS: I did.
 10 MS. LEE: You took the course too,
 11 right?
 12 MR. APUZZIO: No, I didn't take the
 13 course.
 14 MS. LEE: Keith took course, so, yeah,
 15 that's always very helpful.
 16 MR. ATKINSON: Hands up if you took the
 17 course?
 18 MR. SAVIN: If nominated, would you
 19 accept?
 20 MR. VOSS: I think I could do this.
 21 MR. SAVIN: I nominate Keith Voss.
 22 MR. ATKINSON: Second.
 23 MR. SAVIN: All in favor?
 24 BOARD MEMBERS: Aye.
 25 MS. LEE: So Howard nominated Keith.

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1 MS. LEE: So I'll note that.
 2 MR. VOSS: Now, just out of curiosity,
 3 do I -- since I wasn't at the last meeting, would
 4 I would just -- am I still part of approval of
 5 minutes?
 6 MS. LEE: Usually it's the people who
 7 are there because you can attest to actually what
 8 happened.
 9 MR. MEYER: If there's a serious
 10 ambiguity as to what actually happened in terms
 11 of the way in which it's written up, I suspect
 12 you might want to object to that, or raise a
 13 question.
 14 MR. VOSS: I'll read them, but I won't
 15 --
 16 MR. SAVIN: So we need a motion to
 17 suspend approval of the minutes until the next
 18 meeting?
 19 MS. LEE: To table, yeah.
 20 MR. MEYER: Table.
 21 MR. SAVIN: Table?
 22 MR. ATKINSON: Look at you go, Howard.
 23 MR. MEYER: Technically this is a
 24 public meeting, we've got a lot of public.
 25 MR. ATKINSON: You're our only public

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1 typically, so.
 2 MR. MEYER: Yeah, well, today I'm not
 3 public.
 4 MR. ATKINSON: Not anymore.
 5 MS. LEE: Okay. So, Keith, did you
 6 want to make a motion to table?
 7 MR. VOSS: So moved.
 8 MS. LEE: Second?
 9 MR. ATKINSON: Second.
 10 MR. MEYER: Second, whoever.
 11 MS. LEE: This is very hard for you, I
 12 know this is very laid back.
 13 And then it's all in favor.
 14 MR. VOSS: All in favor?
 15 BOARD MEMBERS: Aye.
 16 MS. LEE: It's been tabled.
 17 MR. VOSS: Let's see, update on borough
 18 projects. Do we have --
 19 MS. LEE: Yes. And Peter and I can
 20 both probably report on this. As I mentioned
 21 earlier, the borough subcommittee for the Wawa
 22 zoning ordinance amendment, we are still actively
 23 working. I think it was earlier this year, I
 24 can't remember which month, when council gave
 25 authorization for the borough solicitor as well

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1 MR. MEYER: I might as well just do
 2 some of this since I happen to be chair of the
 3 subcommittee of council that's doing it. What's
 4 going on there is, they want to put in a
 5 so-called super Wawa with X number of gas pumps
 6 in addition to a larger facility with obviously a
 7 heck of a lot more parking. I mean, if you take
 8 a look at what goes on with that parking lot
 9 right now, you know, it's a disaster area.
 10 And in order for them to do that,
 11 there're a whole variety of things that they have
 12 to go through in terms of variances and changes
 13 and so on and so forth and permits with regard to
 14 zoning and rezoning and amendments and variances
 15 and stuff like that. The easiest way around is,
 16 is to do a zoning ordinance amendment, which will
 17 allow them to do what they want to do subject to
 18 what we don't want them not to do in that
 19 location. We have to very carefully make sure
 20 that we're not doing spot zoning that is to say
 21 just only one location. So this will make a
 22 reference to something that could be
 23 theoretically in other places in town, but
 24 realistically, will not be. And what we're in,
 25 is we're in the negotiations with them over that.

