

NEW HOPE BOROUGH COUNCIL
BUCKS COUNTY, PENNSYLVANIA
- - -
COUNCIL WORKSHOP - MARCH 2023
- - -
NEW HOPE BOROUGH COMMUNITY ROOM
123 NEW STREET
NEW HOPE, PENNSYLVANIA 18938
- - -
MONDAY, MARCH 6, 2023
COMMENCING AT 4:00 P.M.
- - -
BOARD MEMBERS PRESENT:

CONNIE GERING - PRESIDENT
LAURIE McHUGH - VICE-PRESIDENT
TINA RETTIG
DANIEL DOUGHERTY
PETER MEYER
LOUISE FEDER
KEN MAISEL
- - -
ALSO PRESENT:

PETER GRAY - BOROUGH MANAGER
MICHAEL CUMMINGS - CHIEF OF POLICE
MARY STOVER - ZONING OFFICER
MATTHEW DECKER - AUDIO TECHNICIAN

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2 PRESIDENT GERING: Call the meeting to
3 order.
4 Peter, if you can take roll.
5 MR. GRAY: Certainly.
6 Ms. McHugh?
7 MS. McHUGH: I am here.
8 MR. GRAY: Ms. Rettig?
9 MS. RETTIG: I am here.
10 MR. GRAY: Ms. Feder?
11 MS. FEDER: Here.
12 MR. GRAY: Mr. Dougherty? Mr. Maisel?
13 MR. MAISEL: Here.
14 MR. GRAY: Mr. Meyer?
15 MR. MEYER: Yes.
16 MR. GRAY: Mayor Keller? Ms. Gering?
17 PRESIDENT GERING: Here. Thank you.
18 Do we have any public comment on the items
19 on the agenda? Thank you.
20 MS. McHUGH: How do we sound? We have new
21 microphones.
22 PRESIDENT GERING: Can you hear us?
23 MR. CLAPPER: Yes.
24 PRESIDENT GERING: Thank you, Matt.
25 All right. First is a discussion on

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3 I N D E X
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5 AGENDA ITEM PAGE NO.
6 Chapter 259 - Vehicle and Traffic 3
7 Chapter 275-31 - CC Central Commercial District .. 6
8 PA DEP Stormwater Management Update 13
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2 proposed ordinance amendment to Chapter 259 for Vehicles
3 and Traffic. This is an amended -- here comes Dan --
4 - - -
5 (Mr. Dougherty arrived at the meeting.)
6 - - -
7 PRSIDENT GERING: -- ordinance that --
8 Pete, I will let you and the Chief explain it because you
9 have been working on this.
10 My understanding is a lot of the violation
11 fees have not been upped in years according to our Chief.
12 So this is to put it more in line so we can also control
13 it under our fees that we update every year rather than
14 doing it -- so Pete, if you can explain this.
15 MR. GRAY: Certainly. We took a look at
16 the existing ordinance and determined that quite a few of
17 the fees for penalties and fines are included in the
18 ordinance itself.
19 We made an attempt to take them out and to
20 put them into the fee schedule, which Council can do in
21 the future on an annual basis or as needed throughout the
22 year, change those amounts instead of revisiting an
23 ordinance and going through the advertising requirements
24 and the option over the amending ordinance so it would be
25 a little more streamlined to have the fee schedule with

