

New Hope Borough Planning Commission
Monday, April 18, 2022
Meeting Minutes

The New Hope Borough Planning Commission met on April 18, 2022 in the public meeting room. In attendance and voting were Chairman Keith Voss and members Nick Gialias (arrived at 7:14 PM), Lawrence Greenberg and Lou Bellafronte. Also in attendance were David Kimmerly and Matthew Walters of the Bucks County Planning Commission (BCPC) and Mary Stover, Interim Zoning Officer.

Call to Order: Mr. Voss called the meeting to order at 7:00 PM.

Public Comment: None.

Minutes: Monday, March 21, 2022 Meeting Minutes; postponed until a quorum was present.

Protection of Historic Resources:

Mr. Kimmerly stated that most changes to the proposed ordinance amendment for 275-46 that was distributed in the packet have been marked in the document.

Mr. Voss stated that he has several questions or comments on the current draft document. He noted that in Section 275-46.C the requirement should be that Historic Building and Structures Inventory include buildings that are 50 years or older AND is significant for its association with an important person, an important event, etc. Mr. Greenberg agreed that it should be both and not simply that the building is 50 years old. The reason for choosing 50 years old was discussed. Mr. Kimmerly stated that 50 years old comes from the fact that a building must be 50 years old or more to be on the National Historic Register. Mr. Kimmerly also noted that buildings from the 1960's may be significant due to a relationship with artists and/or activists that were in the area at that time. It was agreed that a building must be both 50 years old or more AND be significant for the other reasons noted.

Ms. Cherie Weller, 118 N. Main Street, asked if the requirements being discussed were for everyone or just for buildings in the Historic District. Mr. Voss responded that the requirements in this section are for buildings that are not in the Historic District, but for buildings or structures outside of the Historic District that may have historic significance.

Mr. Greenberg further explained that the intent is to hire a consultant to advise what buildings or structures would qualify to be on the proposed Historic Building and Structures Inventory. Mr. Voss described the criteria for a building or structure to be included on the Inventory. In addition to being 50 years old or older, the building or structure must be associated with an important person, an important event or pattern of history, or is significant for its architecture, workmanship, design, engineering, or construction technique.

Mr. Weller asked if these proposed requirements were in place of the averaging proposed in the RB-1/RB-2 Zoning District that was recently discussed. Mr. Voss noted that this is completely separate from the prior proposal.

Mr. Voss asked about proposed Section 275-46.G.2.l in the draft ordinance. This section states the applicant should provide an estimate of the cost of the proposed erection, reconstruction, alteration,

restoration, demolition or razing and an estimate of any additional costs that would be incurred to comply with the recommendations of Council to deny demolition. Mr. Voss asked what “additional costs” would include. Mr. Kimmerly stated that additional costs could include expenses such as architectural or engineering costs associated with these items. Mr. Voss stated it looks like the first part is the cost of reconstruction, etc. if accepted vs. the cost if it is not accepted.

Ms. Weller asked about the purpose of these requirements. A discussion of the purpose of and a summary of the proposed ordinance followed. The proposed requirements would only apply to buildings or structures that were determined to have historic significance described previously and only if the applicant/owner was proposing demolition. It was stated that the Planning Commission wanted to allow for flexibility in what should be presented to Council for consideration of an application for demolition.

Mr. Clapper was present at the meeting and asked who brings a request to Council. Mr. Greenberg responded that this would be a request by the property owner for demolition. There is a Conditional Use approval process for a proposed demolition request. The ordinance also provides incentives to encourage preserving historic buildings or structures if possible. Mr. Voss noted that the ordinance would allow for alternative uses for historic structures.

The discussion returned to the wording in Section 275-46.G.2.I. Mr. Kimmerly stated he would work on the wording of this section to make it more clear.

Mr. Greenberg asked if the applicant would be requested to bring costs to justify why they wanted to demolish the building or structure.

Ms. Weller asked if two sets of plans and costs would be required with one for demolition and one for reconstruction. She noted this could be expensive.

Mr. Bellafronte the costs would be based on cost per square foot or an architect's estimate. The applicant would not be required to have two sets of fully designed plans and detailed cost estimates. It would be general overall costs for comparison.

Mr. Voss noted that the purpose was to be able to list things that would help someone seeking approval for demolitions. Ideally, a historic building could be preserved. Information would be needed so that Council could consider the options. Mr. Gialias questioned if the concept was to have criteria to make a comparison of the cost to rehabilitate a structure vs. the cost for demolition and reconstruction. Mr. Greenberg noted that the ordinance asks for information but does not tell Council how to decide whether to allow demolition.

The phrase “reasonable rate of return” was discussed. Mr. Kimmerly noted that this is defined in Section 275-46.J of the proposed ordinance. Mr. Greenberg asked what is reasonable. Zero is not reasonable, but how do you determine what rate is reasonable. Mr. Kimmerly stated that it cannot be zero or less or that would be taking the property. Mr. Voss asked how do you define reasonable. Mr. Kimmerly stated that there would be a Conditional Use Hearing and Council would have to determine if there could be a reasonable rate of return if the building were preserved.