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1 as the subcommittee to work with the
 2 representatives of Wawa developers to work on a
 3 draft zoning ordinance amendment to see what can
 4 be worked out for -- for their site.
 5 MR. SAVIN: The new proposed site?
 6 MS. LEE: Yes, the new proposed site.
 7 MR. MEYER: Yeah, let's be fairly
 8 specific. We're talking about effectively think
 9 of the space across from where the fire company
 10 is now, that corner of Sukan and 202.
 11 MS. LEE: Yeah, I believe they did a
 12 sketch plan review several -- a couple of years
 13 ago --
 14 MR. MEYER: Yeah, well, I'm just trying
 15 to remind everybody.
 16 MS. LEE: -- in front of the planning
 17 commission, right?
 18 MR. SAVIN: Yes, they presented here.
 19 MS. LEE: Okay. So you guys have seen
 20 it?
 21 MR. SAVIN: Yes.
 22 MS. LEE: Okay. No, that's what I
 23 wanted to verify. But those are --
 24 MR. MEYER: And basically -- may I?
 25 MS. LEE: Yeah, sorry.

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1 So we are putting in things that we want, as well
 2 as trying to give them what they want. And some
 3 of the background work on that were things like,
 4 trying to find out what they normally -- if you
 5 were to go to them and offer them a lot site for
 6 a Wawa, what it is that they want. So we looked
 7 at all of that stuff and said, okay, fine, we can
 8 give them that minimum and not them a heck of a
 9 lot more than that. Because we know that's the
 10 minimum thing.
 11 Then there's the question, of course,
 12 in return for all of the variances, what happens
 13 to the existing Wawa? Okay. You guys really
 14 want to see that become vacant and derelict
 15 because they want to make sure they got no
 16 competition or do we want to say something to
 17 them about that, that's the kind of stuff that
 18 goes into those negotiations. But that will
 19 eventually, since this is a planning commission,
 20 that all is going to eventually come before you.
 21 MR. SAVIN: There's a receptivity
 22 obviously to negotiate with them, so it's not --
 23 MR. MEYER: They made the request to us
 24 for this and we are now responding to them.
 25 MR. SAVIN: Got it.

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1 MS. LEE: That's correct.
 2 MR. MEYER: EJ just was beating me over
 3 the head earlier this evening of the fact that I
 4 need get done with some of my reviews.
 5 MS. LEE: Yeah, part of that
 6 subcommittee is three members of council, Peter
 7 included, the borough solicitor, obviously,
 8 because it's a legal document. The engineer has
 9 also been involved just to be able to chime in
 10 her experiences in similar situations because
 11 she's also represented other boroughs as their
 12 engineer. And actually one other borough that
 13 she also represents had the same exact thing
 14 where Wawa came in wanted to do a zoning
 15 ordinance amendment and their Wawa also sat in
 16 between two different municipalities, one of them
 17 was my former municipality. So she and I both
 18 just went through all of that about a year and a
 19 half ago, so it's always good to have somebody
 20 who has experience through that to see what it is
 21 that they ask for and see what it is that they
 22 ultimately present at a land development once
 23 they get the zoning ordinance approval and see
 24 how they utilize the zoning ordinance amendment
 25 to fit their needs.

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1 is the outcome so they can't be a part of review
 2 process. But that's basically where things are.
 3 I know Wawa is anxious to get this completed, so
 4 that they can start moving forward, but it did
 5 take us a little bit of time to regroup and
 6 understand what it is that they're looking for,
 7 understand the whole zoning ordinance amendment
 8 process. And we'll do that with you guys as well
 9 to make sure everybody understands what it is
 10 exactly what it is that you're reviewing and what
 11 it is that you should be looking for.
 12 MR. ATKINSON: Okay.
 13 MR. VOSS: It might be helpful for us
 14 to take a look at the planning map that we have
 15 just because where the Wawa currently stands, we
 16 have it, we have the active post office and then
 17 we have a currently inactive insurance office.
 18 And so if we're looking at on this edge of town
 19 that might be worthwhile to see what's at least
 20 in the planned stage for those both those strips
 21 and see if they're falling into the borough
 22 intentions.
 23 MS. LEE: Okay. You mean in our comp
 24 plan map?
 25 MR. VOSS: Um-hmm.