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1 those rates going forward.
 2 We also did take a look at the fees
 3 themselves to determine what could be increased for what
 4 was existing and what could be proposed for the future.
 5 We also took a look at one of our streets
 6 to have permanent parking on there going forward, Division
 7 Street. And we also visited the section of the ordinance
 8 that deals with skateboards and the like for limitations
 9 on what they may be going forward.
 10 With that, we came up with an amended
 11 ordinance for your consideration and any comments you may
 12 have.
 13 PRESIDENT GERING: Any questions from
 14 Council?
 15 MR. MAISEL: I just had a few things that
 16 I wanted to -- throughout the whole document is the as
 17 determined by Borough Council approved by our fee
 18 schedule.
 19 MR. GRAY: Yes.
 20 MR. MAISEL: So that is kind of strewn
 21 throughout this whole thing. How does that get
 22 determined? Who is going to make that determination as to
 23 what the fees should be for a violation of those things?
 24 Is that my -- am I reading that right?
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1 MR. GRAY: So what is in there right now,
 2 just as an example in Section 259-16 it was \$25 and costs.
 3 So they would be transferred to the fee schedule and those
 4 costs would be revisited on an annual basis to see if
 5 there is a potential for increase.
 6 MR. MAISEL: The ones where it says it is
 7 to be determined through the Borough fee schedule, it is
 8 in the schedule right now, the proposed schedule?
 9 MR. GRAY: No. Right now it is in the
 10 ordinance. So as we move forward with this process, we
 11 will amend the ordinance to have language that would say
 12 it would be in the fee schedule and then when we go to
 13 adopt it, at that time I will present to you an amended
 14 fee schedule. So those rates would be in there.
 15 MR. MAISEL: I got you. Okay. I
 16 misunderstood. Okay.
 17 PRESIDENT GERING: Okay. Any one else
 18 have questions?
 19 All right. Next is a discussion for
 20 proposed ordinance amendment to Chapter 275-31 for the CC
 21 Central Commercial District.
 22 MS. FEDER: Would it be helpful for Mary
 23 to give us a --
 24 PRESIDENT GERING: Yes.
 25

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1 MS. STOVER: I was just waiting. I didn't
 2 know if Peter wanted to take the lead or --
 3 PRESIDENT GERING: Go ahead. We will let
 4 you do that.
 5 MS. STOVER: This is something that the
 6 Planning Commission has been working on since the summer
 7 of 2021 where numerous meetings have been held to discuss
 8 some revisions to the CC Central Commercial District.
 9 So generally what I think the intent was to
 10 try to encourage additional retail, not allow some of the
 11 retail or commercial space to be converted to residential
 12 but to allow for more residential on the upper levels of
 13 the buildings as opposed to at street level.
 14 So also a new use called a multiuse
 15 building, which does allow for commercial on the bottom
 16 floor and then there is residential on the upper floors as
 17 a permitted use in this district. The ordinance was
 18 reviewed by the Borough Solicitor's Office and they had a
 19 couple minor changes which have been incorporated.
 20 So I don't know if any one has any
 21 questions.
 22 PRESIDENT GERING: I know in the past we
 23 have had inquiries if certain businesses could add
 24 residential on top of their businesses so I think this
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1 would address that issue.
 2 MR. MEYER: It also addresses another
 3 critical issue which is one of the concerns of the
 4 Planning Commission was the maintenance of the retail
 5 establishments in town and we did not want to see -- we
 6 thought this was the intent of Council, to see a reduction
 7 in the square footage available for retail.
 8 So there were no substituting residential
 9 for retail in a business district and that is something
 10 else addressed within this ordinance, agreeing that ground
 11 floor uses have to be retail. That does not constrain
 12 residential on upper floors.
 13 MR. DOUGHERTY: Is there a map of the CC
 14 Business District that we can stare at? I mean just so
 15 that we can discuss it on the same page as to what the
 16 applicability of it is. I know there is a map.
 17 MS. STOVER: Are you able to pull up the
 18 website?
 19 MR. DOUGHERTY: I think it does -- I have
 20 a vested interest. I will put that right out there. I
 21 happen to own a property that is mixed use and I will have
 22 to excuse myself from the vote I guess.
 23 I think it might be just on the cusp of the
 24 CC and it is currently used as a business and a person
 25

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2 lives there, and when that person's business goes away, it
3 will be converted to residential.

4 So I just need to know what the map looks
5 like, just -- if we can -- we are not voting on anything,
6 even to advertise this tonight?

7 PRESIDENT GERING: No, this is for
8 discussion.

9 MR. DOUGHERTY: Maybe we can -- if we can
10 have for the next time around with this thing, have a copy
11 of the map. I know I can look it up online.

12 MS. McHUGH: Here it is right here.

13 MR. DOUGHERTY: In the interest of full
14 transparency, I am completely selfish in my question at
15 this time.

16 MS. FEDER: So while the map is being
17 pulled up, just a quick question for Mary or for Peter.

18 So the definition of multiuse building is
19 not in our ordinance?

20 MS. STOVER: Correct. But we do allow an
21 -- like an accessory, one residence an accessory to a
22 business. But it can only be one and it is an accessory
23 use. This would allow potentially multiple residential
24 uses on the second or above floors.

