

NEWTOWN BOROUGH PLANNING COMMISSION MEETING MINUTES

April 4, 2011
(Revised 05-31-11)

In attendance were members Debbie Donofry, Paul Salvatore, Paul Snyder, Jayne Spector, Warren Woldorf, David Young, and Borough Council Liaison, Mike Sellers. Not present was member Bill Heinemann.

Also in attendance were development team representatives Allan Smith, Robert Hillier, and Andy Buchsbaum. Audience members included Robert Bartels, Paul Blancato, Diane LeBas, James McAuliffe, Dennis O'Brien, Theodore Schmidt, George Stockburger IV, Robert Walker, other attendees, and members of the press.

Note: The development team and all audience members were present for the "Stocking Works II" presentation only.

Call to Order

Chairman Woldorf called the meeting to order at 7 PM and welcomed members of the public to the meeting. He stated that member Bill Heinemann and Recording Secretary Christy Flaherty would not be present at the meeting and that Ms. Donofry would be recording the minutes. In addition, Chairman Woldorf stated he was recording the proceedings.

Chairman Woldorf asked Commission members for their concurrence in rescheduling approval of the March 7, 2011 meeting minutes to a time later in the meeting to allow the presentation to begin promptly. All members agreed.

Applicant Plan Review - Sketch plan discussion of "Stocking Works II" land development.

Chairman Woldorf introduced developer Allan Smith, who provided a brief history of the project. The concept plan was first presented to the public in the summer of 2009. The original concept and the current sketch plan are both based on recommendations contained in the updated Comprehensive Plan and suggestions by the former Joint Downtown Newtown Corporation (JDNC). Mr. Smith noted that the JDNC's downtown concept is shown on the "vision map" hanging in Borough Hall's meeting room. The last plan presented had indicated a mixed-use development with approximately 100,000 sq. ft. of office space, 55,000 sq. ft. of retail space, and 140 condominium dwelling units. The intent at the time was for the residential use component to finance the planned parking garage and site amenities. Mr. Smith noted that financial investigation and calculations during the past year resulted in revising the plan. The area of proposed office use is replaced by additional residential use to still enable the parking garage and site amenities to be financed by the project. He predicted several benefits of this change which include an anticipated 25% reduction in traffic generated by the development, daytime availability of more parking spaces for the Borough business district, and lessened traffic volume on State Street and Centre Avenue. Mr. Smith stated that the overall plan for the project is not to replicate the historic look of existing buildings in the area, but to provide well-designed and well-built structures that complement the Borough's historical buildings.

Mr. Smith introduced Bob Hillier, architect and a partner in this development. Mr. Hillier identified three major aspects he considers in planning a development. The first is addressing a community's need; in this case, parking and public/open spaces. The second is that the development enhances the neighborhood, and third, to design and provide quality in the architecture of proposed structures in the development. He described several design facets of the sketch plan. The parking garage has been reconfigured and placed directly behind new buildings along the proposed alley. For public use, a central large "piazza" is provided that could be used for major public events. A second piazza is situated along Centre Avenue, serving as a focal point and an access to Newtown Creek. He also proposed that Penn Street could serve primarily as a pedestrian entrance into the site. With the exception of the multi-family dwellings at the south end of the site, which will have dedicated parking below the residential structures, other buildings proposed are mixed-use, having retail at street level and residential above. Mr. Hillier proposed that buildings would be covered with sod roofs for managing storm water, enabling rainwater reclamation for building use and site irrigation. He also referenced several site amenities discussed in past presentations. These included a pedestrian bridge connection to the Township ball fields, a "creek walk," and an amphitheater along a portion of the creek bank.

Mr. Hillier invited Andy Buchsbaum to speak about the design philosophy the development team is considering for the site. Mr. Buchsbaum displayed several examples of simple industrial-style buildings and emphasized their detailing, noting similarities in the general style and design elements of non-residential buildings in the Borough. He explained that Newtown buildings are uncomplicated, but unique, due in part to the variety of colors, heights, and roof types. He cautioned against styling new buildings to mimic Newtown's historic structures, as their uniqueness might be diluted as a result of the new imitations. He cited New Hope as an example of where this has occurred. He presented several schematic elevations of the proposed development along Borough street frontages, explaining that new building footprints should reflect the general sizes of non-residential structures in the Borough. They should have non-monolithic facades "broken-up" by a variety of materials, color, and detailing. New building scale, mass, and height should respect those attributes of existing buildings.

The development team asked for questions and comments from Planning Commission members and the audience.

