

BEFORE

NEW HOPE BOROUGH COUNCIL

In Re: Regular Meeting

- - - -

TUESDAY, MARCH 27, 2018

- - - -

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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350 SOUTH MAIN STREET, SUITE 203
DOYLESTOWN, PENNSYLVANIA 18901
(215) 345-7966

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1 BOROUGH COUNCIL:

2 Mayor Laurence D. Keller

3 Alison Kingsley, President

4 Connie Gering, Vice-President

5 Laurie McHugh, President Pro Tem

6 Tina Leifer Rettig

7 Ken Maisel

8 Dan Dougherty

9 Peter Meyer

10 T.J. Walsh, Esquire, Solicitor

11

12 ALSO PRESENT:

13

14 Karen MacNair, Gilmore Associates

15

16 Chief Michael Cummings

17 New Hope Police Department

18

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2 for the Taste of New Hope Event on May 2, 2018. 11

3 F. A request from Run Now Wine Later for

4 permission to have their annual festival and 5K

5 run this coming fall..... 12-18

6 G. A request from New Hope Celebrates for

7 permission to have their annual event on May

8 19, 2018..... 11

9 H. Consideration of issuing a Certificate of

10 Appropriateness, as recommended by HARB, for:

11 (1) Los Catrines, 82 South Main Street,

12 for a sign installation..... 18

13 (2) Goose Creek Pottery, 17 West Ferry

14 Street, for a sign installation..... 18

15 (3) The New Hope General Store, 18 North

16 Main Street, for a sign installation..... 18

17 (4) Kathrin Wirth-Torrente, 30 West

18 Bridge Street, Unit 3, for a sign installation. 18

19 (5) Nina's Waffles and Ice Cream, 110

20 South Main Street, for exterior painting..... 18

21 (6) 18-20 West Mechanic Street, Richard

22 Calabrese, for Phase 1, 2 and 3..... 23-126

23 5.Council Member Reports on Committees

24 A. Parks and Recreation Board (Tina Rettig). 19-20

25 B. Shade Tree Commission (L. McHugh)..... --

26 C. Finance Committee (A. Kingsley, C.

27 Gering, D. Dougherty)..... 21

28 D. Revitalization Committee (P. Meyers and

29 T. Rettig)..... 21

30 E. Website Committee (K. Maisel, C. Gering,

31 L. McHugh)..... --

32 F. Shared Services..... 22

33

34 6. Solicitor's Report..... --

35

36 7.Land Use Preservation and Zoning Reports.... --

37

38 8.Other Business..... --

39

40 9.Public Comment..... 127-142

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42 10. Adjournment..... 142

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1 AGENDA

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3 1. Call to order, Pledge of Allegiance..... 5

4 2. Mayor's Report..... 5

5 3. Council President's Report

6 A. Executive sessions, announcements and

7 updates..... 6

8 B. Consideration to approve Resolution

9 2018-04, requesting a Multimodal Transportation

10 Fund Grant from the Pennsylvania Department of

11 Transportation for pedestrian improvements

12 along West Ferry Street..... 6

13 C. Consideration to approve Resolution

14 2018-05 for BB&T to identify designated

15 representatives for various banking

16 authorizations..... 7

17 D. Consideration to approve Resolution

18 2018-06 for Penn Community Bank to identify

19 designated representatives for various banking

20 authorizations..... 7

21 E. Consideration to enter into an agreement

22 with the Bucks County Planning Commission for

23 their professional services to execute a zoning

24 ordinance update in the amount of \$4,500 and a

25 Subdivision and Land Development Ordinance

revision in the amount of \$14,000 for New Hope. 8

4. Consent Agenda

A. Consideration of approving payment of

accounts payable for February, in the amount of

\$147,596.63; of payroll for February 28, 2018,

in the amount of \$74,584.05; and payroll for

March 14, in the amount of \$66,610.23..... 9

B. Consideration to approve the minutes of

the following meetings:

i. February 20, 2018 regular meeting of

the New Hope Borough Council and March 5, 2018

workshop meeting of the New Hope Borough

Council..... 10

C. Appointment of Elizabeth Miles as Tax

Collector with the term expiring December 31,

2012..... 10

D. Appointment of Peter Meyer to the

Planning Commission as liaison for council.... 10-11

E. A request from the New Hope Chamber to

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1 MS. KINGSLEY: I'd like to call the

2 meeting to order. Would everyone please rise for

3 the pledge?

4 (Pledge of allegiance was recited.)

5 MS. KINGSLEY: Connie, would you like

6 to do the roll call?

7 MS. GERING: Ken Maisel?

8 MR. MAISEL: Here.

9 MS. GERING: Laurie McHugh?

10 MS. McHUGH: Here.

11 MS. GERING: Dan Dougherty?

12 MR. DOUGHERTY: Here.

13 MS. GERING: I'm Connie Gering.

14 Alison Kingsley?

15 MS. KINGSLEY: Here.

16 MS. GERING: Our Solicitor T.J.?

17 MR. WALSH: I'm here.

18 MS. GERING: We have Tina Meyer --

19 Peter Meyer and mayor and Chief Cummings.

20 Sorry, Tina.

21 MS. KINGSLEY: Mr. Mayor?

22 MAYOR KELLER: Yes. Very briefly, I've

23 been asked by the New Hope Eagle Fire Company to

24 announce that -- certainly, we're going to be

25 able to support more parking on the south end of

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1 town. They're gonna open the Legion lot this
 2 year for the first time everyday, so Monday
 3 through Friday they'll have daytime parking. So
 4 for jams on the south end of town, we'll be able
 5 to absorb probably another 80 to a hundred cars.
 6 So they've asked me to announce that and you can
 7 go online and see what their rates are. They
 8 have monthly rates, as well as weekly rates. So
 9 for those of you that work downtown on a daily
 10 basis, then you might want to take advantage of
 11 that.

12 That's it.

13 MS. KINGSLEY: Thank you very much.

14 No executive sessions over the past
 15 three weeks.

16 Item 3B consideration to approve a
 17 resolution requesting multimodal transportation
 18 grant for pedestrian improvements on West Ferry
 19 Street. This is a grant that has been in
 20 discussion over the last several months.

21 Does council have any other questions
 22 or discussions about this? And if you do, Karen
 23 MacNair is here to answer them.

24 If not, I'll just ask for a motion and
 25 then we can have discussion if there is any. No

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1 questions?

2 Do I have a motion?

3 MS. RETTIG: I'll make it.

4 MS. KINGSLEY: Second?

5 MR. MEYER: Second.

6 MS. KINGSLEY: Any discussion?

7 MR. DOUGHERTY: I would just like to
 8 read into the record that this was discussed at
 9 great length and evaluated at the work session,
 10 which was a public meeting, two weeks ago. So
 11 it's something we've worked on -- Alison
 12 especially, has worked on a lot in the last month
 13 or so.

14 MS. KINGSLEY: Okay. Any questions
 15 from the public?

16 Hearing none.

17 All in favor?

18 COUNCIL MEMBERS: Aye.

19 MS. KINGSLEY: Opposed? Motion
 20 carries.

21 The next two Items 3C and D we'll do
 22 together. First is the resolution for BB&T to
 23 identify designated representatives for banking
 24 authorizations and 3D is Resolution 2018-06 for
 25 Penn Community Bank to identify designated

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1 signers for that account.

2 Do I have a motion?

3 MR. MEYER: I so move.

4 MS. KINGSLEY: Second?

5 MS. McHUGH: I'll second.

6 MS. KINGSLEY: Any discussion?

7 From the public?

8 Hearing none. All in favor?

9 COUNCIL MEMBERS: Aye.

10 MS. KINGSLEY: Opposed? Motion
 11 carries.

12 Lastly, is an agreement to enter into
 13 -- enter into an agreement with the Bucks County
 14 Planning Commission for professional services to
 15 update the zoning ordinances in the amount of
 16 4500 for the SALDO and in the amount of 14,000
 17 for the borough. This is something that is long
 18 overdue.

19 MR. WALSH: Definitely the SALDO.

20 MS. KINGSLEY: Definitely the SALDO.

21 And a portion of this is actually free
 22 to -- had been previously started, reinitiated
 23 and they're doing an inventory and this balance
 24 of 18,500 would be what we pass and enter into
 25 the agreement for them to do and it would take

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1 approximately a year to a year and a half to
 2 complete this.

3 So do I have a motion?

4 MS. GERING: I'll make that motion.

5 MS. KINGSLEY: Second?

6 MS. RETTIG: I'll second it.

7 MS. KINGSLEY: Discussion?

8 Questions from the community?

9 Hearing none. All in favor?

10 COUNCIL MEMBERS: Aye.

11 MS. KINGSLEY: Opposed? Motion
 12 carries.

13 Next is the consent agenda. Item A
 14 approving accounts payable for February in the
 15 amount of is 147,596.63; payroll for February
 16 28th in the amount of 74,584.05; and payroll for
 17 March 14th in the amount of 66,610.23.

18 Do I have a motion?

19 MS. McHUGH: I'll make that motion.

20 MS. KINGSLEY: Second?

21 MR. MAISEL: Second.

22 MS. KINGSLEY: Questions?

23 From the community?

24 All in favor?

25 COUNCIL MEMBERS: Aye?

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1 MS. KINGSLEY: Items B through -- B, C
 2 and D. First is the consideration to approve the
 3 minutes for February 20th, the regular meeting
 4 and second, is March 5th workshop meeting, the
 5 minutes for both of those; the appointment of Liz
 6 Miles as the tax collector with the term expiring
 7 December 31st 2021; and Item D, the appointment
 8 of Peter Meyer to planning commission as liaison
 9 for council.
 10 Do I have a motion for Items 4B, C and
 11 D?
 12 MS. McHUGH: I'll make that motion.
 13 MS. KINGSLEY: Second?
 14 MS. GERING: I'll second.
 15 MS. KINGSLEY: Discussion?
 16 MR. MEYER: If I may?
 17 MS. KINGSLEY: Peter?
 18 MR. MEYER: Question -- first of all,
 19 there's only one of me, so you might want to
 20 strike the S off my last name. Secondly, am I
 21 liaison or am I member of the planning
 22 commission? Let's clarify that.
 23 MS. KINGSLEY: I'll amend that to be
 24 member.
 25 MR. MEYER: Thank you.

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1 MS. KINGSLEY: Any discussion?
 2 MAYOR KELLER: I just want to say that
 3 I did swear Liz in, so she's officially sworn in
 4 and all the paperwork is done.
 5 MS. KINGSLEY: Yep. Okay.
 6 Questions from the public?
 7 All in favor?
 8 COUNCIL MEMBERS: Aye.
 9 MS. KINGSLEY: Opposed? Motion
 10 carries.
 11 We have a request for the New Hope
 12 Chamber to put a banner on South Main Street for
 13 a Taste of New Hope, May 2nd; and a request from
 14 New Hope Celebrates for permission to have their
 15 annual event, May 19th, 2018. That's Items 4E
 16 and G.
 17 Do I have a motion?
 18 MS. RETTIG: I'll make the motion.
 19 MS. KINGSLEY: Second?
 20 MS. GERING: Second.
 21 MS. KINGSLEY: Discussion?
 22 Questions from the community?
 23 All in favor?
 24 COUNCIL MEMBERS: Aye.
 25 MS. KINGSLEY: Opposed? Motion

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1 carries.
 2 Next is a request for F, a request from
 3 Run Now Wine Later for permission to have their
 4 annual festival, 5K run this fall.
 5 MS. GERING: I'll make the motion.
 6 MS. KINGSLEY: Second?
 7 MR. MAISEL: Second.
 8 MS. KINGSLEY: Discussion from council?
 9 From the community? Hearing none.
 10 All in favor?
 11 COUNCIL MEMBER: Aye.
 12 MR. MAISEL: Excuse me.
 13 I think, Larry, you had something?
 14 MAYOR KELLER: I did.
 15 MS. KINGSLEY: Larry, I'm sorry.
 16 MAYOR KELLER: On the Run Now Wine
 17 Later, so I don't know did they talk --
 18 Speak to you, Chief, about the route is
 19 it going to be the same? Just asking.
 20 MS. KINGSLEY: That's a good point,
 21 Larry.
 22 What I'd like to do is to amend the
 23 permission and have them meet with the chief
 24 because it seemed that last year the issue was
 25 that they go you want Mechanic Street and back

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1 Mechanic Street and it ties up everything.
 2 MAYOR KELLER: Especially at synagogue.
 3 MS. KINGSLEY: If you have a slow
 4 runner.
 5 MAYOR KELLER: Synagogue too, it's --
 6 MS. KINGSLEY: Right. And so I would
 7 like to amend the motion --
 8 Did you make the motion?
 9 MS. GERING: Yes.
 10 MS. KINGSLEY: I'd like to ask Connie
 11 to amend the motion pending discussion with the
 12 chief and somehow working the route so that we
 13 don't tie up the whole town for that amount of
 14 time that they're -- the route is -- they can
 15 still end at the Playhouse, but somehow to adjust
 16 that route so that it doesn't cut off Mechanic
 17 Street for literally an hour of time.
 18 MAYOR KELLER: And also, I haven't
 19 spoke to the Playhouse Inn, I don't know the
 20 status of the Playhouse Inn by September 9th, so
 21 the Playhouse Inn is -- I mean, just need to --
 22 we haven't heard anything and that's a big issue
 23 because that's where they usually have the booths
 24 at the Playhouse Inn parking lot and if they're
 25 functioning and they're operational, I can't

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1 imagine that they're going to be receiving them
 2 with open arms. I just want to know it's been
 3 cleared.
 4 MS. KINGSLEY: So pending approval of
 5 the route by the chief.
 6 MR. MAISEL: Alison, I second this and
 7 I'm thinking about it for a second. The route --
 8 the route is 3.1 miles, I think, I think it's a
 9 5K. So I think trying to alter the route might
 10 affect the certification of the route, you know.
 11 I'm not sure how serious they are about the 3.1
 12 miles being a 5K and how easily, you know, it
 13 would be to alter the route to accommodate a more
 14 available traffic flow.
 15 MR. DOUGHERTY: Can they run in
 16 circles?
 17 MR. MAISEL: Absolutely, 16 times
 18 around.
 19 MS. KINGSLEY: I guess they just need
 20 to work it out with the chief, keep in mind the
 21 issues we had last year, I think is the big
 22 thing. Because we had a lot of complaints from
 23 community members who couldn't get into town at
 24 all.
 25 MR. MAISEL: I do remember --

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1 -- we had a tremendous amount of people who
 2 literally -- and I think it's the fact that it
 3 repeats itself on Mechanic Street. If it kept
 4 going, I think it would have been fine. But the
 5 fact that it goes up Mechanic Street, ties it up
 6 and then you have to wait for the last runner to
 7 come all the way back, it tied it up for an
 8 inordinate amount of time and cut off a lot of
 9 people trying to figure out how to get into town
 10 and they couldn't do it.
 11 CARLY BOVELL: Yeah, this is --
 12 MS. KINGSLEY: Other years I've never
 13 heard that.
 14 CARLY BOVELL: This is our fourth year
 15 with the same route.
 16 MS. KINGSLEY: I understand. I've been
 17 here a while, I've watched all the runs, but last
 18 year we got -- we got complaints. We also got
 19 complaints from the fire police. So all I'm
 20 saying with this adjusted motion is that we'd
 21 like you to sit with the chief --
 22 CARLY BOVELL: Sure.
 23 MS. KINGSLEY: -- take into account and
 24 maybe talk to the fire police and see what their
 25 concerns were because they took the brunt of it.

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1 MAYOR KELLER: Is there anybody here?
 2 I didn't realize.
 3 MS. KINGSLEY: Would you like to come
 4 forward? And actually our mic has been
 5 juxtaposed.
 6 CARLY BOVELL: I don't usually have a
 7 microphone in my hand. My name's Carly Bovell
 8 and this Patrick Sullivan, we're both with BOSS
 9 Events that put on the event, Run Now Wine Later.
 10 This is our sixth year and each year we've worked
 11 with the chief to work out the best route. We
 12 have had prior routes and this route seems to
 13 work the best in working with the chief, as far
 14 as the least impact on the town.
 15 MR. DOUGHERTY: I was a fairly knew
 16 council member at the time, I don't -- it's
 17 obvious the feedback did not get back to you
 18 because I heard a tremendous amount of issues
 19 with last year's route.
 20 Is this the same route as last year?
 21 CARLY BOVELL: Yes.
 22 MR. DOUGHERTY: Clearly that did not
 23 get back to you.
 24 CARLY BOVELL: Same route as the last.
 25 MS. KINGSLEY: Last year was definitely

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1 CARLY BOVELL: Sure, we're --
 2 MS. KINGSLEY: And as long as you're
 3 good with that --
 4 CARLY BOVELL: Yeah, we're completely
 5 happy to sit with the chief and go over it and
 6 help out however we can. It is 3.1 miles and
 7 they can't run in circles, so that is one
 8 challenge. And we do -- our start is at the high
 9 school and our finish is at the Playhouse, so
 10 that's why we're trying to make -- but we're
 11 happy to come in and sit with the chief and go
 12 over the best route.
 13 And as far as the Playhouse, we have
 14 talked to them and we're aware of the hotel
 15 opening there and they have said that they are
 16 going to talk to them to make sure they know that
 17 our event is happening that day. So they are the
 18 communication between the two because the
 19 Playhouse owns that property where we do the
 20 festival. So they were gonna communicate with
 21 them that our event would be happening that day.
 22 MAYOR KELLER: So if they are open
 23 there is a chance that --
 24 CARLY BOVELL: I haven't heard if
 25 they're definitely opening or not, but I haven't

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1 checked in with the Playhouse this week, so I
 2 didn't finalize the timing. Last time I heard
 3 their timing was a little bit off, but we can
 4 check in with them, but I know they are
 5 communicating with them on our behalf since
 6 they're renting us the property.
 7 MS. KINGSLEY: Okay. Thank you.
 8 CARLY BOVELL: Thank you.
 9 MS. KINGSLEY: Any other discussion by
 10 council?
 11 Questions from the community?
 12 Hearing none. All in favor Item 4G?
 13 MS. RETTIG: 4F.
 14 MS. KINGSLEY: I apologize. I'm sorry.
 15 Amend to have them meet with the chief.
 16 All in favor of Item 4F Run Now Wine
 17 Later -- I'll get this -- for the 5K run this
 18 fall, all in favor?
 19 COUNCIL MEMBERS: Aye.
 20 MS. KINGSLEY: Opposed? Got it.
 21 Items for the certificate of
 22 appropriateness Los Catrines, 82 South Main for a
 23 sign; Goose Creek Pottery, 17 West Ferry for a
 24 sign; New Hope General Store 18 North Main for a
 25 sign; Kathrin Wirth-Torrente, 30 west Bridge

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1 MR. WALSH: What is St. Baldrick's?
 2 MS. KINGSLEY: When you shave your head
 3 for cancer.
 4 MR. WALSH: No.
 5 MS. KINGSLEY: I didn't think so.
 6 MR. WALSH: I'm not trying to be crass,
 7 but --
 8 MS. KINGSLEY: That's not allowed,
 9 donations to nonprofits.
 10 MR. WALSH: Some are, but not that one.
 11 Do we have a motion for \$650 for
 12 plantings?
 13 MS. GERING: I'll make the motion.
 14 MS. KINGSLEY: Second?
 15 MS. McHUGH: I'll second.
 16 MS. KINGSLEY: Discussion?
 17 Questions from the community?
 18 MR. MAISEL: Where do they appear?
 19 MS. KINGSLEY: All the planters on the
 20 light posts.
 21 MR. MAISEL: Where the begonias are
 22 during the summer?
 23 MS. KINGSLEY: Right.
 24 All in favor?
 25 COUNCIL MEMBERS: Aye.