25 MS. FEDER: Okay.

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2 there is things all the way up Ferry Street -- my previous
3 home on Ferry all the way up to the point near the library
4 was mixed use. I mean it was an antique place in there
5 for 50 years prior to somebody else buying it.

6 The point is now that is residential but I
7 guess that must have been some sort of thing where they
8 got a variance. Maybe. Who knows. Maybe -- probably
9 there for so long.

10 As you go down where the barbershop is for
11 example, the barbershop is CC and it is like there is four
12 houses there, five houses in a row and all of the houses
13 across -- I think it is the barbershop and Amelia's are
14 the only two things that are commercial on Ferry Street.
15 But then once you get on the other side of the canal you
16 get commercial again.

17 I am just throwing it out there that maybe
18 it should be looked at a little bit -- I don't know, maybe
19 it is what it is. I don't know.

20 MS. FEDER: I think we are trying to
21 preserve the heart of town as a commercial district first.
22 It is not to say you can't have a residence in the CC,
23 just that -- I mean this is me trying to understand the
24 Planning Commission, so please correct me if I'm wrong, so
25 it sounds like what we are trying to do with this

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2 MR. MEYER: What we have is a situation
3 which we didn't really recognize formally, the fact of
4 mixed use so that once that had to be stated as being
5 subordinate to the other when in reality what we have is
6 two things that are parallel and that is what this
7 recognizes.

8 MS. FEDER: That makes sense.

9 MS. STOVER: You can also if you wanted
10 to, have a commercial use on the first floor and an office
11 on the second floor or something like that. This will
12 allow that.

13 MS. FEDER: So you can have a shop and an
14 office, it doesn't have to be a shop and an apartment?

15 MS. STOVER: Right.

16 MS. FEDER: Okay.

17 PRESIDENT GERING: Any more questions?

18 MR. DOUGHERTY: Yes. No. I figured out
19 the applicability but I think if we had the map for
20 everyone next time, it would be helpful.

21 PRESIDENT GERING: Good recommendation.
22 All right. Thank you.

23 MR. DOUGHERTY: And maybe -- I am sorry.
24 When you look at the CC it -- to me it looks kind of
25 antiquated because it doesn't really -- I don't know,

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2 conversation is just formalize it so that going forward
3 there is a path for somebody who wants to have a store on
4 the bottom and an apartment or whatever on top.

5 It just defines that more clearly and
6 encourages that as a use in the CC so that we don't lose
7 the retail heart of the town.

8 MR. MEYER: Just a reminder to everybody
9 when we are putting in an ordinance like this is part of
10 use controls, existing uses are grandfathered in with
11 regard to the residential.

12 MR. DOUGHERTY: And I just -- not this
13 part, this part is not selfish by the way.

14 One of the things we have been -- we should
15 be cautious of and we are thinking about is mixed use. We
16 all think of the idea that there will be a lovely little
17 shop or something like that.

18 I know that in the past well before I ever
19 owned it, some of the properties on Ferry Street were like
20 doggie daycares right next to an adjoining house and strip
21 of houses where those houses were pure residential.

22 So if you want -- you just have to be
23 cautious of what you ask for. I don't know if doggie
24 daycare or -- I don't know if any one would want a doggie
25 daycare next to their home on the party wall, on the other

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 2 side of the party wall. I don't know any one -- I think
 3 it is a safe thing to say no one wants 30 dogs in the
 4 house next door yelping all morning or people coming and
 5 going dropping their dogs off.
 6 Everybody wants a mug shop or something
 7 cute, maybe a bridal gown shop. I don't know if --
 8 MS. STOVER: I don't know that a doggie
 9 daycare or any daycare would be a permitted use in the CC.
 10 MR. DOUGHERTY: Maybe dog cleaning. I
 11 don't know. The point is we all have this idea that what
 12 a shoppe, S-H-O-P-P-E, looks like and sometimes it is not
 13 what we like, it is a tattoo parlor. Could be a tattoo
 14 parlor for example. She is nodding her head.
 15 PRESIDENT GERING: I think we have an
 16 ordinance to control tattoo parlors.
 17 MS. STOVER: They may be limited to the HC
 18 District. There are some things that you may --
 19 PRESIDENT GERING: Good point, Dan.
 20 MR. MEYER: There is a list on the
 21 ordinance of permitted uses, Dan. I think that will
 22 handle some of that that you were concerned about.
 23 MR. DOUGHERTY: They say the path to hell
 24 is paved with good intentions.
 25 PRESIDENT GERING: All right. Next is