Paul Snyder asked about the scale and size of the proposed parking garage. Mr. Buchsbaum replied that the current sketch plan accommodates a total of 703 parking spaces, 469 garage and on-street spaces, and 234 spaces below the multi-family dwelling structures. He stated that this number will likely change as the plan develops further. Both scale and size of the garage differ from the site plan shown previously; the structure is not as long and much of it is concealed from view by building structures on the side adjacent to the proposed alley.

Paul Salvatore asked how many condominium units are planned, how much parking will be provided for them, and how much parking will be provided for retail uses. Mr. Smith responded that between 275 - 325 dwelling units are being considered presently. Financial and engineering factors will determine a more refined total of dwelling units as the project is refined. He noted that the number of parking spaces calculated for retail use also will be determined as the project develops beyond the sketch plan phase, and that current general calculations are based on industry standards and Borough precedents.

Chairman Woldorf asked how many parking garage levels are being considered based on these present calculations. Mr. Hillier and Mr. Buchsbaum answered that five levels are anticipated.

Jayne Spector requested that an elevation of a portion of the development at the creek walk be provided. She expressed a concern that the proposed alley may act as a service road for the development and noted the potential difficulty in designing it to also serve as a pedestrian route within the business district. She asked if the development team also considered "wrapping" the parking garage with buildings on the creek-side of the structure. Mr. Buchsbaum stated that the alley would function primarily as a retail street rather than a service road. Mr. Hillier noted that site depth limits the opportunity to envelop the parking garage on both the alley and creek-side, and that wrapping a single side as shown likely would not have been possible without reducing the traffic lane to single-direction within the garage. Ms. Spector asked how and where deliveries would be made to retail uses in the development. Mr. Hillier showed the location of delivery access points and routes on the site plan and suggested that delivery times should be scheduled.

Chairman Woldorf asked about the potential for a grocery store tenant, which had been proposed on the previous plan. Mr. Smith replied that a grocery store would definitely draw customers to the development, citing the close proximity of this location to Borough residents, who currently drive to surrounding townships to buy groceries. Mr. Hillier referenced a 7000 sq. ft. Italian-style grocery store in the center of Princeton that has become very popular. He envisions that a similar establishment could be quite successful in the Borough business district.

David Young asked how much retail space is planned for this development. Mr. Smith replied that the current sketch plan incorporates 60,000 sq. ft. of proposed retail space.

Jayne Spector asked about the minor differences she observed between the sketch plan presented at the meeting and the one provided to members for review prior to the meeting, and if the presentation plan is a refinement of the other scheme. Mr. Buchsbaum remarked that the presentation plan does show some graphic refinement, and that more substantial refinement will occur as the design of the project advances.

Mike Sellers requested a description of what might be observed by a pedestrian on the creek walk. Mr. Hillier explained that the current concept would offer a visitor arriving at the creek walk from the Centre Avenue piazza views and use of a cafe or restaurant with outdoor seating, a grocery store with possible creek-side access, landscaped public areas along the parking garage length, another cafe with outdoor seating, and landscaped areas adjacent to the residential structures. Mr. Sellers noted that public use and interaction along the length of the creek frontage should be an important facet of this development.

Allan Smith explained that the parking garage shown on the previous plan was a much longer structure, extending closer to Centre Avenue. Chairman Woldorf commented that he prefers the proposed configuration and its location, noting that less parking now borders the alley.

Jayne Spector acknowledged that the roundabout entrance at Centre Avenue was deleted and asked about the two new on-site roundabouts shown. Mr. Hillier responded that the roundabouts are most conducive to emergency vehicle turn-around requirements and also offer ease of passengers drop-off, an example being at the proposed residential structures.

David Young asked if the development team plans to construct the project all at once or in phases, expressing a concern for the potential of unoccupied buildings. Mr. Smith replied that the economy will dictate this development's progress, and that banks would not finance a project without tenant commitment. He thought that the various Borough approval processes would take approximately a year to complete. Mr. Hillier proposed that the new building on Centre Avenue just east of the alley entrance might be the first phase.

Mike Sellers asked if access from the parking garage to the wine and spirits store will be convenient, and about the function of the bridge shown on the current plan. Mr. Hillier responded that convenient access would be provided between the parking garage at grade level and a store entrance, and that the overhead bridge links the parking garage with proposed residential units above street level retail uses.

An audience member asked if the privately-owned parking areas behind State Street businesses will remain. Mr. Smith replied that they would and that there will be a number of on-street parking spaces along the proposed alley in addition to the parking garage.