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1 Street for a sign; and Nina's Waffles at 110
 2 South Main for exterior painting. That's Items
 3 H-1, 2, 3, 4 and 5.
 4 Do I have a motion?
 5 MS. GERING: I'll make the motion.
 6 MR. DOUGHERTY: I'll second it.
 7 MS. KINGSLEY: Any discussion from
 8 council?
 9 From the community?
 10 All in favor?
 11 COUNCIL MEMBERS: Aye.
 12 MS. KINGSLEY: Opposed?
 13 MR. MEYER: Opposed.
 14 MS. KINGSLEY: Motion carries.
 15 I'm going to hold Item H-6 until after
 16 the council committee reports.
 17 Park and rec. Any report from park and
 18 rec?
 19 MS. RETTIG: Yes. I'm sorry. Park and
 20 rec would like to get approval for an expenditure
 21 about \$650 for plantings for pansies around town,
 22 as well as a \$100 sponsorship for St. Baldrick's
 23 for a fundraiser that they are doing.
 24 MS. KINGSLEY: I don't think we're
 25 allowed to make a contribution to St. Baldrick's.

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1 MS. KINGSLEY: Opposed? Motion
 2 carries.
 3 Shade tree.
 4 MS. McHUGH: Nothing to report.
 5 MS. KINGSLEY: Finance.
 6 MR. DOUGHERTY: We'd just like to
 7 report that we're currently undergoing review of
 8 the budget and sort of the year-to-date
 9 projection and we do not see anything so far
 10 that's out of bounds, so we're -- we think we're
 11 in good shape, but we'll have a more complete
 12 picture at the next council meeting. We will be
 13 able to report out on that more precisely.
 14 MS. KINGSLEY: Thank you.
 15 Revit.
 16 MR. MEYER: Last revit meeting, which I
 17 wasn't at, I got a report anyway, they're working
 18 on some issues relating to parking and parking
 19 permits within the borough and they will be
 20 presenting some of their preliminary thinking to
 21 us at our workshop session on Monday.
 22 MS. KINGSLEY: You want to make sure
 23 that gets on the workshop agenda?
 24 MR. MEYER: I will call JoAnn.
 25 MS. KINGSLEY: Thank you.

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1 Website, no report tonight.
 2 MR. MEYER: Shared services?
 3 MS. KINGSLEY: We will report out to
 4 the community at the April meeting. There will
 5 be a full report released on shared services at
 6 the April meeting.
 7 Mr. Walsh?
 8 MR. WALSH: No report.
 9 MS. KINGSLEY: Land use preservation no
 10 report.

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1 be able to hit many of the issues that are
 2 addressed in council's memo.
 3 Before we get started, I wanted to take
 4 a couple minutes just to talk about what we think
 5 -- what the applicant believes is the context of
 6 this application. There's two elements to that,
 7 that I think are important.
 8 First of all, where this application
 9 has been and also considering this application in
 10 the context of your historic guidelines. So as
 11 you know, this project began about five years
 12 ago. It's received zoning hearing board approval
 13 by way of a series of variances, it's been
 14 reviewed by your planning commission, by borough
 15 council; it's been approved both preliminary and
 16 final. It's been reviewed by borough
 17 professionals, such as your engineer and
 18 solicitor. It's also been reviewed and approved
 19 by various outside agencies, such as Bucks County
 20 Water and Sewer, DCNR and others. So with that
 21 in mind, this application has been vetted, it has
 22 been reviewed.
 23 Most importantly in the context of
 24 tonight's meeting, the application mass been
 25 tirelessly reviewed by HARB and in conjunction

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1 MS. KINGSLEY: We are at the 18-20
 2 Mechanic Street.
 3 Mr. Fey.
 4 Connie Gering will be chairing this
 5 portion of the meeting.
 6 MR. LABOSKI: I think we're set. Good
 7 evening, I'm Gavin Laboski, I represent Amore
 8 Realty of New Hope, LLC. Before I get started,
 9 just introduce the great people that we brought
 10 with us Paul Licitra, Richard Calabrese, Joe
 11 Rosenthal, the principals of the entity -- you
 12 know Ralph Fey from Ralph Fey Architects.
 13 So tonight we're here before council to
 14 seek the issuance of a certificate of
 15 appropriateness, as you know. We were here last
 16 month. We had some discussions about the
 17 certificate and the unanimous approval that HARB
 18 issued with some recommendations. Since that
 19 time, there were correspondence between council
 20 and my clients, including an e-mail from your
 21 solicitor of February 26th, 2018, which will be
 22 generally the focus of tonight's discussion.
 23 There was also a lengthy memo issued by council
 24 dated March 8th, 2018. And we think that as we
 25 go through the five points in the e-mail, we'll

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1 with my client and their professionals. And the
 2 result of that collaboration over, I think, about
 3 five years and literally dozens of meetings, I
 4 think has accomplished what your guidelines
 5 intend and certainly addresses and took into
 6 consideration, many of the things that council
 7 has shared as its concerns in the March 8th, 2018
 8 memorandum.
 9 The other context of tonight's
 10 application relates directly to the standards in
 11 the guidelines. And I want to take a minute just
 12 to read a couple of the sections because when I
 13 look at the guidelines, I see this balancing
 14 between the important interests of the borough to
 15 get it right in its historic district, but also
 16 the rights of the property owner both to enjoy
 17 their property, but also for the economic
 18 revitalization of historic properties.
 19 So Section 1.2 has a few quotes I would
 20 like to just put out there so that as we go
 21 through this, we're all operating in the same
 22 context. First of all, the guidelines state,
 23 Section 1.2 that the purpose, among other things,
 24 is to ensure that reviews of applications are
 25 consistent, minimizing the influence of

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1 individual taste and arbitrary references. It
 2 goes on to state that the goal is to improve
 3 property values and foster economic development,
 4 that the guidelines themselves are not meant to
 5 be used as a strict and rigid rule book and that
 6 the design guidelines are a flexible tool for
 7 ensuring thoughtful preservation of New Hope
 8 Historic District.

9 And I think that my client's experience
 10 along with Ralph Fey at HARB reflects that give
 11 and take, reflects that balance that's necessary
 12 between, you know, again, the economic prosperity
 13 of the property, the revitalization of the
 14 property, as well as the preservation of the
 15 unique historic aspects that this borough has
 16 that a lot of other places don't have.

17 So as we go through tonight, I'm going
 18 to begin with Mr. Walsh's letter or e-mail
 19 February 26th, 2018. And I think the first two
 20 items of that e-mail -- if you do not have
 21 copies, I have copies that I can hand out. The
 22 first one relates to the immediate action on the
 23 issued but not picked up, emergency wall permit
 24 and detail of when repairs would be completed.
 25 So as you know, that permit was picked

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1 item addressed in any project, construction
 2 sequence.

3 So I'm going to have Rich speak about
 4 what the applicant intends to do when this is
 5 approved in terms of sequencing the construction,
 6 taking into consideration the preservation and
 7 rehab work that's necessary in historic
 8 structures.

9 So, Rich, if you wouldn't mind talking
 10 about that.

11 RICHARD CALABRESE: Good evening,
 12 everyone. As everyone knows, the permit's been
 13 picked up, like Gavin said, work is progressing.
 14 We're up to the third level right now, we will
 15 probably be able to complete the exterior masonry
 16 work and start topping off the building by the
 17 end of the week. Then we'll start the outside
 18 exterior finishes; the stucco work, the painting,
 19 window replacement and that will complete what
 20 our present permit is allowing us to do and what
 21 the HARB Board and council has permitted us to
 22 perform.

23 Any work after that fact, basically as
 24 council explained last meeting, is predicated on
 25 completing the permit work and then going into a

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1 up almost immediately after the meeting within a
 2 few days, work has begun and work is progressing.
 3 We have photographs, there are a couple on the
 4 screen presently to give you an idea of the level
 5 of work that's occurring. And I should note that
 6 it's somewhat unusual for an applicant, when this
 7 project has not yet been approved, to actually
 8 start working on a project, you know, before
 9 final approval. But, you know, that was
 10 something that was very important to council and
 11 the borough. My client took the initiative to
 12 get the permit, get a contractor out there and
 13 we're glad to say work progressing and the sort
 14 of imminent danger of collapse, I think may have
 15 passed, so I think that's the issue with No. 1.

16 I can certainly have Richard Calabrese
 17 answer any further questions about that, he's
 18 been intimately involved with that. When I have
 19 Rich come up, talk about No. 2, if you want to
 20 ask him questions about the current state of the
 21 repairs, you can certainly do that. No. 2 says,
 22 detail and analysis of preserved building and
 23 reconstruction project with sequencing of repairs
 24 include a status of building with structural
 25 analysis. If you recall, this must be the first

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1 C of A or conditional C of A status at that
 2 point, which would give us permission to proceed
 3 with additional work on that historic building.

4 So at that -- at this juncture we're
 5 ready to complete our permit work and we'll be
 6 going forward upon the issuance of the C of A to
 7 perform the exterior facade and restoration of
 8 that building as we go into the demolition phase
 9 and then into the site work phase. We will
 10 coordinate restoring of the historic building
 11 with the -- what you've considered now, Phase 1,
 12 which I think last time around I said was just
 13 Phase 1A, progressive of Phase 1, then going to
 14 the creek and then going back to the historic
 15 building. But obviously, the historic building
 16 is as important to us to be restored in a
 17 marketing strategy to market those first three
 18 units. So we're always going to be going forward
 19 to some degree in restoring the outside facade.

20 I think I explained last time around
 21 the logistics of actually building the extensions
 22 on the back of the building would inhibit and
 23 basically slow down the construction process on
 24 Units 1, 2 and 3, but the exterior restoration of
 25 the building would continue with the building out

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1 of 1, 2 and 3.
 2 Any questions?
 3 MR. DOUGHERTY: The first question is
 4 do you have a flavor -- I know with weather it's
 5 very difficult estimate --
 6 RICHARD CALABRESE: You know, we're
 7 working with three tremendous storms, I'm
 8 surprised we're even as far as we got.
 9 MR. LABOSKI: Let him finish his
 10 question.
 11 MR. DOUGHERTY: Just a flavor of about
 12 how much longer till the permit work is going to
 13 take another -- well, could be a month, I guess,
 14 I don't know.
 15 RICHARD CALABRESE: I would think by
 16 the middle of April we should be finished.
 17 MR. DOUGHERTY: That's my only
 18 question. Thank you.
 19 RICHARD CALABRESE: You're welcome.
 20 MR. WALSH: That e-mail that Mr.
 21 Laboski referred to talked about status of the
 22 building and structural analysis.
 23 So other than the wall, what's the
 24 condition of the building?
 25 RICHARD CALABRESE: The building, we

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1 and exterior --
 2 MR. WALSH: My guess is -- I consume
 3 all that's going to be done. I'm curious about
 4 what is the condition now because when structural
 5 analysis is stating that's what's contemplated.
 6 RALPH FEY: The stabilization of the
 7 wall that you see here was the wall that was
 8 potentially in failure mode. The building will
 9 be stable and secure that will allow us to
 10 continue with the interior floors, ceiling
 11 replacement and window replacement. There's no
 12 further structural changes needed for that
 13 building.
 14 MR. WALSH: So the building --
 15 RALPH FEY: Structurally sound.
 16 MR. WALSH: Okay. There's no joist
 17 issues, there's no load issues, there's no --
 18 RALPH FEY: No.
 19 MR. WALSH: And that's what the
 20 analysis --
 21 RALPH FEY: Everything else that we do
 22 will be a process of making the building
 23 appropriate for its new use, which is put new
 24 stairs and other things, but the building is
 25 sound with the completion of this wall.

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1 have structural engineering and structural design
 2 of the interior.
 3 MR. WALSH: You have that here?
 4 RICHARD CALABRESE: No, we don't have
 5 that here, it's not -- we don't -- it's basically
 6 in a process -- we were only going so far because
 7 of the questions being brought up by council on
 8 the issuance of the -- you know, we've gotten the
 9 HARB approval, we got the land use approval. Now
 10 we're looking for your approval on a COA, that
 11 says, okay, this building is good to be -- as
 12 designed, ready to be rehabbed and structurally
 13 finished.
 14 What we'll probably be doing is -- the
 15 outside of the buildings is very fragile, so
 16 we're gonna be building an inside structure
 17 inside of that building. That's gonna be
 18 supporting the new floors, which it's all new
 19 floor joists being replaced, new ceiling joists
 20 being replaced, new roof rafters being replaced.
 21 All that stuff's gonna be done by building an
 22 interior structural wall. So the exterior
 23 masonry or stone wall right now stays basically
 24 untouched except for a finished plaster job,
 25 repainting and installation of the windows, doors

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1 MR. WALSH: Roof too?
 2 RALPH FEY: So the roof structure will
 3 not be replaced and the roof -- the roof needs to be
 4 replaced, but the roof structure does not.
 5 MR. WALSH: Okay. Thank you.
 6 RICHARD CALABRESE: Any other
 7 questions?
 8 Thank you.
 9 MR. LABOSKI: So at this point, the
 10 next items on the list, I'll be sitting down and
 11 you'll mostly be hearing from Ralph and Craig.
 12 No. 3 states provide full elevations specifically
 13 mass and line of sight of all the buildings
 14 proposed and existing from following vantage
 15 points: Mechanic Street, bridge area on Main
 16 Street, the canal and from across the pre i.e.,
 17 near the Parry Mansion, not just the individual
 18 buildings. Also show elevations for the other
 19 buildings that are existing in the background,
 20 foreground, et cetera.
 21 So you have a series of documents in
 22 front of you, photographs, images and images on
 23 the screen, and of course, there's a 3D model on
 24 the table as well.
 25 So, Craig, I think is probably you now.

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1 CRAIG NUSH: So our office put together
 2 a first combination of elevations starting from
 3 the creek side showing the White Arts building in
 4 relation to height of the unit we call, Unit 5
 5 and 4, along the creek side. You can see the
 6 images within the background, images in the
 7 background of the historical building and the
 8 height relationship between them. This continues
 9 to, we call it, unit --
 10 MS. McHUGH: I'm sorry. Can you slow
 11 down a little bit? What was it, 1, 5, 4 --
 12 CRAIG NUSH: This one's 5, 4, 3, 2, 1.
 13 Again, it's model straight elevations --
 14 MS. McHUGH: Okay.
 15 CRAIG NUSH: -- showing the heights and
 16 what's beyond. So you can see here on this
 17 elevation Unit 3 has that elevation here. The
 18 next page is along the canal side, elevations are
 19 showing the historical building on your side
 20 right as it shown right here. Within our design,
 21 we are -- it is our knowledge that we purposely
 22 are not ridge lined higher than the existing
 23 Mechanic historical building. And you can note
 24 that right here on this dotted elevation ridge
 25 line.