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1 And then in addition to that, Jim Ennis
 2 was a part of that, but now Tracy Tackett been
 3 involved in that. And, again, because she was
 4 the representative for -- the zoning officer at
 5 Solebury, she also has a little bit of an insight
 6 as to what Solebury is doing because they will
 7 eventually need Solebury's approval as well. So
 8 that's where we are.
 9 The next steps are is, I think we're
 10 meeting with them after we send them our comments
 11 based on the draft that they provided to us and
 12 we'll just take it from there and start hashing
 13 out what the actual language is going to be.
 14 Because it's a zoning ordinance amendment, it
 15 will come to planning commission for your review
 16 and recommendation. It'll also go to the Bucks
 17 County Planning Commission for their review and
 18 recommendation as well. The Bucks County
 19 Planning Commission usually looks for continuity
 20 of the zoning ordinance in how it fits in with
 21 the county as a whole; but ultimately the
 22 planning commission, you guys, will also have to
 23 review it and sign off on it to -- for it to go
 24 to council. And then, obviously, the zoning
 25 hearing board is the one that enforces whatever

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1 MS. LEE: That's a great idea.
 2 MR. MEYER: Yeah.
 3 MR. VOSS: And if there's a cause to
 4 adjust it, we can think about it, but it might be
 5 nice just to see what the intended trends were
 6 toward that direction especially now that we have
 7 a chance to potentially make changes.
 8 MS. LEE: Yeah. I think that's exactly
 9 what the planning commission should be doing is
 10 looking at those long-term plans to make sure
 11 that properties are utilized effectively. I
 12 think that's perfect.
 13 Anything else, Peter? Did I miss
 14 anything?
 15 MR. MEYER: No. I think -- and to
 16 Keith's point, we are going to be asking them
 17 what they intend to be with the existing Wawa,
 18 which parenthetically they do own that, that is
 19 not a leased property, that is owned by Wawa. So
 20 they've got a significant amount of control of
 21 what happens to it. If any of you care to buy
 22 it, I'll talk to them about it. But I mean --
 23 MR. SAVIN: McCaffrey's going in it's
 24 going to alter the retail ecology in that part of
 25 town.

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1 MR. MEYER: Well, it'll change some of
 2 it and I don't know what's happening with the --
 3 do me know anything about what's happening with
 4 that vacant insurance? What's it say, for sale
 5 out front? There's something out front.
 6 MR. APUZZIO: It's been sitting for
 7 like, I think, eight months or so. It's been
 8 there for a while, but it'll be interesting
 9 especially once McCaffrey's is fully up and
 10 running how it's going to drawn in, you know,
 11 certain kinds --
 12 MR. MEYER: Yeah, that's going to
 13 affect what happens across the street, you're
 14 completely correct, yeah. And that's going to be
 15 very, very different.
 16 MR. VOSS: But that's one of the
 17 reasons it'd be useful for us to see where it's
 18 intended to go and if there's the need to
 19 consider changes or in strengthening an
 20 ordinance.
 21 MR. MEYER: And that also means that it
 22 may be a good idea to make sure that we're
 23 informing you sooner rather than later as to what
 24 we're hearing from Wawa.
 25 MR. VOSS: And one thing I would like

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1 take a left. The problem is that you can't take
 2 a left --
 3 MR. VOSS: Out of --
 4 MR. MEYER: -- out of it on Bridge
 5 Street there, so there's some problems there.
 6 MS. LEE: We'll definitely check the
 7 comp plan, though, prior to our meeting just so
 8 that we have a better understanding of what was
 9 --
 10 MR. MEYER: Now, but see those are the
 11 kinds of things that you guys can raise when
 12 you're looking at what comes from our agreement
 13 with. That's a perfectly perfect -- that's a
 14 perfect role for the planning commission to
 15 raise.
 16 MR. VOSS: I'm trying to remember did
 17 you give us the electronic copy of the --
 18 MS. LEE: Comp plan?
 19 MR. VOSS: The comp plan.
 20 MS. LEE: Yeah.
 21 MR. VOSS: I remember I got one when I
 22 was doing my course.
 23 MS. LEE: Yeah, it's also on our
 24 website.
 25 MR. MEYER: You know, I'm straddling