Diane LeBas asked about the population the development team envisions purchasing the condominium units. Mr. Hillier thought the target residents would be baby-boomers and empty-nesters, people looking to downsize their homes, those seeing the appeal of a maintenance-free environment, and people who desire to live in a downtown setting. Mr. Smith commented that the residential dwellings proposed would offer potential residents another option to moving into a retirement community.

Paul Blancato asked about the potential size of the proposed dwelling units in terms of number of bedrooms and square footage. Mr. Smith replied that he foresees one- and two-bedroom units ranging in area between approximately 900 - 1800 sq. ft. each.

An audience member commented on the appeal of restaurants with open-air seating along the creek frontage and Mr. Hillier referenced Frenchtown, NJ, where this amenity is very popular.

Robert Bartels asked if a creek walk will eventually extend to Barclay Street and further south. Jayne Spector was hopeful that it would, and that it would link to the Newtown Township trail at the neighboring ball fields. Mr. Hillier noted the many beautiful areas and views along the length of the creek and that the proposed creek walk would be a great enhancement to the Borough.

An audience member asked what potential limitations exist that might affect development of the creek areas. Mr. Smith responded that engineering work will aid in determining the development opportunities on the Stocking Works II site areas along the creek. Jayne Spector remarked that there are existing retaining walls, utility easements, other physical site constraints, and riparian buffer requirements that will govern all development adjacent to Newtown Creek.

Another audience member asked about parking spaces on the proposed alley. Mr. Hillier replied that alley parking would be single-sided.

Jim McAuliffe said he is encouraged by the scale and massing of the structures proposed for State Street and Centre Avenue, and noted the appropriateness of setting-back the upper floors of the structures. He thinks the rendering of the proposed Centre Avenue piazza shows an attractive balance between the bank building on the left and the proposed placement of buildings on the right side of the street. Mr. Hillier mentioned an intent of this area's design is to attract drivers to turn off Centre Avenue onto the alley to seek public parking, rather than onto State Street.

Chairman Woldorf observed that the Borough currently has no semi-formal public places in which people can gather and that this proposal offers two. He appreciated the design efforts that produced the Centre Avenue piazza, which combines a public space, access to the creek, and a formal Borough gateway from the west.

Paul Salvatore commented on closing Penn Street to vehicular traffic, the current problem of turning onto State Street, and that only a right turn is permitted. Mr. Smith noted that the proposed State Street combined entrance/exit further south will provide better visibility onto and from the street. Mr. Salvatore noted that vehicles leaving the development and heading south on State Street could experience a back-up at the Newtown Bypass intersection, and drivers aware of this potential might detour into Borough neighborhoods or onto Fountain Farm Lane in Newtown Gate to avoid the eight-second timed traffic signal at the bypass. He suggested that the Township request extending the length of time for travel through this intersection, as complaints from Newtown Gate residents already occur.

Mike Sellers said he is pleased with the ongoing cooperative planning effort between the development team and the Borough and thinks the project will be an important enhancement to the business district.

Jayne Spector said she is very pleased with the provision of structured parking rather than surface parking, and appreciates the scale of the new buildings proposed.

George Stockburger was concerned about the calculation of proposed parking spaces, if existing lot spaces were incorporated in the specific figures discussed, and whether the proposed parking total for the project site will be adequate. Development team members responded that the parking space totals will change as the project continues to develop and uses are defined further. They stressed that the total amount of parking spaces provided for the development will be dictated by the Borough, based on its zoning ordinance regulations.

Paul Salvatore wanted to know the projected timeline for the proposed development. Mr. Smith responded that an answer would be difficult to provide at this meeting, other than to note his impression that the Borough approval processes may take up to a year. Mr. Hillier commented that the approval processes and those of acquiring finances could occur simultaneously. Mr. Smith asked about the next steps in the sketch plan process and those beyond it. Chairman Woldorf stated that the next step would be to submit a detailed sketch plan, graphically incorporating the agreed-upon recommendations made at this meeting. These recommendations consisted only of requests to acknowledge more opportunity for interaction by the public at project areas located along the creek. Mr. Smith asked if engineering work will be required for detailed sketch plan submission and Chairman Woldorf said it would not. Chairman Woldorf said that the detailed sketch plan package, plus any additional recommendations of the Planning Commission, would be sent to Borough Council for its consideration of the project concept.

Mike Sellers thought the proposed change from office to residential use was well-received by the Planning Commission and audience members.

Chairman Woldorf and other members of the Planning Commission thanked the development team for their presentation.

Following departure of the development team and audience members, the Planning Commission briefly discussed the sketch plan presentation and topics related to the proposed development. The informal discussion included storm water management, impervious ground cover, sod roofs and roof heights; proposed parking and existing parking; parking for multi-family dwellings; ownership and management of the proposed alley and site amenities; the possibility of improvements to the existing pedestrian alleys between State Street and the proposed alley; and a creek walk and creek overlooks.