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1 MR. DOUGHERTY: I'm sorry. The point
 2 on the first point on the e-mail of the February
 3 25 e-mail that you're responding to this moment
 4 was -- just if you can repeat that part.
 5 CRAIG NUSH: No. 3 of the e-mail sent
 6 on February 26th, I'm actually at Part 3 of
 7 provide full elevations, specify mass, line of
 8 sight of all buildings from vantage points of
 9 Mechanic Street, Main Street, the canal from
 10 across the creek not just the individual
 11 buildings, but show elevations of other buildings
 12 of background and foreground.
 13 MR. DOUGHERTY: This may be helpful to
 14 you. I think much of the February 26th e-mail,
 15 the purpose of that was our attempt, was our
 16 saying that we basically needed more of this --
 17 the things that are in that e-mail for us to do
 18 our analysis. That was the goal of that e-mail,
 19 it wasn't --
 20 MR. LABOSKI: We're getting to that,
 21 more to come.
 22 MR. DOUGHERTY: We know that we have
 23 those. So describing each page to us, if you're
 24 going to go in after you describe them, that's
 25 fine. Use your time as you wish. But if you're

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1 And then the last one is elevation
 2 studies of the Mechanic Street side showing the
 3 arts building next door, the ridge line of the
 4 historical building and in the distance you can
 5 see the canal side, Units 1, 2 and 3.
 6 RALPH FEY: Can you point out the
 7 addition to the historic addition?
 8 CRAIG NUSH: And the addition is that
 9 side which is the lower floor of the restaurant
 10 and the upper floor apartment extra bedroom on
 11 the second floor. We were to address -- also
 12 address the -- a line of sight of the buildings
 13 and what we also put together --
 14 MR. WALSH: Can I ask a question? Are
 15 you going off of this, moving on from this?
 16 CRAIG NUSH: I was going to, we can
 17 discuss this.
 18 MR. WALSH: So I'm looking at the creek
 19 elevation specifically canal, what's there now in
 20 those two locations?
 21 RALPH FEY: That's the next slide.
 22 MR. LABOSKI: You can get a better idea
 23 with the photographs.
 24 CRAIG NUSH: What we did next is before
 25 and after, which is on yours --

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1 going to then say, we also made this lower than
 2 this, stuff like that then that's when we get to
 3 comment about those observations. Because the
 4 stuff we asked for in the February 26th e-mail
 5 was purely simply a tremendous amount of things
 6 we would have needed in order to make a good
 7 estimation as to whether or not we could approve
 8 the COA in the first place. They weren't
 9 necessarily criticisms, it was just like we need
 10 this site, we need this vision.
 11 So if you're going to go through each
 12 of these and say, oh, now we're going to supply
 13 Item 1 or Item 2, we're supplying these requested
 14 plats, that's okay, but if you're also going to
 15 then say, as you can see that's when we're going
 16 to -- that's when we're going to have an
 17 opportunity to ask questions. I'm trying to save
 18 some time perhaps.
 19 MR. LABOSKI: Certainly. I think what
 20 Craig did say is he noted the difference in the
 21 height. I think as he goes through the slide
 22 presentation a little bit more, you'll hear more
 23 commentary about the elements of the building and
 24 it's relationship to the others. It's a little
 25 more difficult to do it on the drawing images. I

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1 think the photographs would be much more helpful.
 2 Is that about right, Craig?
 3 CRAIG NUSH: Right.
 4 MR. DOUGHERTY: I'm fine with what
 5 you're doing, I'm just pointing out that going
 6 through the list of things that you're now giving
 7 us, that really needed -- is not going to move
 8 the ball down faster.
 9 CRAIG NUSH: A back up of No. 3 and No.
 10 4 will be the surveys, which will be this drawing
 11 right here. Also there's a three-page photo
 12 montage of taking the building pictures and
 13 putting them into the landscape what you see from
 14 a different point of view on -- that is Main
 15 Street looking across the creek to the historical
 16 building, which is right there. Phase -- we call
 17 it Phase 2, that will be building --
 18 RALPH FEY: George Michael.
 19 CRAIG NUSH: George Michael in the
 20 background. The drawing of the photo montage of
 21 the model in comparison is Units -- this is Phase
 22 2, Units 5 and 6 can you see part of -- part of
 23 Unit 3. So 5, 4, 3 and what you would see from
 24 the vantage point of Main Street. We also have
 25 another one looking through the first line of the

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1 MS. GERING: When you say that ridge,
 2 is it the ridge with the additions on the roof
 3 there where you have the dormers or is it just
 4 the --
 5 MR. LABOSKI: Identify it by unit.
 6 CRAIG NUSH: Unit 1 and 2 and then this
 7 is the same ridge line of 3.
 8 MS. GERING: Okay.
 9 CRAIG NUSH: This ridge and that ridge
 10 are the same -- are the same height.
 11 MS. GERING: Same height.
 12 FEMALE VOICE: Use the mic.
 13 MS. GERING: Can you use the mic,
 14 please?
 15 CRAIG NUSH: So we also took -- we also
 16 took a photograph walk through along the Towpath.
 17 I believe there was much discussion on the
 18 different types of architecture, the types of
 19 dormers, the distance from -- on the last
 20 meeting, there was speak of the distance from the
 21 canal edge to different structures to different
 22 walls. And I started a -- first of all, this
 23 page 4 shows the five and a half feet tall brick
 24 retaining wall that is currently onto our site.
 25 We will be rebuilding that wall actually a few --

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1 sight views from Mechanic's bridge, the current
 2 view with tree scapes and the existing short
 3 buildings of the existing restaurant and retail.
 4 RALPH FEY: And the wall.
 5 CRAIG NUSH: And the existing Towpath
 6 wall and then the photo montage of our model
 7 Units 1, 2 and 3 and also the addition to the
 8 Mechanic Street historical building.
 9 MS. GERING: Can you tell me how high
 10 those buildings are? It's hard to tell from your
 11 description. You talked about the historic
 12 building and your other buildings are going to be
 13 equivalent to the historical building, if I
 14 understood you correctly.
 15 CRAIG NUSH: Right.
 16 MS. GERING: And are you making the
 17 historic building from the lower level or are you
 18 measuring it from the street level?
 19 RALPH FEY: We didn't measure it.
 20 CRAIG NUSH: It's 33 from the street
 21 level, this is 33 feet to the -- to the ridge.
 22 MS. GERING: Okay. And the other
 23 buildings you're building, they're also 33 feet?
 24 CRAIG NUSH: Right or lower. So 33 to
 25 that ridge and below.

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1 I think eight inches away from the canal.
 2 MR. DOUGHERTY: Excuse me. You'll be
 3 tearing that wall down and putting a different
 4 wall up at eight inches. That's different than
 5 rebuilding.
 6 CRAIG NUSH: It is.
 7 MR. DOUGHERTY: Okay. Good.
 8 CRAIG NUSH: We'll be tearing that down
 9 and making a more structurally sound wall for the
 10 new construction.
 11 RALPH FEY: Using the same brick.
 12 CRAIG NUSH: Using the same brick and
 13 harvesting that as a new retaining walls coming
 14 across the Towpath here.
 15 RALPH FEY: And this is the location of
 16 the wall now in red.
 17 CRAIG NUSH: We're going to be resting,
 18 I think, eight inches toward our site when we
 19 rebuild our retaining walls.
 20 MS. GERING: When you say eight inches,
 21 you're going to be eight inches on your property
 22 or eight inches on the canal property?
 23 CRAIG NUSH: Eight inches on our.
 24 RALPH FEY: Let me clarify that. Eight
 25 inches further back from the wall is currently

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1 from the canal, it's actually more like a foot
 2 off the property.
 3 MR. DOUGHERTY: So the wall itself is
 4 not actually going to be on the property of the
 5 applicant, is that true?
 6 RALPH FEY: The wall is significantly
 7 on the wall of the applicant.
 8 MR. DOUGHERTY: It will be on the
 9 property -- it'll be eight inches back -- what's
 10 the difference from -- I'm sorry, Ralph, I'm not
 11 trying to be obtuse. What is the difference
 12 moving it eight inches away and moving it eight
 13 inches away from the canal? What was the
 14 difference there?
 15 RALPH FEY: So because he didn't say
 16 how far it was from the property line, I brought
 17 that up.
 18 MR. DOUGHERTY: Oh, I see.
 19 RALPH FEY: The dark line here is the
 20 property line and the line that I'm now shading
 21 in, which is on the plan that was approved for
 22 the land planning, shows the reconstructed wall.
 23 And the current wall, as can you see, is on an
 24 angle to the property line and that will not move
 25 closer to the canal, but it will be straightened

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1 11 feet, 5 that is the building; starts 11 feet 5
 2 from the canal bed.
 3 RALPH FEY: Can you tell them where the
 4 building is relative to the canal edge?
 5 CRAIG NUSH: There's another four and a
 6 half feet from there, so that would be 16 and a
 7 half feet from the building's edge from the canal
 8 edge.
 9 MR. DOUGHERTY: So I'm -- just a
 10 question from what you're presenting then is, we
 11 morphed, I guess because some of these
 12 commentaries, it would appear, are in fact in
 13 response to the e-mail presentation. So I'm --
 14 was that mentioned anywhere, you're no longer
 15 going off the T.J. February 26th e-mail, you're
 16 now responding to the chunk of paper, if you
 17 will?
 18 MR. LABOSKI: As I mentioned --
 19 MR DOUGHERTY: Because we can go into
 20 that.
 21 MR. LABOSKI: We thought it would be
 22 easier to focus on the five items in T.J.'s
 23 e-mail because they were sort of broader and as
 24 we went through that, we felt that as we got
 25 through this presentation, we would hit all of

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1 out and be parallel to the canal. So parts of it
 2 are moving away from the canal. It never moves
 3 closer to the canal and it is on our property.
 4 MR. DOUGHERTY: It's being squared out
 5 and being made more parallel to the canal line.
 6 CRAIG NUSH: At that point -- you want
 7 to go to Slide 1?
 8 We're comparing -- started to compare
 9 it's a photo taken along the canal path. There
 10 are -- this is closer to the Lock house. Across
 11 the -- across the canal there you can see a one,
 12 two, three, four-story building with the dormer
 13 and that is a shed dormer, that is basically
 14 almost the entire length of the -- of the two
 15 structures. Walking along the Towpath again,
 16 just showing the distance and proximity of walls
 17 and buildings to the current Towpath.
 18 There is -- you can see the slide on
 19 the right is the red bridge, is our Mechanics
 20 bridge and the building in front is 11 feet from
 21 the canal edge, ours will be at 12 foot 8 then.
 22 It's 12 feet to the current retaining wall, the
 23 brick wall will be at 12 foot 8. The building
 24 starts at 11 feet. There's a blue building which
 25 is right past the Mechanic Street Bridge, that is

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1 the March 8th comments, the 25 or so comments.
 2 MR. DOUGHERTY: That would be -- we
 3 were --
 4 MR. LABOSKI: We thought if we went
 5 through one through twenty-five, that we'd be
 6 here till tomorrow morning.
 7 MR. DOUGHERTY: Actually we had asked
 8 you -- we sent you a couple weeks ago, we asked
 9 you to reply prior to the meeting and then
 10 wouldn't have been here till tomorrow morning.
 11 That was the whole purpose of getting it to you
 12 two and a half weeks ago. Be that as it may, if
 13 you are contending that you replying to the items
 14 that are the March 8th memo, then I would ask you
 15 to describe which one you are replying to, saying
 16 that's the one that we're replying to and then we
 17 can say -- rather than us trying to remember 25
 18 minutes from now, oh, remember when I said this
 19 or that.
 20 So if you could when you're going to
 21 jump into the March 8 and try to reply what we
 22 said, we would like you to tell us which number
 23 you say you're replying to and we can go through
 24 it that way. Thank you.
 25 RALPH FEY: So we would like to respond

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1 to Item No. 1, 2, 5, 6, 7, 11 and 12. I can read
 2 them slower, all at once.
 3 MR. DOUGHERTY: You're going to have
 4 to.
 5 RALPH FEY: Mass, height.
 6 MR. DOUGHERTY: One I heard that one.
 7 RALPH FEY: One, two, five, six, seven,
 8 eleven, twelve.
 9 MR. DOUGHERTY: So in your estimation
 10 -- I'm not trying to put words in your mouth,
 11 these are mass and/or height issues, all of
 12 those?
 13 RALPH FEY: They will be addressed in
 14 the overall discussion of mass and height. If we
 15 miss anything --
 16 MR. DOUGHERTY: You do realize how much
 17 easier this would have been if this response
 18 would have been edited into this document? So
 19 now, we're going to have to go and literally jump
 20 from page to page to page trying to figure out if
 21 these very specific requests made of you were
 22 resolved to our satisfaction.
 23 MR. LABOSKI: I appreciate that, but to
 24 get architects to write what they want to say in
 25 response to a document is difficult. They want

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1 without me actually giving you a measurement, you
 2 can draw your conclusion of the size and scale of
 3 the project to the -- on the other side of the
 4 canal to the scale and size of the one, two,
 5 three, four, five, six buildings here.
 6 And to further highlight that, we have
 7 another board. I don't see the removable piece.
 8 We have another board, which is actually an
 9 aerial photograph or a Google Earth image, again,
 10 looking at the Canal Street piece. And the size
 11 of this project is about less than half. So this
 12 isn't built yet and like a lot of our images make
 13 the project seem rather large, but in fact if you
 14 look at the building next door, the group of
 15 buildings next door to this, you'll see that the
 16 existing historic building with the three
 17 buildings on the canal and the two buildings on
 18 the creek are far more modest.
 19 Let's go to the mass.
 20 CRAIG NUSH: No. 2 talks about the wall
 21 compound and blocks the scenic views. I
 22 believe --
 23 MS. GERING: Can you talk in the
 24 microphone, please?
 25 CRAIG NUSH: Sure. No. 2 refers to a

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1 to speak to you with the images. It's hard to
 2 translate what they are saying and do a written
 3 document. So I appreciate that you wanted it --
 4 I would have preferred it, but this is how we're
 5 going to do it. We hope it translates.
 6 MR. DOUGHERTY: We'll do our best to
 7 understand and comprehend and match your answers
 8 to these issues.
 9 MR. WALSH: Repeat those numbers again,
 10 Ralph.
 11 RALPH FEY: So the numbers that we're
 12 attempting to address with mass and height are
 13 No. 1, No. 2, No. 5, No. 6, No. 7, No. 11 and No.
 14 12.
 15 So let's start with mass as it is mass
 16 on the plan and then work to mass as it relates
 17 to buildings and mass as it relates to overall
 18 scale of the project. So what we've done here to
 19 address the word mass as it relates to the plan,
 20 is show you a larger picture -- I'm sure this is
 21 in your packet -- of the project next door on the
 22 other side of the canal, canal walk. And this is
 23 basically one, two, three, four, five, six,
 24 seven, eight buildings along the street and
 25 thirteen buildings to the rear. And I think

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1 wall compound that blocks the scenic views. This
 2 photo montage of the existing and our model piece
 3 into it, I believe is not -- does not change the
 4 view scape from Mechanic Street and also you can
 5 see that I think it's complementary to the scale
 6 and mass across from Main Street.
 7 MR. DOUGHERTY: The view from Mechanic
 8 Street, the reason why -- in my estimation, the
 9 reason why if you go back -- the reason why the
 10 buildings that look roughly like they are not
 11 blocking anything is because the leaves and the
 12 trees have been allowed to grow for 15 or 20
 13 years to 20 feet tall and 80 feet wide. That's
 14 plant life there. Instead of plant life, there's
 15 going to be buildings that will last 150 years,
 16 if the plant life were not -- had not been
 17 allowed to overgrow to that extent, to anywhere
 18 near extent, that would be a vista that you would
 19 be able to see through that area.
 20 And so I think just lining it up
 21 showing the house versus the -- the weed -- the
 22 huge span of weeds and overgrown trees and saying
 23 well, it doesn't change much, that to me --
 24 plants aren't permanent, so that's my point on
 25 that.

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1 RALPH FEY: What's the next one?
 2 CRAIG NUSH: To obliterate the -- 5
 3 says, to obliterate the natural look of the canal
 4 through the mass and through the height. I
 5 believe it was the -- the photo walk down the
 6 Towpath, which we'll bring up the drawings.
 7 RALPH FEY: I think our response to
 8 this is a more -- again, a more global response.
 9 This is a map that you will probably recognize,
 10 it is yours, it represents the 58 miles of the
 11 Towpath and canal that currently exist starting
 12 at the very top and running through the bottom
 13 and running through the Borough of New Hope.
 14 And we do not profess to say that all
 15 aspects of that canal are equally engaged by
 16 trees and nature. There are parts of it that
 17 have no buildings, there are complete views to
 18 the river and the Towpath and there are other
 19 parts between here and where it starts that go
 20 through towns.
 21 Our project is the part that goes
 22 through the town. We don't pretend or want to
 23 try to convince you that it's not a building on
 24 the water like a lot of other areas in New Hope.
 25 We will show you a number of buildings in New

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1 RALPH FEY: It is. These are all about
 2 the mass and the height of these buildings as it
 3 compares to --
 4 MR. DOUGHERTY: No. I'm sorry, you
 5 were talking about the glass and the -- you were
 6 just mentioning the glass and the industrial
 7 look, that's --
 8 RALPH FEY: I did. The mass and the
 9 height of this building is industrial mass versus
 10 a residential mass. Industrial masses tend to be
 11 flatter, longer, have larger windows and as you
 12 know, we have several residential type buildings
 13 and several mill type buildings.
 14 Can I have the next slide?
 15 There is some question about whether
 16 there are dormers in New Hope that are shed
 17 dormers. We're going to show you some of them.
 18 This is also across the street. The distance
 19 from that corner to the canal is the exact same
 20 distance as the proposal on our site.
 21 So here we get to the more industrial
 22 buildings, buildings along the canal where they
 23 are for purposes of loading and unloading
 24 materials onto barges and they are kind of the
 25 life blood of the early New Hope. Back when the

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1 Hope that are commensurate and/or larger and are
 2 closer to the canal than what is being proposed.
 3 You may have started to see these in
 4 what Craig was previously showing you. These are
 5 taller and newer.
 6 Go to the next one.
 7 Here's some more historic buildings,
 8 it's actually a two-story building closer to the
 9 canal and the red building is two-story; pretty
 10 similar in height to the building that we're
 11 proposing.
 12 Keep going.
 13 That's a three-story building as you
 14 see a little further back and that's much closer
 15 to the canal than what we're proposing. Here you
 16 see a more industrial building. This will tie
 17 into the discussion that industrial buildings and
 18 industrial glass are not indigenous in the nature
 19 of New Hope in fact they are from Union Square,
 20 from PECO's project to 90 Main to the new spa.
 21 Did you want to interrupt?
 22 MR. DOUGHERTY: I wanted to ask, are
 23 you moving on to a different number? Because
 24 that's not mass or height that you were just
 25 describing.