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 2 So I will go through each one. MCM1 is for
 3 public education and outreach. The Borough is required to
 4 have a program to raise awareness regarding stormwater and
 5 its impact on local waterways. Provide information on the
 6 ways the public can help reduce pollution to our streams
 7 and use at least three methods of distribution.
 8 So here in the Borough we have information
 9 on the Borough website, information in the Borough office.
 10 We have discussed stormwater issues at Council meetings
 11 and put articles in the Borough newsletter and information
 12 is provided with the building permits when they are
 13 issued.
 14 MS. McHUGH: Can I stop you for a second?
 15 Have we done any of this? I have never seen anything
 16 about our stormwater system. I have seen it in
 17 Lambertville. I know they do it.
 18 MS. STOVER: Like in the newsletter.
 19 MS. McHUGH: I have never seen anything.
 20 MS. STOVER: That article is right from
 21 your newsletter. I gave it to them to put it in there.
 22 It is keeping pollution out of your storm drains. That
 23 was in your last newsletter.
 24 MS. McHUGH: Okay. Was there anything
 25 before that though? I am just saying I have lived here

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 2 Pennsylvania DEP Stormwater Management Update. That is
 3 yours.
 4 MS. STOVER: That is mine, yes. Wearing
 5 my other hat.
 6 I am the MS4 coordinator at CKS. So it is
 7 a requirement of the Borough's MS4 Program that we have a
 8 public meeting to discuss the requirements of the permits
 9 and how the Borough is addressing them. So I think Matt
 10 has my presentation somewhere.
 11 The purpose of the MS4 Program is water
 12 quality to try to protect the streams and rivers in the
 13 State.
 14 So the New Hope Borough MS4 Program has a
 15 permit that was issued by the DEP on September 1st, 2019
 16 and it is a five-year permit which expires August 31st,
 17 2024. Typically the renewal application is required six
 18 months prior to the expiration but we have not heard if
 19 there will be any changes for the next permit period.
 20 So New Hope's permit includes six minimum
 21 control measures is what they call them; public education
 22 and outreach, public participation and involvement,
 23 illicit discharge detection and elimination, construction
 24 site stormwater control, post-construction stormwater
 25 management, pollution prevention and good housekeeping.

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 2 15 years and I have never seen anything about stormwater.
 3 MS. STOVER: They have only been required
 4 since 2019, but I don't know.
 5 MS. McHUGH: I am not attacking anybody, I
 6 am just saying I go to Lambertville and there is stuff on
 7 -- where this -- don't pour anything here, it leads to the
 8 river, stuff like that. I have never seen anything like
 9 that.
 10 MS. STOVER: We don't have anything like
 11 stenciling and that type of thing here at least at this
 12 point. There is a pamphlet available at the lobby office.
 13 I had to show it to the DEP inspector when he was here to
 14 prove it was here. There is information on your website.
 15 I think that has been up probably since the beginning.
 16 MR. MAISEL: I guess the question that
 17 Laurie is bringing up is what constitutes compliance with
 18 this? We are saying we are in compliance.
 19 MS. STOVER: We have to have at least
 20 three methods of distributing this information. So it has
 21 been on the website, we have articles in the newsletters,
 22 we do have pamphlets at the Borough office. So all of
 23 those things count.
 24 MR. MAISEL: So you need three for each
 25 one of these six?