Old Business - further comments re: proposed Sidewalks and Bollards Ordinance

Chairman Woldorf asked if there were further member comments regarding the sidewalk details included in the proposed draft sidewalk and bollard ordinance. This detail sheet was mistakenly omitted from the original review package sent to members in advance of the March 7, 2011 meeting, and was subsequently sent to members for review prior to the April 4 meeting. Chairman Woldorf explained the reasons why a brick/blue stone sidewalk installation as detailed would not comply with ADA design guidelines, and the recommended specification of the more universally-accepted installation method discussed at the March 7 meeting. All members re-confirmed the Commission's 03-07-11 recommendations to Borough Council regarding this topic.

Old Business - continued discussion of 2011 goals for NBPC

Chairman Woldorf noted that he and David Young will be analyzing the Zoning Ordinance and SALDO for future updating. These ordinances have been converted to PDF files for computer and Borough web site access. The topic of sustainable design was discussed regarding its potential as a separate ordinance chapter or interspersed within appropriate text. Chairman Woldorf referenced Doylestown's "Green Points" system as an example of a local ordinance. It offers incentives through discounted permit fees, rather than mandating ordinance requirements. It was suggested that other publications be investigated to determine what might easily be adapted and applied to the Borough. Paul Salvatore reported that he has begun some research on non-residential parking requirements of regional municipalities, Doylestown in particular. He stated that other towns' ordinances do not appear online. Chairman Woldorf remarked that they do, based on data he gathered previously, and that Newtown Borough is the only local municipality without its ordinances online. He offered some suggestions to Mr. Salvatore as he continues work on non-residential parking. The other Commission members were invited to participate in these goals, or others if they preferred.

New Business

The Planning Commission members discussed that receiving "take-home" copies of the Stocking Works II presentation materials would have been beneficial to allow members continued opportunity for review. Chairman Woldorf will contact Allan Smith to provide the presentation materials in electronic format. The members discussed the "public vs. private" nature of the materials presented and if Planning Commission members are authorized to distribute the files. Chairman Woldorf advised against this practice, due mostly to the current early stage of development and the likelihood that the plan may again change between public presentations.

Approval of Meeting Minutes - March 7, 2011

Chairman Woldorf thanked Ms. Donofry for recording the March 7, 2011 meeting minutes, as well as the minutes for this meeting. Responding to Chairman Woldorf's request for comments on the minutes, Mr. Salvatore referenced the statements in the March minutes regarding his question of members responding by "reply all" to Planning Commission Email correspondence. He asked the question at this meeting, directing it to Mike Sellers. Mr. Sellers advised against responding to Email in this manner, as it could be misused and/or interpreted as a violation of the "sunshine law." Following further discussion, Mr. Sellers was asked to confer with the Borough Solicitor regarding the appropriateness of a "reply all" response by Planning Commission members. There being no further discussion on this issue or other comments regarding the minutes, Chairman Woldorf asked for a motion to approve the meeting minutes of March 7, 2011.

Mr. Snyder moved to approve the minutes as submitted and the motion was seconded by Mr. Young. The minutes were approved 5 - 0, with Ms. Spector abstaining due to absence at the March 7 meeting and Mr. Heinemann absent at this meeting.

Paul Salvatore asked why the recording secretary was not present at this meeting. Chairman Woldorf replied that her absence was excused, as Ms. Flaherty informed him previously of a date conflict with another commitment. Mr. Salvatore noted that a substitute is provided when the Borough secretary is absent from Borough Council meetings and that the Township has a secretarial pool from which to draw substitute staff. He suggested the Planning Commission might consider back-up personnel. He thought this was an important meeting and attendee comments, such as the one regarding concern about inadequate parking in the proposed development, might not receive sufficient attention in the minutes. Chairman Woldorf said Mr. Salvatore's suggestion was worth considering. Mr. Sellers remarked that he took meeting minutes as Chairman for about a year during a time when the Planning Commission was without a recording secretary.

Public Comment

None.

Adjournment

There being no further business, a motion to adjourn was made by Mr. Salvatore and was seconded by Ms. Spector. All members approved the motion and the meeting was adjourned by Chairman Woldorf at 9:18 PM.

The next regular meeting is scheduled for Monday, May 2, 2011 at 7 PM.

Respectfully submitted,

Debbie Donofry
Acting Recording Secretary

Warren E. Woldorf
Acting Recording Secretary