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1 Playhouse was a mill building and then a soap
 2 factory and other things before it was the
 3 Playhouse. What you see from New Hope Arts and
 4 the bridge on Bridge Street is a series of
 5 buildings three stories tall, rather flat
 6 culminating in a building that what I'm going to
 7 call, a mill building, tends to have that shape
 8 flat close to the water, windows in an equal
 9 rhythm stacked above each other. In this case
 10 it's wood, in other cases they are brick. Pras
 11 Mill would be another example that we all drive
 12 by of mill buildings. The distance of the canal
 13 here is also closer than the distance of the
 14 proposed property that we're working on
 15 currently.
 16 So now we're going to get to other
 17 buildings in town that are residential scaled and
 18 that are clustered up to and against historic
 19 buildings that have been restored. So this is a
 20 historic building that was restored when this
 21 project was done. Now, I'm not going to say that
 22 I'm a big fan of this particular one because I do
 23 see the roof here is slightly higher than that
 24 roof. If we were to really follow some of our
 25 understanding of the elements of the goals of the

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1 standards, it would be to have this building
 2 slightly lower than that building. But other
 3 than that, we see a series of buildings, some of
 4 them flat, some of them gable-ended, some of them
 5 with shed dormers that are working their way
 6 across the street, 'cause this is trying to
 7 establish a residential street with a separation
 8 of each building.
 9 So New Hope Arts sits 13 feet off the
 10 water. It is not trying to be a residential
 11 building, it actually -- the building at the end,
 12 which sits eight feet off the canal edge was a
 13 blacksmith and New Hope Arts was everything from
 14 a stable, to a gas station to a repair shop.
 15 CRAIG NUSH: The canal townhouses are
 16 not a two-story with a dormer. We would, as you
 17 can see other buildings through the canal they
 18 are three to four stories, three stories with a
 19 dormer. We are one, two stories with a dormer.
 20 RALPH FEY: So in short, our buildings
 21 are shorter than those.
 22 Why don't you go to the view looking
 23 this way? The montage.
 24 Obviously, we're trying to recapture
 25 five years worth of HARB meetings and decisions,

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1 currently is not. So that would be the only
 2 thing on this side of the building that has been
 3 affected below the line.
 4 MR. WALSH: That's ADA?
 5 RALPH FEY: No, that will be street,
 6 you have maximum slope or pitch that you can have
 7 on a street and that's --
 8 MR. WALSH: Well, the slope of it. The
 9 slope of it for pedestrian purposes.
 10 RALPH FEY: Right. There is a stepped
 11 slope here for access by pedestrians, as well as
 12 another one back here. So there is a pedestrian
 13 walk along the side.
 14 CRAIG NUSH: That is referring to No. 9
 15 on that list of land planning. Land planning and
 16 civil engineering. There is reference of the
 17 borough's historical registry of the buildings on
 18 this site. This is referring to No. 10 and No.
 19 25. We did research those and the registry
 20 called out the 1840s, two and a half story stone
 21 building, stucco with shops and apartments, which
 22 is referring to --
 23 MR. DOUGHERTY: I'm sorry. What number
 24 are you on? I was writing No. 9 down.
 25 CRAIG NUSH: Historical registry is No.

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1 so what we brought is one the models that was
 2 provided to the HARB Board in our attempt to find
 3 the right addition. This model was done and
 4 actually five little additions were designed from
 5 the one you see here, which has a gable-ended
 6 roof arched, brick not stucco, but brick to
 7 complement not mimic.
 8 And can you get him to the red bridge?
 9 That one.
 10 And we were instructed or guided
 11 through that meeting with HARB to take the
 12 gable-ended roof version and take it away and put
 13 the flat roof version because it allowed more of
 14 the existing building to be seen and it preserved
 15 two more windows. We would love to be preserving
 16 windows on this side as well and the only windows
 17 that can't be preserved, although some of these
 18 windows are not there anymore, they've been
 19 bricked in, they will be restored and some of the
 20 windows that will be taken out in the rear will
 21 be used for those sashes. But you'll notice that
 22 this window here and that window here are
 23 interrupted by the street or the road coming down
 24 because this road has been designed to be code
 25 compliant with a pitch of a street which it

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1 10 and No. 25 to verify --
 2 MR. DOUGHERTY: So the question was,
 3 was there any attempt made to do any of that
 4 prior to this question being raised?
 5 CRAIG NUSH: Yes, we always --
 6 RALPH FEY: I'm sorry. To do any of
 7 what?
 8 MR. DOUGHERTY: Well, the question
 9 says: Was any attempt made to determine the age
 10 or historical significance of these structures?
 11 If so, what steps were taken and what were the
 12 findings?
 13 RALPH FEY: So the steps that we take
 14 start with a review of the inventory, which is
 15 provided to us by New Hope. The inventory if you
 16 go back then was created when the historic
 17 district was created and the historic district
 18 identifies in its inventory all buildings within
 19 a certain area and then list them as --
 20 If you scroll up.
 21 -- contributing or significant or
 22 insignificant. If you go to our particular
 23 project, the description is somewhat minimal. It
 24 lists a large two and a half story stone stucco
 25 shop apartment, circa 1840 and under its

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1 evaluation it's listed as contributing.
 2 MR. WALSH: So it only has a main
 3 building on there, it doesn't have the
 4 outbuildings?
 5 RALPH FEY: It doesn't list any of the
 6 outbuildings. And most of the outbuildings are
 7 newer construction, there are some garages.
 8 There is a restaurant on the lower level and if
 9 you really wanted to know the history, Paul could
 10 probably tell you better than I, but we found no
 11 historic significance to any of the other
 12 buildings other than what was listed in the
 13 inventory for the historic places in New Hope.
 14 MR. DOUGHERTY: Ralph, I took -- did
 15 anybody go to the New Hope Historical Society,
 16 Ralph?
 17 RALPH FEY: Yes.
 18 MR. DOUGHERTY: Because I went there
 19 and I found a bunch of stuff on it, do you have
 20 that material?
 21 RALPH FEY: We don't know what you mean
 22 by a bunch of stuff.
 23 MR. DOUGHERTY: Well, the history of
 24 who owned it and all the type of stuff of all the
 25 material. I made a copy of it, it's available

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1 there's new things sitting on top of them, but
 2 there's foundation there, there's all -- there
 3 could be goodness knows what, I just don't know.
 4 And so the suggestion was made if someone could
 5 evaluate that and we'd feel a lot better. We're
 6 not trying to ask you to go off and find a reason
 7 to not to do the job. We would like to say,
 8 okay, we looked into it and there isn't anything
 9 there. I don't feel that right now.
 10 RALPH FEY: I did not look into the
 11 foundations of the structures that are existing
 12 on that building. Generally speaking in my
 13 history of working on historic structures, that
 14 is not deemed to be historically significant and
 15 the list is, and who might have slept there is.
 16 But both of those things happened in that
 17 building. If you're telling me you found stuff
 18 that you think is significant, glad to review it,
 19 but I know of nothing to indicate that the
 20 foundations are significant.
 21 MS. GERING: Since Dan started the
 22 historic -- you have a unique piece of property,
 23 it's smack in the downtown historic district.
 24 You have four very historic buildings that
 25 surround this property and I notice that you did

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1 there. Who owned the buildings, I'm not familiar
 2 with the names of these people, et cetera.
 3 RALPH FEY: We know there's a famous
 4 painter who owned the building and he's the one
 5 who provided the stucco pattern on it.
 6 MR. DOUGHERTY: Some of these new
 7 buildings there's foundations on all of them and
 8 from what I can tell some of them were very, very
 9 old and we hear anecdotal information about the
 10 history of New Hope and the types of things that
 11 those buildings were about, what they were used
 12 for in the foundation including the Underground
 13 Railroad, all sorts of things. And I think that
 14 we suggested that someone do a little research on
 15 that, that's listed in here. You mentioned this
 16 is No. 10 and 25, I think, right?
 17 No. 25, I can look at it now, but I
 18 believe that might be the one that suggests, I
 19 don't know, hold on. I can't tell right now, but
 20 there's a suggestion that an evaluation be made
 21 of the historical significance of the foundations
 22 of those buildings, as well as this building and
 23 the historical nature of those buildings. These
 24 are assets of the community at that point and if
 25 there's -- very historic buildings -- I know

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1 not utilize any of those designs incorporated in
 2 what you're doing. Meanwhile, you're talking
 3 about warehouses in New Hope and these
 4 structures, you know, that were warehouses or
 5 commercial buildings. You're not building a
 6 commercial project here, you have a residential
 7 project that you're putting in with four
 8 significant buildings there, but yet -- and that
 9 doesn't include 18-20 Mechanic Street, you got
 10 the Van Sant House, you got the historical
 11 society. You also have on Ferry Street.
 12 So you've got buildings surrounding it,
 13 but none of that was incorporated in this design,
 14 so showing us warehouses in New Hope because it
 15 was commercial, doesn't kind of suit what you're
 16 doing.
 17 RALPH FEY: Was there a question or is
 18 that just a comment?
 19 MS. GERING: It's my comment.
 20 MR. LABOSKI: There was a comment about
 21 warehouses in the packet --
 22 MS. GERING: Yes.
 23 MR. LABOSKI: -- and that's why Ralph
 24 brought up the warehouses, to be fair.
 25 MS. GERING: But you're not building a

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1 warehouse here, so that's the other questions.
 2 MR. LABOSKI: Exactly. And so that's
 3 the point Ralph was making is that there was a
 4 comment that the properties looked like a
 5 warehouse and that doesn't fit into the historic
 6 nature of the historic district and Ralph was
 7 pointing out that that's not actually accurate
 8 that there are properties in the historic
 9 district that do reflect warehouses.
 10 RALPH FEY: And no, we don't believe
 11 ours looks like a warehouse.
 12 Can you bring up the page with the
 13 Solebury Ordinance?
 14 So the Solebury Ordinance, which tries
 15 to codify the areas of the national ordinance,
 16 lists several interesting pieces when it comes to
 17 replicating historic buildings. First of all, it
 18 says the design of the building should not be an
 19 exact replica of any existing historic structure
 20 within the district copies of historic buildings
 21 among original ones look awkward and present a
 22 false historic context; however, new structures
 23 designed may be inspired by historic building
 24 designs and features and may be traditional in
 25 form and detail.

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1 back that's seven foot tall curbing and that is
 2 probably one of the most historic structures in
 3 the entire town. Our town is named for that
 4 building, but it is not pretending to be a
 5 historic (indiscernible) or historic addition,
 6 it's clearly an addition that's about technology
 7 today and engaging the view of the river and
 8 allowing the building beyond to be the building
 9 beyond.
 10 So I don't mean to say commercial and
 11 industrial to say we need to do an industrial
 12 building, I mean to say that not everything on
 13 that site is referencing residential structures
 14 because some of them are buildings that are along
 15 waterfronts are not residential; but I understand
 16 your concern.
 17 CRAIG NUSH: And this last is referring
 18 back to No. 8 and No. 22 where it asks what is
 19 this synthetic to?
 20 MS. GERING: I'm sorry. What did you
 21 say?
 22 CRAIG NUSH: No. 8 and No. 22 is, what
 23 is existing buildings are these synthetic to and
 24 No. 22 talks --
 25 MR. WALSH: What are the buildings

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1 So when we talk about our buildings on
 2 the creek having been inspired by new buildings,
 3 which are industrial buildings by nature because
 4 they are not residential, albeit not industrial
 5 to the size of some of the ones that we showed
 6 you, which were four stories high lock and up
 7 against the canal, they are not residential, so
 8 therefore, we are calling them more of a
 9 commercial or industrial building, albeit turn of
 10 the century. So when we talk about this building
 11 and this building and the end of this building,
 12 referencing and being inspired by the overall
 13 forms of buildings that sat along the water,
 14 that's where we're making our comparisons.
 15 And if I can also make a slight
 16 correction on the addition, which as I said
 17 before, the HARB Board rejected the one that was
 18 made of brick and had an arch in it and had a
 19 gable-ended, this building was meant to be
 20 minimal and transparent much the same as 90 Main
 21 spa other buildings Nektar.
 22 Can you bring up the back of the
 23 Playhouse Inn?
 24 The back of the Playhouse Inn, which is
 25 currently under construction has an all glass

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1 what?
 2 CRAIG NUSH: Synthetic to.
 3 MR. WALSH: Synthetic? I thought you
 4 said sympathetic.
 5 CRAIG NUSH: Synthetic to. And No. 22,
 6 no buildings of Phase 2 are not intended to
 7 mimic, but it's just an inspiration and a
 8 call-out to some of the buildings in the
 9 historical area.
 10 We can continue with examples of
 11 existing buildings. No. 14 speaks about a
 12 balcony and railings of a cable system. You can
 13 see on the Playhouse and the approved drawings
 14 along the waterfront is a cable rail system.
 15 MR. DOUGHERTY: The question or the --
 16 what is placed in here, once again isn't
 17 addressed, but it states the use of posted steel
 18 cable system from the balcony railings is neither
 19 historical in nature, which I think is true.
 20 It's not historical in nature. That's not
 21 debatable, nor supported in the adjoining
 22 residential properties. So pointing a block or a
 23 half away at a commercial property and saying
 24 there's cable link systems here doesn't reply to
 25 this question once again.

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1 RALPH FEY: I can point to a building
 2 two buildings away, it's called Nektar, but we
 3 are not trying to --
 4 MR. DOUGHERTY: That's, again --
 5 RALPH FEY: -- or attempting to
 6 reference railings from a turn of the century in
 7 our new buildings.
 8 MR. DOUGHERTY: Clearly.
 9 RALPH FEY: So I kind of rest on that,
 10 that's not the intent of our design. If it is
 11 this board's intent that we embrace railings --
 12 Can you bring that up?
 13 -- that are of the era that would have
 14 been done, then we will take the guidance of the
 15 board and change the railings. But I guess our
 16 goal here is place the railings that we've chosen
 17 in other buildings in the community, albeit not
 18 as close as you might like it to be, but two
 19 buildings away, Nektar, there's a railing system
 20 that we would equally be as satisfied to
 21 incorporate into the plan or a metal railing
 22 system or something that would've been out of the
 23 Yelland (phonetic) Factory, it is historic of a
 24 discussion. And if those railings are more
 25 appealing, we're happy to look at that and

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1 RALPH FEY: Sure. So the answer is we
 2 didn't put together a bunch of slides, 'cause we
 3 didn't think that's what this meeting was about,
 4 but we do have many things that we think can, in
 5 my words, soften the aesthetic that we think you
 6 are reacting negatively to whether it be to add
 7 -- (indiscernible) whether it be to change it to
 8 windows or whether it be to go back to a pitched
 9 roof.
 10 Again, this is a five year process, we
 11 were given a lot of direction by different boards
 12 including the HARB Board. And they actually
 13 selected this one over this one. Do I feel that
 14 this project will fall apart if the intrinsic
 15 nature of this design falls apart if this is a
 16 resubstituted back in? No, I actually proposed
 17 it. Our path and our park and our progress was
 18 to listen to those boards, go into the direction
 19 that we were asked to go, but this was a starting
 20 point. This model is four and a half years old,
 21 and there were five of them.
 22 So I think what I'm trying to say
 23 without saying, we chose every one that we
 24 thought you had an issue with, this group that
 25 stands before you is very open to adjusting the

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1 incorporate that. There's nothing about the
 2 cable rail system that is intrinsic to the
 3 design. We see it as minimal and somewhat
 4 transparent.
 5 MR. DOUGHERTY: Ralph, if I can ask,
 6 you had just some insight, you have a slide
 7 prepared with an alternate railing.
 8 RALPH FEY: Yeah, because we knew that
 9 you didn't like the cable railing.
 10 MR. DOUGHERTY: Right.
 11 RALPH FEY: You brought that up.
 12 MR. DOUGHERTY: You have agreed
 13 verbally, at least, to say okay, we could do a
 14 railing that will be more in keeping with the
 15 historic context of residential historic
 16 properties, those are my words, you didn't say
 17 that.
 18 RALPH FEY: That's correct. Those are
 19 your words, I didn't say that.
 20 MR. DOUGHERTY: Okay, right. Those are
 21 my words, but that's how I sort of interpreted
 22 it. Are there in fact other features that you
 23 have other slides that you are willing to
 24 similarly say, yes, we are willing to do those
 25 things? We could save some time.

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1 visual and referential systems to make it more
 2 palatable to the board.
 3 We did -- I forgot. We did draw an
 4 alternate dormer as that was also in question.
 5 Do you know where that drawing is?
 6 It's on the back of that slide.
 7 CRAIG NUSH: There was an objection
 8 last time about the shed dormers on the canal
 9 side and -- you want to pass that around?
 10 It's a gable-ended alternate.
 11 RALPH FEY: And that could be seen
 12 again in the historic guidelines from Solebury
 13 where they are referencing both shed dormers.
 14 And I believe their discretion is over scale of
 15 gable dormers. We do not have a strong feeling
 16 that either of the dormers is better than the
 17 other and we're fine adjusting the mass to scale
 18 and size and look of them, again, to meet your
 19 expectations.
 20 MR. WALSH: Ralph, are you pointing to
 21 the Solebury Ordinance for any particular reason?
 22 I mean, does it have a dormer reference and New
 23 Hope's does not?
 24 RALPH FEY: It does. It has a whole
 25 section on just dormers and --

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1 MR. WALSH: Is that why you're pointing
 2 to that?
 3 RALPH FEY: And uses graphics and the
 4 National Historic Standards don't use graphics.
 5 MR. WALSH: I don't want to talk over
 6 each other, but are you saying that New Hope's
 7 does not?
 8 RALPH FEY: We're using Solebury
 9 because it has pictures, that's the only reason.
 10 The ordinance and the national ordinance didn't
 11 have pretty pictures. This is the same terms and
 12 it's called out to be specifically for Bucks
 13 County historic properties.
 14 MR. WALSH: Again --
 15 RALPH FEY: Because the National
 16 Historic Standards are national.
 17 MR. WALSH: I get it, got you. Thank
 18 you.
 19 RALPH FEY: Do you have a preference on
 20 the dormer?
 21 MR. DOUGHERTY: I'm not -- in other
 22 words, the dormers, in my estimation, were
 23 basically in my mind's eye, the mass of the
 24 building with an A-frame, again, not an
 25 architect, but I think it's like an A-frame roof

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1 more the size?
 2 MR. DOUGHERTY: Right.
 3 CRAIG NUSH: No. 13 the use of faux
 4 brick. We are using Glen-Gery Factory made thin
 5 -- thin brick.
 6 RALPH FEY: So that is a handmade
 7 molded brick from the oldest brick manufacturer
 8 in the country Glen-Gery still making bricks over
 9 a hundred years old. And they are basically cut
 10 in a third, the face is cut off. We were using
 11 actual full size bricks for the walls, but are
 12 proposing thin bricks, which are actual bricks
 13 for the walls -- for the house and building
 14 walls. The retaining walls will be full size
 15 brick.
 16 MR. DOUGHERTY: Ralph, I'm sorry.
 17 Could you go -- where would this brick be used on
 18 what surfaces? Maybe this is something that can
 19 go away.
 20 RALPH FEY: Sure. That brick is the
 21 brick that is proposed on those buildings.
 22 MR. LABOSKI: Identify units.
 23 RALPH FEY: Unit No. 5, 4, 3. They are
 24 the -- what we refer to as the mill shaped
 25 buildings and they are masonry brick, brick,