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1 to consider, I guess, I can tell you if you're on
 2 the head of the committee, the idea of -- it
 3 would be nice if -- if that property were no
 4 longer a -- a convenience store, if we figure out
 5 some way to handle traffic better onto Sugan.
 6 MR. MEYER: Oh, God, tell me about it.
 7 MR. VOSS: But, again, that may be
 8 something -- I don't know if it's zoned that way,
 9 but if the type of establishment is there doesn't
 10 need continual access on two streets, it'd be
 11 convenient for us.
 12 MR. MEYER: It has to do with how much
 13 traffic there is. There's also this whole
 14 question about -- I don't know. You know, that
 15 would be described as a curb cut if we're talking
 16 about downtown, but I don't know whether that is
 17 called a curb cut in the commercial area.
 18 MR. VOSS: Yeah, I don't know if it's a
 19 curb cut into a state road; if it's not, then we
 20 would have control over putting a -- you know,
 21 opening and closing it.
 22 MR. MEYER: That entrance on Sugan,
 23 which is prone to create problems.
 24 MR. VOSS: Yeah, that hill is not safe.
 25 MR. MEYER: Yeah, but you also can't

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1 this trying to get there.
 2 MS. LEE: I can provide you those.
 3 MR. SAVIN: Okay. Good.
 4 MR. VOSS: Well, the map actually looks
 5 better electronically --
 6 MR. SAVIN: I don't recall getting it.
 7 MS. LEE: Yeah, I can certainly provide
 8 you with a copy of our comp plan. While we're on
 9 that, you should all have a copy of our comp
 10 plan, as well as the subdivision and land
 11 development ordinance. If you guys don't have
 12 that -- I mean, it's available online, but if you
 13 don't have it and would like paper copies, let me
 14 know and I'll make sure you guys all have copies;
 15 but those are the two primary tools that you
 16 should be referencing any time you do any kind of
 17 planning reviews that are planning commission
 18 related.
 19 MR. MEYER: The advantage of having
 20 them online is that you could do key word
 21 searches online instead of having something like
 22 this sitting on your desk. I have the hard
 23 copies and I use the electronics more for just
 24 that reason.
 25 MR. APUZZIO: Is the electronics online

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1 on the website.
 2 MS. LEE: It is.
 3 MR. MEYER: Yeah, they're on the
 4 website.
 5 MS. LEE: It's part of our code. I
 6 should know our chapter code for sub -- for the
 7 SALDO and I can't recite it for you right now.
 8 But it is available online, it's the subdivision
 9 and land development ordinance.
 10 MR. MEYER: And then I guess --
 11 MR. VOSS: What's SALDO so I can ask,
 12 this is separate committee than the borough's
 13 zoning ordinance?
 14 MS. LEE: Yes. So back in April of
 15 2018, before I started here, the borough had
 16 signed an agreement with the Bucks County
 17 Planning Commission to update the borough's
 18 subdivision land development ordinance and the
 19 zoning ordinance. It was long overdue. Most
 20 municipalities will update the zoning ordinance,
 21 just housekeeping minor edits every -- at least
 22 every other year just because you make any
 23 modifications to the zoning ordinance, you really
 24 don't know how it works until it's been tested.
 25 And then once it's been tested, then you're like,

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1 telling of the deficiencies of the zoning
 2 ordinance is, how many zoning hearing board
 3 applications you get a year. If you get a lot of
 4 zoning hearing board applications, that is a tall
 5 tale sign that your zoning ordinance, there's
 6 something, 'cause you should not need that many
 7 variances all the time. So the borough, we've
 8 actually had a pretty good number of hearing
 9 board zoning board applications the last year.
 10 Some of them, just a variety of things, but it's
 11 really raised more concerns that our zoning
 12 ordinance really does need to get updated.
 13 MR. SAVIN: Due the non -- the amount
 14 of nonconforming properties in the borough?
 15 MR. MEYER: Yeah.
 16 MS. LEE: Not so much, the
 17 nonconforming, a lot -- not so much. It's been
 18 just random uses. Yes, some of them, yes. And
 19 in a borough, some nonconforming is expected,
 20 some of it, if it's been grandfathered in then,
 21 you know, you really -- it's grandfathered in,
 22 so, you know, the zoning applications will work
 23 around that as well. But, you know, there has
 24 been a lot of zoning hearing board applications
 25 and it's just kind of raised a little bit more

