

HULMEVILLE BOROUGH COUNCIL
Conditional Use Meeting
March 15, 2023

A special meeting of the Hulmeville Borough Council was held on the above date at the William Penn Fire Company, 123 Main Street. The purpose of the meeting was to consider a conditional use application submitted by Superior Holdings LLC.

Councilmembers Present

Thomas Wheeler, President
Dan Mandolesi, Vice President
Judy Coleman
Nick Toth
Jim Pio
Nick Lodise
Doug Harris
Naz Atabas, Junior Council

Staff in Attendance

Bill Wheeler, Borough Manager
Dorothy Omietanski, Secretary
Debbie Mahon, Mayor
John Baran, Chief of Police
Thomas Panzer, Solicitor

Council Members on Zoom: none

Councilmembers Absent: none

Councilmembers Late to Arrive: none

Staff on Zoom: none

Staff Absent: Kurt Ludwig, Water and Sewer President and Diane McKairnes, Treasurer

Guests in Attendance:

- For the Applicant: John Kennedy, Kennedy and Assoc, Land Planner, Robert Cunningham, Holmes Cunningham Engineering, Civil Engineer, Ed Murphy, Esq, Attorney for Applicant, and Mike Hammond, Traffic Planning & Design, Traffic Engineer.
- For the Borough: Amanda Fuller, Gilmore and Associates, Borough Engineer, Judith Stern Goldstein, Gilmore and Associates Planner
- Stenographer: Donna DeAngelis Lehmann, Court Reporter

Call to Order: Tom Wheeler called the meeting to order at 7:03 pm; all those present joined in the Pledge of Allegiance.

Review of Procedures: Mr. Panzer reviewed the procedures for the meeting. The meeting is for a conditional use application. There is a stenographer present to record the meeting. The property has 45.3 acers of land zoned as R3. The meeting will start with identifying the parties to the hearing, then identifying witnesses, followed by the applicant presenting their case, then questioning and presentation of evidence and the last part of the meeting will be open for public

comment. Council has 45 days from close of the final meeting to record their written determination. If there is the need for a second meeting it will be held on May 18, 2023.

Parties: The following individuals/groups requested to be a party to the hearings. All were accepted by the applicant and the borough.

1. Terry Clemons Esq, representing the Hulmeville Conservation Inc – Patricia Taggart who is a resident is also a member and will be represented by the organization
2. Nancy Henry 107 Ford Ave – represented by Terry Clemons
3. Martin Bradley 601 Main St - represented by Terry Clemons
4. Lynda Jones 205 Ford Ave - represented by Terry Clemons
5. Sandy Carroll 204 Ford Ave - represented by Terry Clemons
6. Jackie Clemens 204 Ford Ave - represented by Terry Clemons
7. Ryan Cloak 111 Green St - represented by Terry Clemons
8. Joe Williams 600 Main St - represented by Terry Clemons
9. Sydney Carpenter 125 Trenton Rd – no representation
10. Leon Horger 313 Main St Grace Episcopal Church
11. Amanda Gonzales – 201 Ford Ave represented by Terry Clemons
12. Katherine Woodman 329 Main St - no representation
13. Yoosef Peymani 128 Trenton Rd - no representation
14. Robert Crookham 129 Green St - no representation
15. Erin Pente 218 Main St - no representation
16. Jeffery Jadcak 135 Green St - no representation
17. Pat Satchell 335 Washington Ave - no representation
18. Richard Johnson 211 Catherine St - no representation
19. Carla Helbling 227 Main St - no representation
20. Mary Johnson 338 Main St - no representation
21. Thomas Frey 182 Trenton Rd - no representation
22. James Herbert 225 Main St - no representation
23. Mike Wheeler 3 Main St - no representation

Council Exhibits:

1. Conditional Use Application dated 1/18/23 with attachments
2. Proof of certified letters sent to all residents within 300 feet regarding meeting
3. Proof of postings of announcement of meeting on property
4. Proof of publication run 2 times in local newspaper announcing meeting
5. Report of the Hulmeville Planning Commission 2/25/23 meeting
6. Memo dated 2/23/23 from Gilmore and Assoc Conditional Use Application Review
7. Memo dated 2/8/23 from Gilmore and Assoc Conditional Use General Review
8. Memo dated 3/11/23 from Gilmore and Assoc regarding traffic assessment

Applicant Exhibits

1. Site Plan 12/19/22
2. Robert Cunningham, Engineer, Curriculum Vitae

Conflict of Interest: Doug Harris, council member, sold his home to Superior Holdings LLC and still resides in the home now that he rents from Superior Holdings LLC. Teri Clemence questioned whether that was a conflict of interest. Tom Wheeler stated that Doug Harris will be contacting the State Ethics Commission for their recommendation.

Applicants Case:

- The applicant presented a revised plan to address some of the issues from the 2/8/23 and 2/23/23 memos from Gilmore and Assoc.
- Engineer Review – The engineer reviewed the plans and confirmed that it met all requirements set in the Hulmeville Borough Zoning Ordinance. The engineer confirmed out of the 45.3 acres they will be developing 26.746 of those acres. This will allow for 200 dwelling units as stated in the B4 use. Their plan is to only build 120 units a mix of single family, townhouse and apartment units. Single homes will be 32%, townhomes 41% and apartments 27%. Open space requires 30% of the land be designated open space. The owner plans to leave 46% open space. Once the Black home is no longer occupied the plan is to build more townhomes on that area.

Questioning:

1. Hulmeville Conservation Inc. - Terry Clemons presented his questions to the engineer of Superior Holdings LLC. Mr. Clemons distributed a copy of selected portions of the Hulmeville's Zoning Ordinance. Mr. Clemons questioned the single access road and pointed out that his interpretation is that two accesses are required in the Zoning Ordinance. He also questioned no plans for no sidewalks on Trenton Ave and the property lines along William Penn Fire Dept and Grace Episcopal Church. He also questioned the area in Middletown Township, whether it should have been included in any calculations and whether they allow for TND.
- Judy Coleman – Ms. Coleman inquired as to the decision to remove the Black home verses restoring the home. The engineer confirmed that the home would be too costly to restore. Ms. Coleman also inquired as to who would be responsible to manage the open land. The engineer confirmed it will be managed through the homeowner's association. Ms. Coleman also wanted confirmation as to how the 2 single homes on the plan will enter and exit. The engineer confirmed the two homes will access on the now paper road on Pennsylvania Ave.
 - Other Parties - Other parties asked about turn lanes and if considerations have been made for busses to navigate the development. Tom Wheeler explained that those questions need to be held until such time as they can be addressed. Mary Johnson asked if any consideration was given to test the soil for toxins since the land was farm land for years.

Rebuttal:

- Single Access – The applicant will consider a second emergency access. It may connect directly from William Penn Fire Companies parking lot.

- Sidewalks Along Trenton Ave. – This will be dependent upon PennDOT’s recommendations and in coordination with Gilmore and Assoc.
- Signed and Sealed Survey – Will be provided
- Middletown Township Property – The land mass is so small it does not affect the calculations.
- Alleyways – The builder will comply if that is what the Borough wants.
- Maximum Width Lots – Typographical error because that size lot would only hold a trailer home.

Motion made by Mr. Wheeler and seconded by Mr. Mandolesi to continue the meeting on May 18, 2023 at 7 pm at William Penn Fire Co; motion passed with all in favor 7-0-0.

Tom Wheeler informed the public that the next meeting will not be advertised since everyone is present.

Respectfully Submitted

Dorothy Omietanski
Secretary Hulmeville Borough