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1 with a very wide, nine foot wide three windowed
 2 structure. To me, the thing presents as a
 3 three-story building, a full three-story building
 4 and maybe then some because of the structure of
 5 this shed dormer. That is actually presents as
 6 even bulkier than a three-story building because
 7 of the size of the dormer.
 8 RALPH FEY: I understand.
 9 MR. DOUGHERTY: And whether it would be
 10 a dormer -- when I think of a dormer, it's the
 11 kind of dormer you sort of, when you're in the
 12 room you can walk into the dormer and it's like,
 13 you know, you can sort of stand up over in that
 14 section of the A-frame of the roof, not the type
 15 of dormers that we're hearing. The word dormer
 16 is accurate here, it's just that not the type of
 17 dorm -- what I think of as a dormer.
 18 So I don't want to sit here and say,
 19 oh, it can't be less than -- it can't be more
 20 than six feet and it's got to have a curve on the
 21 top of it, that's not where I'm at. I'm actually
 22 still at the mass and height of the overall
 23 structure. Sorry, I don't know if that helps.
 24 RALPH FEY: Absolutely. You don't care
 25 about the -- whether it's shed or gable, it's

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1 brick with a stone base, which is a retaining
 2 wall and there is a little bit of brick on the
 3 reconstructed retaining wall here. And we feel
 4 that if we don't have enough brick to finish the
 5 reconstruction of the, straighten it a little
 6 farther back with the historic bricks that are
 7 there, we will supplement with those bricks to
 8 finish it. Those would be full bricks in the
 9 walls that are retained and the half bricks or
 10 thin bricks on this facade here and the base of
 11 this building here.
 12 MR. DOUGHERTY: Okay. So from a vista,
 13 from the Main Street Bridge, Ralph -- this might
 14 be good news -- this would be seen, that's a fair
 15 distance away. It would be similar to the
 16 asphalt shingle conversation, it's probably
 17 pretty far away, but from the canal path, you may
 18 have to use some of this if you don't have
 19 sufficient quantity on the new canal side wall,
 20 the --
 21 RALPH FEY: They would be full bricks.
 22 MR. DOUGHERTY: Then that doesn't
 23 matter, right? Just this, just this.
 24 RALPH FEY: That's only gonna be used
 25 on the part that's not a retaining wall on the

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1 upper part of the building and again --
 2 MR. DOUGHERTY: On just the creek side
 3 of those three buildings --
 4 RALPH FEY: And on the base.
 5 MR. DOUGHERTY: -- inside the
 6 courtyard?
 7 RALPH FEY: In the base of the
 8 courtyard. And again, we are not under
 9 construction if this was major issue, the thin
 10 brick could be substituted with full brick. It's
 11 a foundation discussion.
 12 MR. DOUGHERTY: Personally, now that I
 13 understand how far this is away from the visual
 14 eye -- I'm only one of seven -- but I don't have
 15 a concern with that -- on that piece. It sounds
 16 like real full bricks if I'm walking along and I
 17 don't live in one of those properties, I'm not
 18 going to be walking along the creek side getting
 19 close to this, right? I'll be on the canal or
 20 Mechanic Street and there won't be any of this on
 21 the canal or Mechanic Street, correct?
 22 RALPH FEY: Yes. But I have to also
 23 add to that, that you as the passerby wouldn't
 24 know if they were half bricks or full bricks.
 25 Once they're mortared in, they present the same

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1 masonry buildings, it can be adjusted.
 2 MR. DOUGHERTY: So it's clapboard on
 3 the canal side?
 4 RALPH FEY: It is. We have with us the
 5 entire --
 6 MR. DOUGHERTY: Is clapboard just wood
 7 -- I don't remember like a sample for clapboard
 8 in the charts, maybe I missed it, but is it just
 9 --
 10 MR. MAISEL: Hardie plank.
 11 MR. DOUGHERTY: Is it Hardie plank, is
 12 it in there?
 13 RALPH FEY: Yes, we brought a copy of
 14 the last submission to the HARB Board and I
 15 believe it's in there.
 16 CRAIG NUSH: There's a description of
 17 the regular clapboard and then what we have for
 18 the creek side buildings four and five of the
 19 shiplap detail.
 20 RALPH FEY: There's our lap siding.
 21 That will be used everywhere else siding is used
 22 except for those little connectors.
 23 MR. DOUGHERTY: Just a subtle design
 24 question, that clapboard has a relief -- sort of
 25 a rough home relief, if you will, clapboard that

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1 as you can see in the building below. They
 2 actually have corners and tops and bottoms, so
 3 that you never -- would ever see the end of a
 4 piece of brick.
 5 CRAIG NUSH: On that note, referring to
 6 materials, we had No. 21 the use of the shiplap
 7 siding on the connector piece -- pieces on the
 8 canal building.
 9 RALPH FEY: Here, here. So what you're
 10 looking at is an image of shiplap. Shiplap is a
 11 little flatter than clapboard, doesn't have the
 12 projected overhang that a clapboard has and this
 13 is the shiplap that's basically smoothed with a
 14 reveal. We chose that material on some very
 15 specific areas that are what we're going to call
 16 receding away from the brick. They are merely
 17 little connectors that are connecting the masonry
 18 buildings, we wanted those to be kind of flat,
 19 kind of go away.
 20 It could have been shiplap, it could've
 21 just been a solid panel with no detail at all,
 22 but we didn't feel it was the appropriate place
 23 to reintroduce clapboard as is introduced here.
 24 Again, if this is a product that is found to be
 25 inconsistent or offensive in its use between

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1 I see in this town does not have a rough --
 2 RALPH FEY: We are not proposing that
 3 texture, that's just the sample that the
 4 manufacturer has, ours will be smooth, which is
 5 the white one.
 6 MR. DOUGHERTY: So it would be the
 7 smooth clapboard? Okay. Thank you.
 8 CRAIG NUSH: There are two different
 9 types of Hardie plank, one with the ridges and
 10 then --
 11 MR. DOUGHERTY: Thank you.
 12 RALPH FEY: Yeah, we're not fond of the
 13 ridgy one either. Again, it kind of cuts to that
 14 looks fake.
 15 You did correct the plans, did you not?
 16 CRAIG NUSH: Sure. No. 16, the windows
 17 will not have a one over one windows to it. The
 18 last set of drawings you will see had a
 19 definitely two over two. The elevations drawings
 20 show a six over six or a two over two, our
 21 patterns are not intended to just have a one over
 22 one in our designs.
 23 RALPH FEY: So you fixed that, right?
 24 CRAIG NUSH: Yes.
 25 RALPH FEY: There is no one over one on

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1 the plan, that was an error.
 2 MR. DOUGHERTY: What number was that?
 3 RALPH FEY: Sixteen. Covering the
 4 historical building. And 24 is, covering the
 5 historical building. On our last meeting with
 6 HARB on February 6th, we have, as you can see on
 7 the model, have reveals on the Mechanic Street
 8 side, side addition and also when you come around
 9 to the -- to the rear of the property having a
 10 reveal away from the corner of the historical
 11 building for when we have the smaller addition.
 12 Also HARB also asked us, you can see on
 13 the model that we used to have the roof engaging
 14 the -- the addition roof engaging the historical
 15 building. It was asked for us to reduce that
 16 size and have the ridges tucked underneath the
 17 existing fascia board. So we complied. I believe
 18 --
 19 RALPH FEY: Have we missed any that are
 20 pertinent to you? I think we have hit them, but
 21 we may have missed.
 22 MR. WALSH: Did you address the
 23 balconies? Did I miss that?
 24 RALPH FEY: We did not talk about
 25 balconies.

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1 are inappropriate.
 2 MS. GERING: Can you also talk about
 3 the patio you're putting or the deck next to the
 4 restaurant?
 5 RALPH FEY: Sure.
 6 MS. GERING: That will be sitting right
 7 on the canal?
 8 RALPH FEY: Absolutely. It's located
 9 here, it has four tables and each table has four
 10 seats and that's what was approved by planning
 11 and zoning. And they would sit at the
 12 intersection where you would come down the ramp
 13 to get to the Towpath at the end of the
 14 restaurant.
 15 MS. McHUGH: I'm sorry. Can you point
 16 out the restaurant for me again?
 17 RALPH FEY: The end structure is the
 18 restaurant, as is in the current design the lower
 19 level, which is under the street for those have
 20 been in there, there's a vaulted brick piece in
 21 there. So the lower level we have planned as
 22 bathrooms, kitchen and wine room. And then this
 23 level from this door all around is the
 24 restaurant. I believe it's 70 some seats -- 60
 25 some seats.

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1 CRAIG NUSH: Balconies are No. 15.
 2 Again, we refer to our property and across the
 3 canal.
 4 RALPH FEY: So the terraces present in
 5 the gaps between this building and at the ends
 6 where we pulled it back. And as the buildings
 7 recede back through our balconies, I would point
 8 to George Michaels' project. So there are
 9 balconies on the second floors, terraces on the
 10 first floor. He asked if I'm going to give you
 11 the short answer, I'm not familiar with the no
 12 balcony concept.
 13 MS. GERING: Ralph, I know you're
 14 showing George Michaels' property there, but
 15 correct me -- I don't think there's a canal work
 16 on that side where people are walking their dogs
 17 or jogging, am I correct? That's private
 18 property?
 19 RALPH FEY: You're right. It will be
 20 across the water to those.
 21 MS. GERING: But you're buildings are
 22 going to be right smack on the canal Towpath,
 23 correct?
 24 RALPH FEY: Yes. Yeah, we didn't see
 25 anything in the guidelines that said balconies

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1 MS. GERING: And how is that going to
 2 connect to your townhouses? I'm a little
 3 confused. So that will come smack next to the
 4 townhouses?
 5 RALPH FEY: It will.
 6 MS. GERING: And will the patios for
 7 your townhouses also be on the same level or
 8 balconies, whatever you're calling them?
 9 RALPH FEY: So you can see -- I'm
 10 sorry. I'll let you finish.
 11 MS. GERING: I'm sorry. No, no and my
 12 question was, we have the patio from the
 13 restaurant and then I know you have the patios
 14 for your townhouses, will they all be on the same
 15 level there?
 16 RALPH FEY: The terrace level of the
 17 restaurant is dictated by the height of the
 18 existing grade and I believe it is 18 inches
 19 lower than the balconies or the terraces that are
 20 outside of these two. So if I brought this
 21 closer --
 22 MS. GERING: So your terraces will be a
 23 little higher then?
 24 RALPH FEY: You know, yeah, a foot to
 25 14 inches, I don't know.

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1 You're gonna have to measure that for
 2 us.
 3 CRAIG NUSH: Basically 12 inches to be
 4 honest with you.
 5 RALPH FEY: So this is slightly higher
 6 than that, they don't connect.
 7 MS. GERING: And then as you're coming
 8 down the historic building, there's steps that go
 9 to the canal, okay.
 10 RALPH FEY: There's steps --
 11 MS. GERING: Right there. So those
 12 steps are going to go right by the deck that
 13 you're putting in?
 14 RALPH FEY: So we have steps --
 15 Can you bring up the photo of the front
 16 of the building?
 17 The steps are close to the building and
 18 there's also a walkway on the outside. So this
 19 walkway takes you to the canal and this walkway
 20 is a continuation of the sidewalk, it takes you
 21 into the building.
 22 MS. GERING: And is there a setback
 23 there so it doesn't interfere with the canal
 24 walkway? Because that's what tourists and
 25 residents use to go down those steps to go on the

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1 -- from the sidewalk to the part that you said
 2 was filled in, to the left, you go down a few
 3 steps and then you're sort of on a landing there
 4 or something and then there's some more steps
 5 that you can go down. That's all private
 6 property --
 7 RALPH FEY: Yes.
 8 MR. DOUGHERTY: -- because you're
 9 behind the canal wall. And the only people that
 10 would use that are people who were in front of
 11 the historic structure who lived there, who
 12 wanted to get into the courtyard?
 13 RALPH FEY: Well, also continuing down
 14 the steps to the lower courtyard there.
 15 MR. DOUGHERTY: Right, which is
 16 residents, right.
 17 RALPH FEY: Who will enter the building
 18 because this is our means of accomplishing
 19 handicapped accessibility to the restaurant as
 20 well.
 21 MR. DOUGHERTY: Okay. So they'll be --
 22 that wall -- I thought the patio wall for the
 23 restaurant was a solid wall. Oh, you're behind
 24 the wall at that point, okay.
 25 RALPH FEY: So this wall exists and

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1 Towpath. How far of a distance do you have there
 2 for a buffer zone?
 3 MR. LABOSKI: There's no buffer
 4 required. The setback was set by the site plan
 5 that was approved.
 6 MS. GERING: So the steps that you used
 7 are public -- so they will coming down on your
 8 property then? How does that work?
 9 RALPH FEY: We're gonna have to go to
 10 the site plan to address that.
 11 CRAIG NUSH: This is the walkway down
 12 to the Towpath. There is a -- there is a brick
 13 wall that will keep you from the restaurant area.
 14 There's stairs right --
 15 RALPH FEY: It's already like that.
 16 These are the -- what he was pointing to, that
 17 says, repair existing walk and steps, prepare
 18 existing walk and steps. This is the existing
 19 walk and steps. If you're standing here, there's
 20 a retaining wall as you look over and there's a
 21 big drop. So what we're proposing is to fill
 22 that in a little bit to mitigate from here to
 23 here to here, but the public access point remains
 24 exactly as it is now other than repair.
 25 MR. DOUGHERTY: So the purpose of the

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1 won't be changed. This is the piece of wall that
 2 we're adding so to contain the terrace for the
 3 restaurant provide the handicapped accessible
 4 entrance and to complete the pathway for
 5 pedestrians into the lower courtyard.
 6 MR. DOUGHERTY: So from the sidewalk in
 7 front of the historic building, then it says
 8 landing, I think it says, and then there's five
 9 or six lines, are those steps?
 10 RALPH FEY: They are.
 11 MR. DOUGHERTY: So how's that
 12 handicapped accessible to get to that patio? I'm
 13 just --
 14 RALPH FEY: So handicap's accessibility
 15 doesn't automatically infer ramp, but it infers a
 16 certain level of appropriate --
 17 MR. DOUGHERTY: It's a staircase that
 18 would pass some sort of ADA acceptable -- okay.
 19 But it's a staircase is the point?
 20 RALPH FEY: It is.
 21 MR. DOUGHERTY: Okay. Thank you.
 22 RALPH FEY: And once we have a tenant,
 23 we will be able to address the interior. We
 24 have a proposed interior, but we'd be able to
 25 better address it. We're actually hoping the

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1 tenant would want the whole building as opposed
 2 to a corner, it's up to the tenant.
 3 CRAIG NUSH: The last item on my list
 4 is No. 20 where the phases of the property will
 5 be explained. And we've -- Rich talked about
 6 that in the beginning, but we are developing and
 7 reconstructing the historical facade and then
 8 going -- entering down into that courtyard to
 9 start with Phase 1 or building Units 1, 2 and 3
 10 coming back to 4 and 5 and then exiting doing
 11 this -- these two additions to the historical
 12 building.
 13 MR. MAISEL: Anticipated time line for
 14 this?
 15 RICHARD CALABRESE: The time line of
 16 the overall project from start to finish, we're
 17 anticipating it to be 16 months.
 18 MR. LABOSKI: Any other questions or
 19 items in the list that council believes has not
 20 been addressed adequately or you'd like some more
 21 discussion on?
 22 MS. GERING: On the different phases
 23 you have, what council had asked for is that
 24 Phase 1 be the historic building, and you are
 25 still listing that as Phase 3. So can you talk

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1 MS. GERING: So what I hear you say is
 2 you're going to restore the facade of the
 3 historic building, but nothing inside will be
 4 done, correct?
 5 RICHARD CALABRESE: Some of the insides
 6 will be done as the outside's being redone
 7 because it's calling for it.
 8 MS. GERING: All right. Then you're
 9 going to pour the foundation next to it.
 10 RICHARD CALABRESE: Yes.
 11 MS. GERING: But then you're not going
 12 to finish that till you're down with the whole
 13 thing. So if something happens and you don't
 14 sell those properties, we could have a hole with
 15 a foundation sitting there for a number of years.
 16 RICHARD CALABRESE: Oh, no, it'd be
 17 closed up, the floor will be built onto that
 18 particular unit. The interiors of that whole
 19 building wouldn't be finished until there's a
 20 tenant secured because it's a commercial
 21 build-out space.
 22 MS. GERING: Correct me, please, did I
 23 hear you say that you would pour the foundation
 24 for the restaurant part right there --
 25 RICHARD CALABRESE: Right.

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1 about that?
 2 RICHARD CALABRESE: What I mentioned
 3 was we would do the historic restoration of the
 4 1820 building as we're building out Units 1, 2
 5 and 3. We're just holding back from doing that
 6 rear extension to facilitate the construction
 7 vehicles getting in and out of the site since
 8 it's such a small little site and tight to be
 9 able to do the foundations in the back of one,
 10 two and three and four and five and do the
 11 extension in the back of the historic building,
 12 the 1820 building.
 13 RALPH FEY: So if I can ask you to
 14 restate your intent to fully restore the exterior
 15 of this building --
 16 RICHARD CALABRESE: We have the -- we
 17 have the siding already done, which is underway,
 18 we go around to the front, so from the street it
 19 looks as it's being restored. We hold off. We
 20 probably pour this foundation in the corner as
 21 we're doing -- so we're able to do this
 22 foundation one, two and three, build out one, two
 23 and three, come back to do four and five, and
 24 then come back and do this rear extension on the
 25 back of 1820.

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1 MS. GERING: -- but you wouldn't come
 2 back and finish that until you're done with the
 3 rest of your project? Is that what I heard you
 4 say?
 5 RICHARD CALABRESE: That was the
 6 anticipated --
 7 MS. GERING: Okay. That's what --
 8 okay. Thank you.
 9 RALPH FEY: And can I add to that? As
 10 we don't have a operator or a restaurant tour
 11 yet, it would be best if we developed that last
 12 interior piece with them in place.
 13 RICHARD CALABRESE: Yes, from a
 14 marketing standpoint or even to facilitate a
 15 tenant for that building, that building will be
 16 built immediately.
 17 RALPH FEY: And if you needed us to --
 18 or for some reason that building were not to be
 19 built, it would be filled in with dirt and become
 20 planted in a garden. It is important that we
 21 build it because as you can see by the model,
 22 there is a retaining aspect to this foundation --
 23 MS. GERING: I'm familiar with the
 24 property, yes.
 25 RALPH FEY: -- to do that all at one

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1 time.