Mr. Kimmerly read the proposed definition: “a situation where there is a commercially viable historic building with financial profit or capital appreciation from use or ownership of the historic building. This includes situations where adaptive re-use may be supplemented by allowing additional commercial and

residential development on the property to fund the rehabilitation of the historic building or structure, and to ensure the ongoing economic sustainability of the historic building or structure.”

It was discussed what amount of return could be considered reasonable or if there was a standard index that could be referenced.

Ms. Weller asked if there are any existing commercial properties that are not within the Historic District. It was noted that the HC-Highway Commercial and the SC-Shopping Center Zoning Districts at the upper end of Bridge Street are outside of the Historic District. Mr. Voss noted that the proposed ordinance would allow for uses that may conflict with what is specifically permitted in the Zoning District. A commercial use may be permitted in a residential district to provide income to support preservation of a historic building.

Mr. Voss asked about the section on passive demolition (Section 275-46.I). It was noted that the first sentence was not clear. Mr. Voss suggested that it could state “Lack of structural soundness may not be used as excuse ...” Mr. Kimmerly noted that passive demolition means more than structural stability. It could mean leaving a building unlocked so that vandals had access or allowing rats or other animals to enter a structure. Mr. Kimmerly suggested that the sentence could be changed to say that demolition by neglect is not a reason to request permission to demolish a structure. Mr. Greenberg suggested that it could say that conditions resulting from deliberate neglect.... Mr. Clapper noted that it is difficult to prove something was deliberate. Mr. Kimmerly agreed. He noted that Council could ask for what maintenance was performed, how long the current owner has owned the building and other factors.

There was a discussion about other uses that could be permitted in a residential district in order to generate income to preserve a historic building. Uses such as family day care, single customer hair salon, a home occupation with limited number of clients were suggested. It was noted that this is a Conditional Use approval so Council could include conditions in the approval regarding the hours , lighting, signage, etc.

Ms. Weller asked if neighbors would be notified of a request for the Conditional Use approval. It was noted that neighbors are not notified for a Conditional Use.

There was a discussion of an Accessory Dwellings or short term rentals as possible ways to generate income.

Mr. Kimmerly noted that he would make further revisions based on the discussions.

CC – Central Commercial District

It was noted that a new use was added for a “Mixed Use”. Mr. Voss stated that the goal is to keep the CC district as Commercial, particularly at the street level (first floor) and allow for residential or office on the second floor. It was discussed that the current requirements only allow one residential dwelling as a accessory use to a commercial use.

There was a discussion about whether the number of residential uses should be limited or if minimum sizes should be included for various units. Mr. Bellafronte stated that it would be beneficial to have a variety of dwellings including studio apartments, 1-bedroom or 2-bedroom.

Mr. Voss questioned the purpose of C.3 in the definition of a mixed-use building which states that nonresidential uses shall be on the basement level or on the first story above grade only. It was suggested that this section be removed. It would be acceptable to have a nonresidential use on the second floor such as office.

Mr. Greenberg questioned why residential units were limited to two in a mixed-use building. Mr. Bellafronte agreed that there should not be a limit on the number of units. It was discussed whether there should be a minimum square footage for a residential unit. It was discussed that any size was acceptable provided that each unit had a bathroom and a kitchen. Ms. Stover read the definition of a "Dwelling Unit". Mr. Greenberg did not want to limit the number of units.

Mr. Voss stated that he wanted to make sure that it was not just a small store front on the first floor with mostly residential uses. It was discussed that some applicants have looked at providing parking under the second floor in order to have more apartments. Mr. Gialias suggested that there could be a limit such that the residential use on the upper floors could not have a larger square footage than the first floor level.

Ms. Weller suggested that a minimum percentage requirement for the amount of nonresidential uses could be considered. Mr. Gialias was concerned about a percentage requirement since it might be different for a two story building vs. a three story building.

Mr. Clapper asked if we wanted to limit the number of people living downtown. He thought the residential uses would enhance the downtown district.

Mr. Voss suggested that any floor above the first floor could not have more square footage than the first floor except if the additional square footage is commercial. Mr. Gialias suggested that the second and third floors could be 150% of the first floor if the upper floors were residential to allow for covered parking. It was noted that the available parking spaces would limit the number of units. Mr. Voss suggested 125% of the lower floor.

Due to the time, it was decided to delay a discussion about parking requirements for a mixed-use building until another meeting. Mr. Walters said that he would put together options.

Mr. Clapper asked about the Comprehensive Plan. Mr. Voss indicated that they are wrapping up the ordinance discussions and then they would work on the Comprehensive Plan. Mr. Clapper asked about a time table. Mr. Voss thought they would begin discussions in June or July. He noted that this is good timing for the Comprehensive Plan since the last one is from 2011.

Mr. Greenberg indicated they could look at what other ideal communities were doing. Mr. Walters indicated other municipalities are trying to emulate New Hope.

Minutes: Monday, March 21, 2022. Mr. Bellafronte made a motion to approve the minutes for Monday, March 21, 2022. Mr. Greenberg seconded the motion. The minutes were approved with a vote of 3-0-1 with Mr. Gialias abstaining.

Adjournment: Mr. Bellafronte made a motion to adjourn, Mr. Gialias seconded. The meeting adjourned at 9:12 PM.