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1 oh, we missed this, oh -- or that wasn't our
 2 intent, but that's how it's being, you know,
 3 perceived, so, you know. So that's why it's
 4 important to make sure you give updated zoning
 5 ordinance amendments.
 6 The borough hasn't had a real zoning
 7 ordinance amendment in a very long time and it's
 8 very overdue. And the Bucks County Planning
 9 Commission provides those services for
 10 municipalities. The order in which you do the
 11 two updates first usually is, you -- first you do
 12 the zoning because the zoning is -- it's the
 13 rules of what you can and cannot do and then the
 14 subdivision and land development ordinance is how
 15 you utilize those rules to build what you can.
 16 Right? You probably learned that in
 17 your course.
 18 So we've had this agreement with them
 19 for over a year, we have not moved on it. Part
 20 of it is just because there's a lot going on in
 21 the borough. But with Peter a little bit more
 22 involved with the planning commission, we're
 23 really pushing to get the zoning ordinance
 24 amendment updated. I think the last few -- well,
 25 one of the triggers of what you att -- is a very

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1 awareness of the need of the deficiencies of our
 2 zoning ordinance.
 3 So, again, as with the Wawa ordinance
 4 amendment, this group would also have to review
 5 that. But like I said, because the zoning
 6 ordinance amendment is a little bit bigger of a
 7 project, 'cause it's -- you're reviewing
 8 everything in the zoning ordinance, a
 9 subcommittee usually is created made up of
 10 representative council, staff, the zoning officer
 11 and at least a representative from the planning
 12 commission, usually the chair, so that you put
 13 in, you know, your comments as to what you can
 14 see in your planning commission reviews, what you
 15 see in the comp plan and how that should be
 16 incorporated.
 17 So do you have more that you wanted to
 18 add to that?
 19 MR. MEYER: Well, I was going to say
 20 having been on zoning hearing board here, I mean,
 21 you get things like somebody's going to extend
 22 their porch the total size of this table in front
 23 of us and have to go through these contortions.
 24 Yes, it's not going to keep the building from
 25 being nonconforming, but we may be able to modify

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1 the ordinance so that that thing doesn't require
2 that somebody with a \$5,000 project ends up
3 spending \$5,000 on the professionals necessary to
4 come before the zoning hearing board. And that's
5 the kind of modification -- because they get
6 approved, you know, it's totally unreasonable not
7 to approve it. And also some of the kinds of
8 modifications that we can make in the zoning
9 ordinance that can basically serve the community
10 because that's what it'll do.

11 MS. LEE: So that's heads-up, Keith,
12 you took on the role of chair, that's what's
13 coming down the pike.

14 MR. MEYER: Every time we turn around,
15 we're loading more on Keith.

16 MS. LEE: We did the chair before we
17 came out with the projects.

18 MR. VOSS: So one thing that would be
19 of interest to me, I don't know if this may be
20 now starting to fall under new business, those
21 were updates -- but would be, if things do come
22 before the zoning hearing board, I understand --
23 I mean, variances that are for, convenience
24 variances; setbacks and things, that's a
25 different category. But if there are use

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1 MR. VOSS: Not the whole, you know, the
2 larger body that you're mentioning.

3 MS. LEE: Like a fence.

4 MR. VOSS: Fences, heights, vari --

5 MS. LEE: Right. Yeah, let me check
6 into that, I'll -- just because, as you're aware,
7 the zoning board application has -- is on a time
8 line, so they have to be heard within a certain
9 time period otherwise it's deemed approved. We
10 do work with them because they did come before
11 council. So council does a review to see if they
12 want to take a position and we usually squeeze
13 them in at the next meeting and then -- because
14 you have 45 days to get the zoning hearing board
15 scheduled and then whatever's the next council
16 meeting within those 45 days, that's when they
17 hear it, right before they go to zoning hearing.

18 To add planning commission, let me how
19 that works out. But I think your reasoning is --
20 it makes perfect sense. Let me see how -- let me
21 do some research and see how we can --

22 MR. VOSS: How the time table --

23 MS. LEE: How we can work that out.

24 MR. MEYER: That's also consistent with
25 the conversation that you had with council

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1 variances, it seems like we should've heard about
2 it before zoning hearing board does. Because it
3 would be nice for the applicant to already know
4 that, yes, we agree that what their proposal for
5 change falls in our comprehensive plan. And if
6 it's not within the plan, maybe we need to look
7 at the comprehensive plan again, I mean, it's 12
8 years old, 8.