2 RICHARD CALABRESE: Basically it's a

3 hole in the ground right now.

4 MR. LABOSKI: Anything else?

5 MR. MAISEL: I think what we're all

6 grappling with and we have on this thing, is

7 scale. I mean, that's really what -- and whether

8 we can overcome that is another matter. It's the

9 view from Bridge Street that's the killer, from

10 my standpoint, that's the -- that's the one that

11 just blankets the whole property. From the

12 bridge, you know there's a vista that is adequate

13 that gives you a meaningful vista. It's the one

14 from Bridge Street that's a killer and don't know

15 how you overcome it.

16 I mean, frankly, I don't have any

17 suggestions, you know, that we could -- what you

18 could do to overcome it, but that's what I'm

19 grappling with. This one you have the water at

20 least, you have the historical building that

21 peaks out a little bit and has some kind of a

22 vista versus looking at George Michaels, which is

23 no -- wider in and of itself, so this -- but it's

24 the one -- this is one that's the killer, you

25 know. There's no way of like, you know, ignoring

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1 that we all love.

2 MS. GERING: Ralph, are they actually

3 four-story buildings? Because I looked at your

4 plans and it looks like the ones on the canal

5 you're going to have a garage down below,

6 correct?

7 RALPH FEY: A garage and basement.

8 MS. GERING: Right. And then the next

9 level you're going to have first, second and

10 third floor, correct?

11 RALPH FEY: There is some living space

12 up in the dormers, yes.

13 MS. GERING: So basically you're

14 building a four-story building there, according

15 to my calculations.

16 RALPH FEY: If you want to call the

17 base of the garage a floor, sure.

18 MS. GERING: Well, the garage is your

19 first floor and then you have second, third and

20 fourth, correct?

21 RALPH FEY: I'm not going to argue with

22 you, but I'm also not going to agree with you.

23 MS. GERING: And then I have another

24 question, what is a loft floor? It's on your

25 plans.

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1 that, you know, this looks like a mass that's --

2 and that's what I think we're, you know,

3 significantly having the difficulty with, I

4 think, at least it is to me. And to say that if

5 there's a little gaping hole somewhere or if

6 there's something, you know -- but right now, it

7 looks what it looks like and it's a mass and

8 that's just something I guess we're going to have

9 to reconcile tonight or we're not reconciling. I

10 mean, that to me is my commentary.

11 RALPH FEY: Just to put this in

12 perspective, that distance from here to here, the

13 straight part from here to here, the unit flat

14 spot of one and two is forty feet, pretty sure

15 that's about ten feet wider than the room we're

16 in. I think you're being -- 40 feet that long

17 that is significantly less, probably slightly

18 about the same exact size as the historic

19 building on George Michaels' property, so I don't

20 know -- I acknowledge that the entire length of

21 that is 90, but I really have a hard time

22 thinking that that is a overwhelming and powerful

23 two-story series of residences because we gapped

24 them and stepped. This width, how does that

25 width compare to the width of the front building

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1 CRAIG NUSH: It's just a --

2 RALPH FEY: It's a balcony that

3 overlooks the living room.

4 CRAIG NUSH: It is a study spot.

5 RALPH FEY: They're actually there now.

6 MS. GERING: So it's living space,

7 correct?

8 RALPH FEY: If you go into the building

9 now, there's little rooms up in there that

10 overlook the living room. They're tucked into

11 that roof line.

12 MS. GERING: Thank you.

13 Are you done with your presentation or

14 do we have anything else here?

15 MR. LABOSKI: I don't know --

16 MR. MAISEL: Strictly a commentary, you

17 know, I recognize that you're trying to do

18 something, create a hole in here at this point,

19 to create a vista is not going to happen with

20 this presentation, so I'm --

21 MR. LABOSKI: I would just point out I

22 think that when the applicant was at HARB and by

23 virtue of the design elements that have been

24 incorporated in Ralph's photograph, efforts were

25 made to reduce that mass that you're talking

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1 about. Whether certain individuals or yourself
 2 believe that it's too massive, I guess is a
 3 subjective opinion and I appreciate that, I'm not
 4 disagreeing with that. I think that it's fair to
 5 say that people can have different opinions about
 6 that and the best an architect can do is try to
 7 diminish or minimize the impact that you're
 8 talking about. And hopefully we achieved that,
 9 if we didn't, we understand.

10 Yeah, unless there's any other
 11 questions, that's what we would submit to
 12 council. Again, I go back to the point that I
 13 made at the beginning, which is that the process
 14 with HARB in particular and the collaborative
 15 process, the process with the applicant and HARB,
 16 go back and forth, as you heard Ralph talk about
 17 the different iterations of the project that's
 18 what occurred. And I think we couple that with
 19 -- and my client engaged in that in good faith
 20 and got unanimous approval from HARB with some
 21 conditions that they're happy to comply with and
 22 tonight they've made some further offers. If
 23 there's additional points that you would like to
 24 see changes made that can be accommodated, we'd
 25 like to hear about them now.

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1 MS. GERING: Any more comments from
 2 council?
 3 The audience?
 4 Susan?
 5 SUSAN TAYLOR: Susan Taylor with
 6 Friends of the Delaware Canal.
 7 Could you put up the site plan again?
 8 'Cause I do want to delve into that setback a
 9 little more primarily with protecting the
 10 historic landmark.

11 MS. LABOSKI: Ma'am, is the one on the
 12 screen the one you're speaking about?
 13 SUSAN TAYLOR: No, it was one you
 14 showed more recently. Before I do that, it's --
 15 I believe your attorney said that the plan has
 16 been approved by DCNR.

17 MR. LABOSKI: I didn't say that.
 18 MS. GERING: Yeah, you did.
 19 SUSAN TAYLOR: You did. I wrote it
 20 down. It's my understanding that DCNR did send
 21 borough council a letter concerning the property
 22 and it did state some concerns. My concern is
 23 the setback, the Delaware Canal State Park
 24 property extends 12 feet from the wall back
 25 toward the river, okay. And on this plan, I

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1 But again, the guidelines are not
 2 strict rigid rules. And I think what we've
 3 demonstrated in these last two meetings, is that
 4 people can have different opinions and that
 5 doesn't make one right and one wrong. As I said,
 6 the best that the applicant can do is hire an
 7 architect, a skilled architect I would add,
 8 somebody's who familiar with this community and
 9 do everything possible to meet the guidelines. I
 10 think that's occurred in this case. To the
 11 extent people have different opinions about
 12 what's massive and what's not massive, I don't
 13 know how we reconcile that.

14 So we'd ask that council approve the
 15 certificate of appropriateness and if there are
 16 specific conditions that you'd like to attach to
 17 it in addition to those recommended by HARB, feel
 18 free to do so. We look forward to moving
 19 forward. I think that the applicant believes
 20 that is going to be a credit to the community and
 21 is eager and anxious to move forward and prove
 22 that. So I appreciate it. Again, if you have
 23 any further questions, we're happy to answer
 24 them.

25 Thank you.

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1 believe you have the 12 feet and then the wall
 2 starts 1 foot from the property line, correct?
 3 What was the eight inches about?
 4 CRAIG NUSH: Eight inches to a foot.
 5 SUSAN TAYLOR: Okay. So it's eight
 6 inches to a foot. Now, I need to bring up my
 7 personal part where I do indeed go out and
 8 measure things. When I took my trusty tape
 9 measure out to the property measuring back 12
 10 feet from the wall to that brick wall shown here
 11 with the vines, there's 3 feet between the edge
 12 of the park property and the beginning of that
 13 wall, not 1 foot. The existing wall is three
 14 foot, the only place that I --

15 JOE ROSENTHAL: The new wall's gonna go
 16 one foot behind the new wall. You're saying that
 17 --

18 THE COURT REPORTER: I'm having a hard
 19 time hearing.
 20 MS. GERING: Can you come up here and
 21 speak, please. Excuse me, you need to identify
 22 yourself please and come up here. Thank you.
 23 JOE ROSENTHAL: I was just responding
 24 to here, I believe you said --
 25 MS. GERING: Microphone and --

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1 Did you get his name?
 2 JOE ROSENTHAL: I thought I was loud
 3 enough. Correct if I'm wrong, you said you
 4 measured nine feet from the water to the back
 5 line?
 6 SUSAN TAYLOR: No, 12 feet. The park
 7 owns 12 feet from the wall in, okay.
 8 JOE ROSENTHAL: From the wall in then.
 9 SUSAN TAYLOR: Towards the roof --
 10 toward the canal. And then the existing brick
 11 wall is three feet generally back from that
 12 twelve foot property line.
 13 JOE ROSENTHAL: So you're saying that's
 14 15 feet back?
 15 SUSAN TAYLOR: Um-hmm.
 16 JOE ROSENTHAL: Okay. They're saying
 17 that that one foot you're going back past that
 18 wall?
 19 SUSAN TAYLOR: No, you're going one
 20 foot from the property line.
 21 RALPH FEY: No, we're going 16 -- the
 22 wall will be 16 feet from the edge of the canal,
 23 proposed wall is 16 feet from the edge of the
 24 canal.
 25 JOE ROSENTHAL: So you're saying --

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1 feeling better about that because -- not good but
 2 better.
 3 RALPH FEY: And that's the six foot
 4 wall not the buildings.
 5 SUSAN TAYLOR: That's the wall, okay.
 6 The garages are going to be excavated below the
 7 existing ground level, correct?
 8 RALPH FEY: No, they're right about at
 9 existing ground level. We'll be using that lower
 10 -- the level of -- when you drive in currently, I
 11 don't know if we have a good photograph up -- but
 12 when you currently drive in here, the courtyard.
 13 It'll be roughly where the courtyard is now we'll
 14 just be leveling it up. So you drive from
 15 Mechanic Street down a full flight currently and
 16 this building is currently another floor lower on
 17 the back.
 18 SUSAN TAYLOR: So existing ground level
 19 is here.
 20 RALPH FEY: Well, this existing ground
 21 level there's a giant retaining wall there and
 22 when you look over the retaining wall, it
 23 terraces down.
 24 SUSAN TAYLOR: I will tell you why
 25 (indiscernible). The existing Towpath level is

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1 RALPH FEY: The new wall will be behind
 2 the brick wall that's currently there.
 3 SUSAN TAYLOR: It will be one foot
 4 behind the existing --
 5 RALPH FEY: Because the wall's on an
 6 angle, it's difficult for me to say it's one
 7 foot. At one point it's probably a few inches,
 8 at another point it's a foot. So it is somewhere
 9 between nothing and a foot, but always behind the
 10 existing brick wall. And on this drawing, we
 11 didn't know, Hibbeln Engineering did it, it's 16
 12 feet from the face of the wall to the edge of the
 13 canal.
 14 SUSAN TAYLOR: So it's four feet past
 15 the canal state park property line, yes?
 16 RALPH FEY: That is my understanding.
 17 SUSAN TAYLOR: Well, this -- I'm sorry.
 18 I'm confused in that.
 19 RALPH FEY: There's a lot to understand
 20 there's a lot of different drawings.
 21 SUSAN TAYLOR: There's been a lot of
 22 different drawings and my understanding from HARB
 23 was that your new structures including the wall
 24 began one foot back from the property line. So
 25 what I'm hearing tonight is new information. I'm

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1 here --
 2 RALPH FEY: Yes.
 3 SUSAN TAYLOR: -- the garage level is
 4 down --
 5 RALPH FEY: Yes.
 6 SUSAN TAYLOR: -- somewhat.
 7 RALPH FEY: But exactly where the dirt
 8 is now. There's no excavation back there.
 9 SUSAN TAYLOR: The dirt down here is --
 10 RALPH FEY: The dirt down here is right
 11 there.
 12 SUSAN TAYLOR: The reason I'm concerned
 13 with that is going by --
 14 MS. GERING: The microphone, Susan.
 15 SUSAN TAYLOR: I'm sorry. Going by
 16 experience with the Canal Street development, the
 17 borough wasn't terribly careful with excavation
 18 that happened near the wall, the existing wall
 19 there and that wall collapsed.
 20 MR. WALSH: The borough didn't excavate
 21 anything.
 22 SUSAN TAYLOR: The developer excavated
 23 it, but the borough wasn't aware --
 24 MS. KINGSLEY: The wall was never
 25 rebuilt.

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1 SUSAN TAYLOR: -- the excavation of
2 that development would have an effect on the
3 canal wall and the canal wall collapsed and has
4 never been rebuilt again. And that's why you see
5 a grassy slope coming down. Some of the wall is
6 there that didn't collapse and the wall did
7 collapse and then you just have grassy slope.

8 MR. DOUGHERTY: So, Susan, so that
9 grassy slope, I wasn't aware of that, that used
10 to be a wall? Wow, I never knew that.

11 SUSAN TAYLOR: In fact if you --

12 MR. DOUGHERTY: There's crosstalk here,
13 can we -- so my question is, Susan, so in that
14 area near the canal walk that used to be sort of
15 a canal sleeve with sort of a cement, for lack of
16 a better term, wall is that what you're saying?
17 And now it's sort of a grassy slope?

18 SUSAN TAYLOR: Actually it was the
19 Canal House Restaurant.

20 MR. DOUGHERTY: Okay.

21 SUSAN TAYLOR: And if you look at our
22 Facebook page, someone recently sent us a
23 painting of the Canal House, which shows that
24 there was wall -- there was walls on either side.

25 MR. WALSH: The Canal Restaurant

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1 The stone wall directly north of the Locktender's
2 House of the mule pen has metal spikes on it do
3 not sit here, Edwin Miles' wall is actually
4 higher than the wall that you're proposing. The
5 house it set back a little further than these.

6 So in New Hope Borough you wind up
7 having industrial sort of uses or you wanted your
8 building to be right next to the canal, 'cause
9 that facilitated your business. Residential, you
10 wanted -- you wanted it back farther and if it's
11 an old building on the canal, it was back and if
12 people built big walls, okay. So we're
13 precipitating that whole separation of the canal
14 and residential uses by having this one sitting
15 quite so smack up.

16 I understand why you need it, I
17 understand why it's being probably built so
18 closely because there are distances between
19 buildings that are required by code, but it's
20 continuing the tradition of new development being
21 probably too much for the quality of life of the
22 people who are going live there. And I would be
23 -- I would probably ask that you put in some sort
24 of stipulation that the existing canal walls
25 won't be harmed while this is being constructed,

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1 actually sat on the canal property, sat on that
2 wall. And if my recollection is right when that
3 was removed that they discovered that there's a
4 -- there was that encroachment that existed for
5 however many long -- before anybody knew about
6 it. And then about the wall collapsing, I don't
7 know what precipitated the inspections of it or
8 whatnot, but I remember there was a standoff
9 between DCNR and the developer about who was
10 going to repair it and that was ultimately what
11 was resolved and why it's not just graded out as
12 opposed to the wall.

13 SUSAN TAYLOR: The ultimate loser as
14 far as historic fabric in the canal, was the
15 canal. My concern with how deep the excavation
16 was going to be for these properties stems
17 directly from the disturbance of the earth, the
18 side, the historic landmark and how that will
19 affect the historic landmark.

20 I think we sort of agree it's a lot.
21 If you look at the historic buildings that are
22 along the canal, many of which you showed Edwin
23 Miles (phonetic) house along the canal. New Hope
24 Borough people when the canal was in operation,
25 didn't necessarily want to see the canal people.

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1 so --
2 And Paul Licitra reminded me that the
3 very first meetings of the Friends of the
4 Delaware Canal were held at the Towpath House.
5 And I told him I heard really, many, many really
6 good stories of their very first meetings. So
7 there's a tradition of the connection between the
8 two and we'd like to see this be the best it can
9 be.

10 Thank you.
11 MS. GERING: Thank you, Susan.
12 Any more comments?

13 Oh, you're back.
14 MR. LABOSKI: I'm back. I'm sorry. I
15 can't get enough of this. Just to respond to
16 that, I think the applicant obviously shares the
17 same concerns of the preservation, who wouldn't
18 share those concerns. With respect to DCNR, we
19 have a letter February 20, 2018 and the reason I
20 corrected is because DCNR didn't approve the
21 plan, they don't approve the plan. What they did
22 in this letter was confirm the jurisdictional
23 boundary of the canal state park line vis-à-vis
24 our client's property. I also neglected, I
25 apologize, there's a letter that my client

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1 secured from a property owner at 8 West Mechanic
 2 Street. I'll hand this up. It's a letter that
 3 reads in support of the application and
 4 encourages council to approve or grant the
 5 certificate of appropriateness. If I may hand
 6 this up and you can read it and take whatever
 7 consideration of it you choose. I made several
 8 copies.
 9 MR. WALSH: Ralph, you said the
 10 building would be 16 feet from the edge of the
 11 canal wall, right?
 12 RALPH FEY: No, the retaining wall.
 13 MR. WALSH: The new building wall that
 14 would be 16 feet if I heard, from the edge of the
 15 canal.
 16 RALPH FEY: The retaining wall is 16
 17 feet, this wall right now.
 18 MR. WALSH: So another foot behind --
 19 or how many feet behind that is the building
 20 wall?
 21 RALPH FEY: So the building that
 22 projects the closest to the canal, which is this
 23 standard piece is 19 feet from the edge of the
 24 canal and the others step back; 19 feet to the
 25 building, 16 to the retaining.

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1 --
 2 MR. DOUGHERTY: I mean, a chair is 20
 3 --
 4 RALPH FEY: It's really not meant
 5 for --
 6 MR. DOUGHERTY: He just mentioned four
 7 feet, so it can't be sixteen and nineteen then,
 8 because those numbers doesn't add up.
 9 CRAIG NUSH: We're going to have --
 10 it's 13 feet to that wall's edge.
 11 MR. DOUGHERTY: Thirteen to the outer
 12 edge of the wall, not sixteen.
 13 CRAIG NUSH: There's a -- 12 foot to
 14 the jurisdiction line, there's another foot in
 15 between there, 13 feet.
 16 JOE ROSENTHAL: That's the existing
 17 wall, the wall behind that.
 18 MR. DOUGHERTY: No, he already took
 19 that in. So it's 13 from the edge of the canal
 20 to the outer shell of that new wall, is that --
 21 CRAIG NUSH: On that dark line.
 22 MR. DOUGHERTY: Then a foot from the
 23 wall and not two feet for the patios, but maybe
 24 four. Okay. Four is twice as much as two.
 25 Okay. Thank you.