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 2 MS. STOVER: Three just to tell people
 3 about stormwater management and water quality.
 4 MS. FEDER: But Mary --
 5 MS. STOVER: The other items are different.
 6 MS. FEDER: Mary, if we -- not to derail
 7 your presentation, but if we wanted to pursue stenciling
 8 or anything like that, we can go above and beyond?
 9 MS. STOVER: Absolutely. And a lot of
 10 people do that, like the little fish symbol that says
 11 drain leads to the stream or something.
 12 MS. McHUGH: We do have a lot of stuff on
 13 our website.
 14 MS. RETTIG: So this thing -- it said the
 15 permit requires at least one meeting discussing the
 16 requirements of the Borough stormwater permit by March
 17 15th, 2023.
 18 MS. STOVER: We are doing it right now.
 19 MS. RETTIG: Okay. I just wanted to
 20 clarify that we don't need another meeting.
 21 MS. STOVER: Nope. This is it.
 22 The next one is public participation and
 23 involvement.
 24 MS. RETTIG: I just wanted to make sure.
 25 MS. STOVER: This is it.

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 2 We have to advertise any time we have a
 3 stormwater ordinance amendments, which we did last year in
 4 2022. Encourage participation, what we do is encourage
 5 participation in recycling, hazardous waste. That is on
 6 the website. And we do have to have at least one
 7 inspection prior to March 15th which we are having today.
 8 So for the third one is illicit discharge
 9 detection and elimination. This require stormwater
 10 mapping which has been budgeted for this year for
 11 completion. There has to be dry weather screenings of the
 12 outfalls location. There are nine locations in the
 13 Borough and they have been inspected during this permit
 14 period.
 15 We have to adopt an ordinance consistent
 16 with the model ordinance, which we did last year. Educate
 17 the public regarding illicit discharges. There is some
 18 information on the website regarding that. And then
 19 provide methods to reporting illicit discharges to the
 20 Borough.
 21 In the articles and on the website it
 22 indicates that you should contact the Borough phone number
 23 if you see someone discharging something into the stream
 24 or an inlet.
 25 So the fourth one is construction site

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 2 stormwater management. This just requires that you don't
 3 issue any permits or approvals without the applicant
 4 having gotten their NPDES permit from DEP if there is one
 5 acre or greater of earth disturbance. Then you have to
 6 implement the requirements for erosion and sediment
 7 controls from your stormwater ordinance.
 8 The fourth one is post-construction
 9 stormwater management. This requires that you implement
 10 and enforce the ordinance requirements for the
 11 post-construction stormwater management. Basically --
 12 typically like rain garden beds and seepage beds for most
 13 of the properties because they are smaller properties here
 14 in New Hope.
 15 Then we are required to inventory and track
 16 maintenance for these facilities for any of the facilities
 17 that were put in with an NPS permit. Those are the larger
 18 projects such as the River House or something like that
 19 that have one acre or more of earth disturbance.
 20 And then finally, pollution and prevention
 21 and good housekeeping. We have to have a written
 22 operation and maintenance program for Borough facilities
 23 and activities. This includes like salt storage and
 24 maintenance at the garage to make sure there is no oil
 25 leaking and things like that.

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 2 And then there is a requirement for
 3 employee training for officials, staff and consultants
 4 that we report each year to make sure that everybody is up
 5 to date and know what the requirements are and how to best
 6 handle pollutants if they are discovered and that type of
 7 thing.
 8 So we submit an annual report in September
 9 each year and we recently had an inspection by DEP to see
 10 that we were complying appropriately and they were
 11 satisfied with what they saw.
 12 MS. McHUGH: Good.
 13 PRESIDENT GERING: Thank you.
 14 MS. McHUGH: Pete, can we put this stuff
 15 on Facebook?
 16 MR. GRAY: Certainly.
 17 PRESIDENT GERING: Any questions from
 18 Council? All right.
 19 MS. McHUGH: I thought it was a very nice
 20 presentation.
 21 PRESIDENT GERING: How many people are
 22 online? I forgot to ask you.
 23 MR. DECKER: Zero.
 24 PRESIDENT GERING: Thank you. All right.
 25 If there is discussion from Council -- we

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2 covered everything on the agenda. Can I have a motion to
3 adjourn?

4 MS. McHUGH: I will make that motion.

5 PRESIDENT GERING: Okay. Everybody travel
6 safely.

7 - - -

8 (The proceedings were concluded.)

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C E R T I F I C A T E

I hereby certify that the proceedings
and evidence are contained fully and accurately in the
notes taken by me in the above cause and that this is a
correct transcript of the same.

Karen W. Browndorf, RPR
Official Court Reporter

- - -

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