9 MR. MEYER: No, it's barely eight years
10 old and the comp plan is not something that we
11 particularly would do more than every 10, 15
12 years.

13 MR. VOSS: Right. So but that's one
14 reason so the fact that it's still active and
15 meaningful, it seems like something that we ought
16 to make sure before the zoning hearing board
17 looks at a variance because they're just -- you
18 know, it seems like we won't be able to say yes,
19 it falls within the intended plan for our
20 community as compared to yes, it makes sense,
21 which is what they tend to do.

22 MR. MEYER: You're suggesting it with
23 regard to use changes not the --

24 MR. VOSS: Use changes.

25 MR. MEYER: Use changes, yeah.

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1 already about -- that actually we just had with
2 JCPC, Jefferson County Planning Commission over
3 the question about process.

4 MS. LEE: Yes.

5 MR. MEYER: Because this could be
6 slightly modifying the review process and that
7 might make very, very good sense, Keith. Thank
8 you.

9 MS. LEE: Yeah, I think that's --

10 MR. VOSS: The other thing I think it
11 would be nice to consider -- again, sort of under
12 this new business category. It might be
13 worthwhile for us to at some point just schedule
14 a meeting for the purpose of considering new
15 business, just ideas that we have, what we see in
16 our community versus what we -- what the
17 comprehensive plan is saying. So I'm just
18 thinking about, for example, you know, at some
19 point someone's going to talk about draining the
20 wetlands quarry side of town, whatever happens to
21 be and trying to build something.

22 I just -- I mean, right now we have
23 natural reasons not to develop that, but I want
24 to make sure that whatever's in place and that
25 we're considering that and as people start

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1 thinking where the easy next place is to build,
2 just make sure that we have things in place or
3 someone has an idea that would either draw
4 development to an area or shift where the parking
5 goes, it might just be nice for us to brainstorm
6 at some point without -- without saying --

7 MS. LEE: Yeah, I mean, I think --

8 MR. VOSS: Without responding to
9 someone else's demands.

10 MR. MEYER: You have -- we're scheduled
11 to meet as a group monthly. We don't meet when
12 we don't have business, you're in a position to
13 say, we got business this month, this is what I
14 want to talk to you about.

15 MR. SAVIN: You're talking about a lot
16 of proactivity moving forward. And I mean, it
17 sounds great, it sounds like you run the risk of
18 stepping on people toes in terms of determining
19 proactively what belongs where. I think it
20 sounds like a great idea myself, probably
21 challenging as well.

22 MR. VOSS: Well, I recognize --

23 MR. SAVIN: This area we want
24 residential there and New Hope is so --

25 MR. MEYER: That's in effect the

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1 projects, especially with the zoning and SALDO
2 ordinance amendment, that will give us reason to
3 have to meet more regularly. We have to because
4 it's supposed to be a public process. Even
5 though it's made up of a subcommittee just for
6 the purposes of practicality you need a small
7 subcommittee to be able to do that, but you still
8 have to present what's been going on in those
9 subcommittees at a public meeting.

10 So at a minimum, the planning
11 commission should meet at least every other month
12 even if there's no land development applications
13 to review just to see where things are with the
14 zoning ordinance amendments and the SALDO and
15 just to review what's in the comp plan, have
16 those discussions so that everybody's a little
17 bit more aware of what the borough's intentions
18 were in the original land use outlook.

19 MR. MEYER: Farm district, you want to
20 mention it?

21 MS. LEE: I think that was just one of
22 the ideas that was raised by Bucks County
23 Planning Commission.

24 MR. MEYER: I mean, one of the things
25 that's come up -- and that may come before some

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1 planning commission's function.

2 MR. VOSS: We have a comprehensive
3 that's already in place saying that, so I'm just
4 -- but with that, you know, we have the zoning
5 map, which is what things currently are and we
6 have this plan map which tells us what someone
7 eight years ago decided where things should be
8 going.