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1 MR. WALSH: So in looking at this plan
 2 which is up there --
 3 MR. DOUGHERTY: Sixteen to the
 4 retaining wall, Ralph?
 5 RALPH FEY: Yep.
 6 MR. DOUGHERTY: And then 19 to the
 7 building?
 8 RALPH FEY: No, total; total of 19.
 9 MR. DOUGHERTY: Oh, I know. No, three
 10 from the outer edge -- from the canal edge of the
 11 wall to the door jamb, if you will, of the
 12 building.
 13 RALPH FEY: On the most forward
 14 projection piece.
 15 MR. DOUGHERTY: Okay. And the wall's
 16 about a foot thick, I'm guessing?
 17 RICHARD CALABRESE: Yes.
 18 RALPH FEY: Nine inches.
 19 MR. DOUGHERTY: So these patios are two
 20 feet deep?
 21 RALPH FEY: So they're really just
 22 enough to throw your doors open and feel a little
 23 fresh air. They're really not --
 24 MR. DOUGHERTY: Two feet.
 25 RALPH FEY: -- meant for people to have

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1 CRAIG NUSH: I would say four.
 2 MR. WALSH: I had a different question.
 3 So on the other side of the canal on the canal
 4 walk, what's the distance between that canal wall
 5 and those closest homes? I don't know if that's
 6 scaled. The remaining wall there's parts of --
 7 RALPH FEY: We have that in here
 8 somewhere for you.
 9 MR. WALSH: All right. Then the top of
 10 the bank or where the wall used to be.
 11 Let him try to answer it.
 12 MS. GERING: Susan can answer it.
 13 MR. WALSH: But he's the witness, let
 14 him --
 15 CRAIG NUSH: Eighteen, nineteen feet to
 16 the building eighteen, nineteen feet from the
 17 canal edge to the furthest most point that's that
 18 and that's the point right there, eighteen,
 19 nineteen feet.
 20 MR. WALSH: Okay. Thank you.
 21 RALPH FEY: So again, these are not our
 22 drawings, these are the engineer's drawings.
 23 And, of course, on the other side of that is a
 24 different engineer's drawing.
 25 MR. WALSH: Right, you're scaling.

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1 Thank you.
 2 Any more questions? Yes?
 3 PAMELA KERR: Pam Kerr. How many trees
 4 are coming down?
 5 MR. DOUGHERTY: We would not know, they
 6 might.
 7 RALPH FEY: Actually we don't know
 8 either, the engineer's did that.
 9 PAMELA KERR: What are the rules about
 10 replacing trees?
 11 MR. WALSH: They're not relevant to the
 12 COA. Sorry.
 13 PAMELA KERR: So all the trees --
 14 MR. WALSH: There's an answer to the
 15 question I don't know what it is, but it's not
 16 germane to this application.
 17 PAMELA KERR: So all the trees would
 18 come out and there'd be no more trees and that's
 19 not relevant to this?
 20 MS. McHUGH: No, they presented a
 21 replacement tree plan to shade tree. So they do
 22 have plans to replace them.
 23 PAMELA KERR: So where do they go,
 24 those new trees? I don't see any space on the
 25 property, that's what I'm asking.

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1 a big block. So just for what it's worth.
 2 MS. GERING: Any more questions?
 3 Any more discussion from council?
 4 Who would like to make a motion?
 5 VIVIAN FRANCESCO: Public comment.
 6 MR. WALSH: She's asking for that.
 7 VIVIAN FRANCESCO: Oh, I thought you
 8 meant on this subject. Public comment.
 9 MR. WALSH: On this topic.
 10 VIVIAN FRANCESCO: Not this topic.
 11 MR. WALSH: If it's different, that
 12 will be later.
 13 MR. DOUGHERTY: I would like to make a
 14 motion to, I guess -- T.J., I need your help on
 15 this is it to deny or is to the recommendation?
 16 The motion would be to not accept the
 17 recommendation of HARB, that's the motion I want
 18 to make anyway and is that how it should be
 19 phrased?
 20 MR. WALSH: You would phrase it to deny
 21 the COA as presented and then you'd have to
 22 substitute or attach to that motion what changes
 23 to be plan would be required to allow them to get
 24 a COA.
 25 MR. DOUGHERTY: Okay. Well, I would

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1 MR. WALSH: There are requirements
 2 under different ordinances, which do apply to
 3 this, but I don't have those answer. As far as
 4 certificate of appropriateness, tree replacement
 5 and whatnot is not something that's legally
 6 allowed to be considered for COA purposes.
 7 PAMELA KERR: Okay. So my only comment
 8 is George Michaels replaced buildings with
 9 buildings. It looks like a city scape to me not
 10 like the unique and quaint town, which is what I
 11 heard my mother say a million times in the 60s
 12 when running motel. And now this feels like it
 13 would really make a whole city on either side.
 14 So it doesn't feel like what I thought we were
 15 trying to sell in New Hope. And I don't care if
 16 I have a long distance vista, my short distance
 17 vista I think of as nature. So you can think the
 18 trees and sprawling, but to me, they're nature
 19 and we're losing big chunks of nature here.
 20 It's sort of changing to look like
 21 Bristol or Easton, which are along the canal, but
 22 they don't get the tourists like New Hope does.
 23 So I'm just concerned -- when you talk about the
 24 space it's partly that there aren't unique and
 25 certainly not quaint places because you now have

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1 like to -- I just forgot what you said.
 2 MR. WALSH: I mean, following the
 3 recommendation at this point is sort of
 4 immaterial because the motion -- the official
 5 action is for you to approve it or deny. And if
 6 you deny it, like I said legally, you need to
 7 attach the changes that they need to make.
 8 MR. DOUGHERTY: I would like to make a
 9 motion to deny the COA and attach the March 8th
 10 presentation as exceptions or the rationales,
 11 that would be my motion.
 12 Does that -- in other words, can you --
 13 MR. WALSH: That's fine.
 14 MS. GERING: Can we have a second? I
 15 need someone to second the motion.
 16 MR. WALSH: It fails for lack of a
 17 second.
 18 MR. DOUGHERTY: So what do we do?
 19 MR. WALSH: Is there any other motions?
 20 MR. DOUGHERTY: Well, that's the only
 21 one I want to make.
 22 MR. WALSH: Well, there's five of you.
 23 MR. MAISEL: There were several things
 24 that, you know, the balconies were considered as
 25 a -- the flat roof versus a peaked roof going

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1 back to that. There were a few things that were
2 -- that might be more palatable to some on
3 council, 'cause it seems like a rejection of the
4 -- of your suggestion is not, you know, favored.
5 Are there provisions that we could provide right
6 now that we could be in concert on --

7 MR. WALSH: Your HARB Ordinance also
8 allows you to make a motion to approve it subject
9 to certain conditions.

10 MR. MAISEL: Well, that's I guess what
11 I'm getting at without -- so I don't know if we
12 developed enough of those tonight that would be
13 satisfactory to anybody who was opposed to the
14 application, you know. I have my -- I'm prepared
15 to vote one way or the other on this, but I mean,
16 I certainly want to defer to any recommendations
17 that would be made that would be -- that the
18 applicant was prepared, you know, to make. I
19 mean, I had my own issues with it, but at this
20 point, it's not enough to stand in the way of
21 being in favor of it.

22 MS. GERING: Well, I have something to
23 say and I've said this repeatedly. And I guess
24 what disappointed me is you got 20 some points of
25 things that we felt were not acceptable. And I'm

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1 on -- based on the points that surround the mass
2 of the building and the compound effect -- the
3 compound effect.

4 I did a quick analysis of the perimeter
5 of the space and it's approximately 500 feet in a
6 perimeter of that -- where the building lot is
7 today. And of that 500 feet currently, about
8 anywhere's depending how you measure it, 75 to
9 maybe a hundred feet of it, have building facade
10 that someone would see if they were walking
11 anywhere -- there's 400 feet perimeter, if you
12 will, and 75 feet of facade under this approach,
13 under this new -- under the mass of this. Out of
14 that 500 feet, there's about 420 feet of building
15 facade literally every square inch of visual
16 space as one would look around the building, sort
17 of perimeter now, has building facade on it and
18 that's what's sort of giving us the compound that
19 it looks like a compound.

20 You would be hard-pressed in fact to
21 put -- you literally cannot put another thing in
22 that 500 foot perimeter because otherwise you
23 wouldn't be able to get into that, there'd be no
24 space to get a car into the center of the
25 courtyard area. That to me, is what Miss Kerr

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1 going to repeat myself again, you're smack in the
2 middle of the downtown historic of town, you've
3 got historic buildings there and yet you bring in
4 a project that does not fit the flavor of where
5 it's located. And I know that new construction
6 can be different, I read 76 pages of the New Hope
7 guidelines for historic reviews. So I'm very
8 familiar that you can substitute.

9 I don't feel this project fits the
10 character of our town, it's oversized, some of
11 your buildings, when I counted the floors, are
12 actually four floors high. You've got a historic
13 canal there, you've got the Aquetong and then
14 when someone looks at it from Main Street, it's a
15 totally oversized project, it does not fit the
16 character of our town. So that's where I have
17 problems with what you're building.

18 MR. DOUGHERTY: I would like to make a
19 motion that rather than say that there's 25
20 things, to Ken's point, there are some things I
21 believe the applicant has verbalized that -- the
22 balcony railings or perhaps the clapboard, there
23 may be some other things, so the thing that I
24 think would prob -- that may be able to move
25 forward would be a motion to deny the COA based

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1 was sort of alluding to, I'm reading into it.
2 But that we actually have a building now, whether
3 it be five buildings plus an addition, plus an
4 addition on the back of the historic that is
5 literally taking up the entire visual space of
6 that entire lot, every square inch of it
7 practically, with a gap for cars to get in and
8 out of and a gap over between the Buildings 1, 2,
9 3 and 4, 5. There's a little gap there. That's
10 basically sort of my biggest concern.

11 So what I'd like to do is if we could
12 deny the COA based on Points 1 through 10, I
13 believe those are the points in this that speak
14 to the mass of the structure, the overall mass of
15 the structure. So I would like to make that
16 motion.

17 MS. GERING: And I'd like to add that
18 I'd like to see it reflect a little more of the
19 character of the town rather than looking like a
20 warehouse.

21 Can we add that to your motion?

22 MR. DOUGHERTY: And that I believe
23 there -- and this would have been so much easier
24 if this stuff had been replied to like we had
25 ask. There is an item in here where that we say

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1 it is not in keeping with the historical of -- I
 2 apologize, I don't have them memorized. It's
 3 Finding No. 17. So No. 1 through 10 and 17, I
 4 believe, comes closest to that.
 5 And I'd like to make a motion that
 6 these other things as to balcony railings and
 7 things, if folks, if they think they are too
 8 sprawling, that the mass of the buildings is
 9 really issue and the overwhelming nature of the
 10 compound effect of the multiple buildings on that
 11 lot and what that does to the vista and the --
 12 sort of the ambiance and historical fabric of New
 13 Hope. So I think that was a motion.
 14 MS. GERING: Can we have a second on
 15 that?
 16 MS. GERING: I'll second it. Oh, I
 17 can't I'm the chair.
 18 MS. McHUGH: I'll second it.
 19 MR. DOUGHERTY: We have a second.
 20 MS. GERING: All right. We have a
 21 second. We'll go down.
 22 Ken, accept --
 23 MR. MAISEL: Pardon?
 24 MS. GERING: We're voting.
 25 MR. MAISEL: I'm not in agreement. I

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1 MR. LABOSKI: Hold on, hold on. As I
 2 understand it --
 3 RALPH FEY: It's not clear to me at
 4 all.
 5 MR. LABOSKI: So the reason -- so one
 6 of the reasons why we didn't go item by item is
 7 because some of these comments are ambiguous and
 8 they're subjective and they're personal and
 9 they're exactly what your guidelines tell you not
 10 to do. So what we thought we would do is present
 11 a presentation from a professional trained -- two
 12 trained architects with supporting documentation.
 13 So by denying this and citing those 10
 14 -- No. 1 through 10 and 17, you've made it less
 15 clear as to what the applicant needs to do. And
 16 created no incentive to work with you in a good
 17 faith effort to try to come up with a solution.
 18 And so what you've ended up doing is forcing this
 19 matter -- we're going to give a judge in the
 20 court of common pleas a headache because there's
 21 no way we can comply with one through ten and
 22 seventeen, so it's just not possible. We
 23 appreciate that --
 24 RALPH FEY: There are several direct --
 25 MR. LABOSKI: With all due respect, the

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1 don't accept that.
 2 MS. GERING: Laurie?
 3 MS. McHUGH: I seconded it, so yes.
 4 MR. DOUGHERTY: Yes.
 5 MS. GERING: Yes.
 6 Tina?
 7 MS. RETTIG: No.
 8 MS. GERING: Okay.
 9 MR. WALSH: So if I understood it --
 10 just so anybody who wasn't here last month,
 11 Alison recused herself as did Peter.
 12 -- you've recommended to deny the COA
 13 premised on the reasons set forth in Nos. 1
 14 through 10 and 17 and the changes to the plan are
 15 the items you specifically identified in 1
 16 through 10 and 17 that are directing them to make
 17 to the plan, is that correct?
 18 MR. DOUGHERTY: That's correct. As
 19 specified in the document that they received on
 20 March 8th.
 21 MR. WALSH: Is that clear?
 22 MR. LABOSKI: No, it's not clear.
 23 RALPH FEY: It's absolutely not clear.
 24 I would really like to have specific --
 25 MR. DOUGHERTY: We have copies --

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1 comments one through twenty-five were not
 2 prepared by a trained professional and so they
 3 reflect that and we tried to spoon feed you what
 4 a professional would do and it's not acceptable.
 5 So that's all we have to say.
 6 MR. WALSH: Well, let's step back a
 7 second just so I can be clear.
 8 MR. LABOSKI: Pardon me?
 9 MR. WALSH: You talked, let me talk.
 10 MR. LABOSKI: I can't hear you, I'm
 11 sorry.
 12 MR. WALSH: Okay.
 13 MR. LABOSKI: Thank you.
 14 MR. WALSH: The general sentiment, at
 15 least the general statement the way I heard the
 16 motion was that the mass of the overall project
 17 is noncompliant, okay.
 18 Is that specific enough?
 19 RALPH FEY: Yes.
 20 MR. WALSH: The suggested changes are
 21 not meant to be designed professional changes
 22 because no one up here is professing to be one,
 23 right? If you're telling me that -- and you're
 24 telling not me, I don't -- if you're telling me,
 25 telling the council that that directive as to the

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1 changes to the plan is insufficiently -- is
 2 vague, is not clear enough how to reduce the mass
 3 of the project, then help them get back to you
 4 feedback of how you reduce the mass of the
 5 project.
 6 Because they've identified at least I
 7 counted, eight items in here that are specific,
 8 balconies and other stuff, that's noise, right?
 9 Mass is not. I mean, I'm simple if you say how
 10 do reduce a mass, I'd say cut the building in
 11 half and put two bigger gaps in the middle. And
 12 that's probably more offensive than what somebody
 13 might think you have, but I don't know how to do
 14 it. Okay. So we're asking that the change of
 15 the plan, which I believe meets the requirement
 16 of the law is how do you visually effect and
 17 reduce the mass of that project.
 18 RALPH FEY: And I would then ask the
 19 question, is that intended to reduce it and not
 20 go back to zoning and not go back to planning?
 21 Or are we being asked to go back to zoning and
 22 planning.
 23 MR. WALSH: No, you're mixing apples
 24 and oranges.
 25 RALPH FEY: The square foot is mass.

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1 than dropping the roof a little so it shows the
 2 difference because that's what HARB would require
 3 you to do, I thought that was fine. So that's
 4 just my personal opinion.
 5 RALPH FEY: Thank you.
 6 MR. WALSH: Anything else?
 7 Call the question.
 8 MS. GERING: Is there any more
 9 questions?
 10 MR. WALSH: You need to call the
 11 question and vote.
 12 MS. GERING: We did. We voted.
 13 MR. WALSH: You haven't voted yet.
 14 MS. GERING: Oh, we have to vote again?
 15 MR. WALSH: Oh, you did it by voice
 16 vote?
 17 MS. GERING: Yes.
 18 (Indiscernible discussion.)
 19 MS. KINGSLEY: But you're going to need
 20 to give them specifics as to what they're going
 21 to have to do to get the COA.
 22 MR. WALSH: That's what I've been
 23 saying.
 24 MS. KINGSLEY: And come back to them
 25 with that either tonight or not tonight, but you

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1 MR. WALSH: Understood. But just
 2 because might be designed to meet zoning or might
 3 be designed to meet SALDO, doesn't mean it's
 4 implicitly designed and has to have a certain
 5 footprint, is that fair?
 6 RALPH FEY: So I would like some clear
 7 direction on what is meant by more like the
 8 community. We actually believe that what we have
 9 presented is extremely recognized by the
 10 community and I have no idea what the board means
 11 by more like the community and we could use some
 12 help there.
 13 MR. WALSH: Okay. I don't know how to
 14 answer that, you guys are going to have to.
 15 MS. GERING: Well, my recommendation
 16 would be, you look at the historic buildings that
 17 are surrounding and maybe get the character to
 18 fit in a little more. And when you look at the
 19 historic building there, I think the original
 20 marble you had was more conducive than the glass
 21 structure you have. That really is not a New
 22 Hope look. I know they do it in Princeton, I was
 23 told by HARB, but we're not Princeton, we're a
 24 small little town and it's New Hope.
 25 So you're original model you had, other

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1 need to give them what they need to do.
 2 MS. GERING: When does that need to be
 3 done by?
 4 MR. WALSH: You should do it now it has
 5 to be a part of the motion.
 6 MS. GERING: All right. Well, we did,
 7 we gave them one through --
 8 MR. DOUGHERTY: Yes, I believe the
 9 items in this --
 10 MS. KINGSLEY: That's not specific, you
 11 got to be specific.
 12 MR. DOUGHERTY: Here's my question
 13 then, T.J.? The question is --
 14 MR. WALSH: Before you go anywhere,
 15 hold on a second, unless you want to leave.
 16 MR. DOUGHERTY: So we could start at
 17 No. 1 --
 18 MS. GERING: All right. We're going to
 19 start with No. 1: The overall mass and height of
 20 the building must be reduced so then more in
 21 keeping with the nearby historic structures.
 22 RALPH FEY: There's no building on that
 23 site that's taller than the historic structure
 24 that's at the forefront of it and I don't
 25 understand that.

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1 MR. DOUGHERTY: We're not saying that
2 they're taller than the nearby, we're saying more
3 in keeping.

4 RALPH FEY: With the height.

5 MS. GERING: With the height. We're
6 going to go to No. 2 for the record, the dense
7 packing of five townhouses must be modified so as
8 to retain the views of the canal and Aquetong
9 Creek from the existing historic Canal Towpath
10 and from Mechanic Street.

11 MR. DOUGHERTY: Okay. So -- you want
12 these read to you? You have a copy of this.

13 MS. GERING: No. 1 and 2.

14 MR. DOUGHERTY: No. 3: The design
15 styles of the facades of the buildings that face
16 Aquetong Creek and the facades of the buildings
17 that face the historic canal must be modified to
18 to complement the historic district.

19 MS. GERING: We just read that in, so
20 go to number --

21 MR. LABOSKI: Are you just going to
22 read through these?

23 MR. WALSH: If you're going to parrot
24 them -- I mean, are you going to read them back?

25 MR. DOUGHERTY: That's what we -- this

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1 here in New Hope for which I can give a lot of
2 feedback and, you know, primarily my own. I am
3 curious to know where this extensive exhaustive
4 interest in preserving the charm and beauty and
5 history of New Hope went. It's a complete lapse
6 in that standard accordingly with the parking
7 project, the parking methodology that was started
8 here in New Hope.

9 And I find that the -- I'm wondering if
10 this kind of exhaustive concern was gone through
11 with that before you decided on this new parking
12 methodology. I'm wondering if anyone can tell me
13 that.

14 MS. KINGSLEY: Be happy to. New Hope
15 was full of signs and poles and as a result of
16 the new parking system, the signs and the poles
17 are almost all gone.

18 VIVIAN FRANCESCO: I'll get to that
19 then, thank you for --

20 MS. KINGSLEY: You'd rather have the
21 signs and the poles, okay.

22 VIVIAN FRANCESCO: So now we have half
23 poles --

24 MS. KINGSLEY: They are going away.

25 VIVIAN FRANCESCO: -- chopped off with

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1 is --

2 MR. WALSH: So that effectively is the
3 motion, those are the specifics.

4 MR. DOUGHERTY: That's what I -- when I
5 said one through ten, it's got --

6 MR. WALSH: No, I get that, but I
7 thought you were going to be more specific about
8 how to address the actual -- but if you're
9 effectively saying that's the specific, then
10 that's what it is.

11 Thank you.

12 MS. KINGSLEY: Public comments on any
13 topics?

14 VIVIAN FRANCESCO: Hi. I'm Vivian
15 Francesco resident, artist, photographer and
16 psychologist. So I was very interested in being
17 here tonight because prior to being here, I was
18 not as updated on how much minutia and how much
19 concern that the council is putting in to items
20 of preservation for New Hope's charm and New
21 Hope's look and New Hope's character and history.
22 That now having come here, I now have a different
23 perspective on my whole issue that I want to
24 bring up, which leaves me baffled.

25 My issue is of the new parking system

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1 little tied up plastic shriveled up pieces, very
2 unprofessional, very not beautiful, very not
3 charming, it's bad.

4 MS. KINGSLEY: Vivian, there's a time
5 frame in order to get those poles out and the
6 weather didn't really cooperate. There was 325
7 poles and it takes about an hour each to get them
8 out of the ground, grind them down and fill the
9 holes.

10 VIVIAN FRANCESCO: So enlighten me,
11 what's the plan?

12 MS. KINGSLEY: The poles are coming
13 out, but they can't all come out in one day.

14 VIVIAN FRANCESCO: No, clearly.

15 MS. KINGSLEY: But they're coming out
16 and so --

17 VIVIAN FRANCESCO: What is the plan for
18 the parking? How is it meant to look and meant
19 to operate?

20 MS. KINGSLEY: You'll just have the
21 kiosks and you pay by license plate and you park
22 your car the way you always did at the same
23 price.

24 VIVIAN FRANCESCO: Okay. Why -- how
25 long are you foreseeing this debauchery that's

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1 there now to be there? Given you said, it's an
 2 extensive project.
 3 MS. KINGSLEY: When you say debauchery,
 4 I assume that you're referring to the old meter
 5 poles that are still in the ground?
 6 VIVIAN FRANCESCO: Yeah, because
 7 they're dreadful.
 8 MS. KINGSLEY: Yes, so --
 9 VIVIAN FRANCESCO: And now I --
 10 MS. KINGSLEY: You have a suggestion.
 11 Vivian, I don't want to get into a debate
 12 tonight.
 13 VIVIAN FRANCESCO: No, neither do I.
 14 MS. KINGSLEY: Because we researched
 15 this for two years, there were two years worth of
 16 time for public comment and suggestions. We have
 17 five men on the road crew who also have other
 18 responsibilities and so you may not have noticed,
 19 but if you look up North Main Street now from the
 20 traffic light. The only poles you'll see right
 21 now with the exception of the poles that the
 22 state requires us to have, are the signs for the
 23 parking kiosks.
 24 All the other miscellaneous poles that
 25 used to be there aren't there and you can go down

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1 We were collecting quarters in buckets from 325
 2 meters, which all had to be repaired, which all
 3 had to be collected twice a week, all right, with
 4 accountability on collecting quarters pretty much
 5 is zero. We now have a hundred percent
 6 accountability. We have 25 meters not 325, they
 7 all report to central station, all right? The
 8 amount of maintenance goes down dramatically, all
 9 right? There's a whole bunch of reasons
 10 including the fact that 325 poles have come off
 11 the sidewalk.
 12 We've also had to deal with complaints
 13 from ADA compliance because there's too many
 14 obstructions on the sidewalk, which is already
 15 too narrow. So there were a whole lot of reasons
 16 for switch the parking system, all right. And in
 17 addition to that, we now can accept and be more
 18 tourist friendly, coins, bills, credit cards of
 19 any kind and remote parking by a phone app. So
 20 there's a whole bunch of reasons.
 21 And now am I correct, it's about 70
 22 percent of our revenue instead of being a hundred
 23 percent quarters, is now 70 percent credit card
 24 and bills and the revenue has gone up in the
 25 three worst months of the year.

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1 to public works and see a stack of poles that
 2 used to litter the sidewalk and they are gone.
 3 And in the process, it's a process to make it
 4 work, you can't get all the poles out in one day
 5 with five guys and 325 poles.
 6 So do the math, 325 hours, that's
 7 approximately 7 weeks of work for 5 men if they
 8 did nothing else. So it's going to take another
 9 two months to get all these poles out and get the
 10 rest of the signs out, get the curbs painted and
 11 the additional parking, pay to park stencils on
 12 the curb.
 13 VIVIAN FRANCESCO: What was the reason
 14 to change the parking methodology that existed?
 15 It's been fine.
 16 MS. KINGSLEY: Really?
 17 MR. MEYER: Has it been, even though we
 18 haven't collected any money?
 19 MS. KINGSLEY: Peter, Peter.
 20 So the methodology --
 21 VIVIAN FRANCESCO: What was that? I
 22 want to hear what he had to say.
 23 MS. KINGSLEY: No, no, Peter didn't
 24 research this, Connie and Laurie and I spent two
 25 years, all right? Accountability, number one.

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1 VIVIAN FRANCESCO: So you're saying
 2 that the degree of confusion that this, you know,
 3 sort of half pole thing this is going to go away
 4 --
 5 MS. KINGSLEY: Yes.
 6 VIVIAN FRANCESCO: -- with these
 7 little --
 8 MS. KINGSLEY: Yes.
 9 VIVIAN FRANCESCO: -- plastic wind
 10 around ties?
 11 MS. KINGSLEY: Right.
 12 VIVIAN FRANCESCO: I have heard -- I
 13 will not park down in New Hope, I can walk or I
 14 can get a ride. I will not use that because to
 15 me, it requires that I have a piece of paper with
 16 my license plate, I have to remember my license
 17 plate. I have to -- you know, it's just
 18 completely intolerable the whole parking system.
 19 MS. KINGSLEY: Well, it's not going
 20 away.
 21 VIVIAN FRANCESCO: So I don't know
 22 whether you had any degree of open discussion and
 23 open --
 24 MS. KINGSLEY: Two years worth.
 25 VIVIAN FRANCESCO: Now, I want to know

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1 --
 2 MS. KINGSLEY: At public meetings.
 3 VIVIAN FRANCESCO: Why is there still
 4 -- thank God -- parking at places like Triumph
 5 the lot there --
 6 MS. KINGSLEY: They're private lots, we
 7 have no control over them.
 8 VIVIAN FRANCESCO: So that works, it
 9 works well.
 10 MS. KINGSLEY: It's a kiosk.
 11 VIVIAN FRANCESCO: Well, it's all not
 12 -- you know, to the knowledge of the people. Now
 13 you go through New Hope and you find people
 14 saying -- there was an older couple, they were
 15 about to leave their car, I said, did you find
 16 the kiosk and they said, what kiosk. There's not
 17 enough instruction, there was a young man that
 18 said what kiosk. And frankly, I live here and I
 19 would say, what kiosk. There's no instruction,
 20 there's very little -- it's completely
 21 disorganized. So I think you need to have more
 22 organization with it, it's not going away --
 23 MS. KINGSLEY: Thank you.
 24 VIVIAN FRANCESCO: -- that's fine, but
 25 it's completely --

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1 you know of that do that license --
 2 MS. KINGSLEY: All over the world.
 3 VIVIAN FRANCESCO: The license plate?
 4 MS. KINGSLEY: Yes. Pittsburgh, \$5
 5 million worth of kiosks, Doylestown.
 6 MS. GERING: Asbury Park.
 7 VIVIAN FRANCESCO: Personally, I think
 8 it's intolerable.
 9 MS. KINGSLEY: Well, they're going to
 10 be a lot of towns you're not going to be able to
 11 visit, I'm sorry.
 12 Any other comment?
 13 FRANK LAWSON: Hi. I'm Frank Lawson,
 14 I'm the president of the Solebury Soccer Club. I
 15 mailed letters to all of you, but apparently was
 16 closed when I mailed them, so you didn't get them
 17 I'm assuming. So I have copies of all these the
 18 letters that I mailed.
 19 So basically I came here tonight just
 20 to speak to you about the newly initiated fees by
 21 the Solebury Township Supervisors. While I am a
 22 resident of Solebury, I'm against the fees. My
 23 goal tonight is, I'm here to represent the soccer
 24 club and the children who -- of New Hope and
 25 Solebury that are gonna be impacted by these

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1 MS. KINGSLEY: So noted.
 2 VIVIAN FRANCESCO: -- disorganized and
 3 I would say why is the Playhouse parking
 4 remaining like that, that's also private?
 5 MS. KINGSLEY: That's private.
 6 VIVIAN FRANCESCO: Those are the only
 7 two places --
 8 MS. KINGSLEY: The only parking --
 9 VIVIAN FRANCESCO: -- that make sense.
 10 MS. KINGSLEY: Vivian, we noted your
 11 complaint. Thank you.
 12 VIVIAN FRANCESCO: Okay. There's no
 13 change anyway.
 14 MS. KINGSLEY: Right. The system is in
 15 place and the clean-up of the poles is
 16 continuing.
 17 VIVIAN FRANCESCO: So you're --
 18 MS. KINGSLEY: And there are very large
 19 signs at the beginning of every entrance to town
 20 that tell people that you need to know your
 21 license plate if you're going to park your car on
 22 the street. If you want to park it somewhere
 23 else, it doesn't matter, but if you're going to
 24 park on the street, that's the system.
 25 VIVIAN FRANCESCO: How many towns do

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1 fees. So my -- you know, I have a long letter
 2 here, so the key points in this letter are that
 3 there's 17 percent of our soccer club comes from
 4 New Hope. They grow up together with the kids
 5 from Solebury. They go to New Hope High School
 6 and with this fee, we know that some of the kids
 7 will leave and go to other towns to play and we
 8 don't want that to happen.
 9 So my ask here tonight is very simple.
 10 I don't care what you -- I don't care how you
 11 negotiate with Solebury, I just want you to
 12 negotiate with Solebury. I understand what
 13 they've ask for, I understand that you think it's
 14 highly unreasonable. I have no comment on that,
 15 I'm not a politician. I take a ball, I roll it
 16 out onto a field and I say, here you go kids, go
 17 play. So that's just my ask.
 18 They have told me that they were
 19 negotiations last year or attempted negotiations.
 20 I read through the minutes, I saw that you were
 21 supposed -- you had said in November or
 22 December's minutes that you were gonna pick it up
 23 in January. I know that hasn't happened --
 24 MS. KINGSLEY: Yes, it has.
 25 FRANK LAWSON: Okay. Well, you haven't

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1 talked to them.
 2 MS. KINGSLEY: No.
 3 FRANK LAWSON: Right, you haven't
 4 talked to Solebury so I'm just waiting for that
 5 because I'm the first program that's impacted.
 6 We have 400 -- we have 55 to 75 kids from New
 7 Hope that are gonna play so we have to figure a
 8 way to get that -- those fees out. So that's my
 9 only ask is to talk to the township supervisors.
 10 I will gladly sit in and participate, I will help
 11 as much as possible. I'm not a politician again,
 12 but I will try my best because this is just gonna
 13 ruin our program.
 14 MS. KINGSLEY: Frank, I think you know
 15 me well enough to know that that's certainly not
 16 the intention of the borough. The issue of
 17 shared services goes way back, all right? ALS
 18 was part of this, fire department, soccer,
 19 recreation, there are many other pieces to shared
 20 services.
 21 Back in August -- and I've said this
 22 publically at other meetings, it doesn't ever
 23 seem to get back -- we had a discussion, I had a
 24 discussion with Kevin Morrissey, I told him in
 25 August that with what the borough had on its

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1 Morrissey, multiple conversations with me. The
 2 fact that that hasn't been satisfactory to them,
 3 is unfortunate. We just haven't gone to the
 4 press and social media to make that point.
 5 So that's the situation and so when we
 6 put all the numbers out there, then we can sit
 7 down and negotiate, if at that point Solebury
 8 chooses to do so. So that's kind of where we
 9 are.
 10 FRANK LAWSON: I appreciate that.
 11 MS. KINGSLEY: Yeah, but it hasn't been
 12 ignored not by any stretch.
 13 FRANK LAWSON: And I thank you for the
 14 efforts because again, it impacts the kids --
 15 MS. KINGSLEY: Sure.
 16 FRANK LAWSON: -- more than anybody
 17 else and they're the ones who don't really have a
 18 vote.
 19 MR. MEYER: Quick question, when will
 20 it hit your program? Springtime?
 21 FRANK LAWSON: No. We have -- our
 22 registration starts in May, May through September
 23 and at that point in time --
 24 MS. KINGSLEY: You'll be fine.
 25 FRANK LAWSON: -- they will -- thank

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1 plate, there was no way we could even remotely
 2 consider this until January, at which time we
 3 would put together a shared services committee
 4 and address all of it. It can't be parsed. You
 5 can't just cut out recreation and say, let's talk
 6 about that because the volume of shared services
 7 encompasses the library, the ALS, the fire
 8 department, workman's comp for volunteers, the
 9 high school, the busing. There's a huge amount
 10 of -- there's a long laundry list of items that
 11 relate to both communities that are being parsed
 12 out, all right, for whatever reason.
 13 So publically said, we would form a
 14 shared services committee in the borough to do
 15 our research, which we didn't have an opportunity
 16 to do. Solebury has been doing it on park and
 17 rec for four years and a variety of other topics,
 18 we want that same opportunity. So our committee
 19 was formed in January, it's Peter, Tina and
 20 myself and as I said at the beginning of the
 21 meeting, at the April meeting we will release our
 22 shared services report. Solebury wasn't
 23 comfortable with the fact that we wanted time to
 24 do our research, Barb Brumback was aware of that,
 25 she had a personal conversation with me and Kevin

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1 you.
 2 MR. MEYER: Well, we'll have something
 3 by then.
 4 MS. KINGSLEY: You'll be fine.
 5 FRANK LAWSON: It's incumbent on us to
 6 pay the township, that's -- it's just not a well
 7 thought out plan and that's all I can say. So
 8 thank you very much.
 9 MS. KINGSLEY: Thanks, Frank.
 10 DAN DOOLAN: Dan Doolan from New Hope.
 11 When will you have that information that you're
 12 going to present?
 13 MS. KINGSLEY: I said earlier tonight,
 14 I just said again to Frank April, at the April
 15 meeting we will release the shared services
 16 report that the borough's prepared.
 17 DAN DOOLAN: And, Peter, that soccer --
 18 baseball's already impacted. We'll be starting
 19 here in April, so --
 20 MS. KINGSLEY: That's Solebury's
 21 choice.
 22 DAN DOOLAN: Baseball starts in April?
 23 MS. KINGSLEY: No, it's Solebury's
 24 choice that they choose to charge them \$50. And
 25 it's their choice that they couldn't wait for

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1 what we told them what we would initiate in
 2 January.
 3 DAN DOOLAN: As I said, Alison, I go
 4 way back with baseball. This was a topic 15, 20
 5 years ago.
 6 MS. KINGSLEY: Right, but never brought
 7 --
 8 DAN DOOLAN: That's, you know --
 9 MS. KINGSLEY: Let's not go there.
 10 Steve?
 11 STEVEN COPPENS: Steven Coppens. I
 12 just want to make sure that council recalls my
 13 comments at a work session a few weeks about this
 14 thing with the Solebury Township, situation.
 15 You were laughing then too. Okay. So
 16 you remember. Thank you.
 17 MS. KINGSLEY: Any other public
 18 comment?
 19 Any other board comment?
 20 Hearing none. Meeting adjourned.
 21 (Meeting concluded at 10:00 p.m.)
 22 ---
 23
 24
 25

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1
 2
 3
 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.
 14
 15
 16
 17 TARA WILSON, C.R.
 18
 19
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