9 MR. SAVIN: I think it sounds very
10 interesting.

11 MR. VOSS: Well, it seems to me the
12 only other thing is to do what has been
13 happening, which is responding to each applicant
14 one at a time and then if you let --
15 unfortunately, if you let one incorrect decision
16 slip in because it just sounds good in the
17 moment, then we start having the but my neighbor
18 got to do it kind of argument. And I know that's
19 not a legal precedent, it still has the
20 influence.

21 MR. MEYER: I'm afraid it could be a
22 legal precedent.

23 MR. VOSS: And some things can, at
24 least so I heard.

25 MS. LEE: I think with the two ongoing

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1 of the other pieces, you know, they put up those
2 four huge -- the four condos just here in town.
3 And there's a question that, I think, that's
4 actually in the historic direct, but we can end
5 up with a heck of lot more of those. Where our
6 land is very valuable, we've got the possibility
7 of, you know, you start converting single family
8 homes into occupying a lot more space and you get
9 four condos on there that you can sell for a
10 million to two million bucks and you can make a
11 pretty penny.

12 And this council has indicated a
13 concern about some of those and whether there's a
14 way of dealing with any of that and that's
15 something that's come before PCPC, Bucks County
16 Planning Commission and we're asking them for
17 advice about that. And if we do get something on
18 that, that'll be part of this ongoing revision,
19 but that may become before some of the other
20 pieces.

21 MR. SAVIN: That's great stuff, so I'm
22 -- we have a second home in Colorado, we get to
23 experience newer community, but it isn't exactly
24 regulated, there's a real support for down zoning
25 versus up zoning, so it the extent to which you

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1 take a commercial property, you make it
 2 residential or single family use is a very
 3 popular idea, then you run the risk here, you let
 4 so and so do it.
 5 MR. MEYER: Yeah, we're dealing with
 6 some weird stuff around here because we have one
 7 commercial that's being converted over to
 8 residential. I mean, it's res -- yeah, it's
 9 commercial trying to become residential in what
 10 is a commercial zone.
 11 MS. LEE: You hit the mark, though, a
 12 use change is a real --
 13 MR. MEYER: Up on --
 14 MS. LEE: That's a pretty big deal.
 15 MR. MEYER: -- Mechanic Street.
 16 MS. LEE: A use change for any
 17 property --
 18 MR. APUZZIO: Okay. Oh, on --
 19 MS. LEE: From what is meant to be --
 20 MR. APUZZIO: Where (inaudible) over on
 21 the right-hand side as you're going --
 22 (Indiscernible discussion, simultaneous
 23 speakers.)
 24 MR. VOSS: Just for my experience here.
 25 MS. LEE: Can we just one person talk

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1 available.
 2 MR. VOSS: So if we do not have any new
 3 business, do I have a motion for adjournment?
 4 MR. APUZZIO: Motion to adjourn.
 5 MR. SAVIN: Second.
 6 MS. LEE: 7:38. Thank you.
 7 MR. MEYER: Thank you.
 8 (Meeting concluded at 7: 38 p.m.)
 9 ---
 10

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1 at a time, because it's really hard for her to
 2 take --
 3 MR. VOSS: So my experience with that
 4 particular unit was, by the time I heard about it
 5 on this board, the zoning variance had already
 6 gone through.
 7 MS. LEE: Yes, yes.
 8 MR. VOSS: And so that's a use change
 9 that we didn't have an opportunity to -- we gave
 10 no feedback on that.
 11 MS. LEE: I mean, you know, like you
 12 said, in zoning variance requests there're
 13 different levels of, for lack of better word,
 14 importance. A small one foot setback variance
 15 for a fence is one thing, a use change for an
 16 entire property that will sit in perpetuity of
 17 that property for the rest of that property's
 18 life, that's another level of request change than
 19 a one foot setback variance. So there are
 20 different variations and levels of importance and
 21 the impact that it will have on the borough as a
 22 whole.
 23 So, yeah, I think your point of use
 24 variance reviews, I think that's well taken and I
 25 will definitely research and see what options are

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 4 **CERTIFICATE**
 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.
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TARA WILSON, C.R.

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