

**HULMEVILLE BOROUGH COUNCIL**  
**Conditional Use Meeting – Third Meeting**  
**May 31, 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. This was a continuation of the meetings conducted on March 15 and May 18, 2023.

**Councilmembers Present**

Thomas Wheeler, President  
Dan Mandolesi, Vice President  
Nick Lodise  
Judy Coleman  
Nick Toth  
Jim Pio

**Staff in Attendance**

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

**Council Members on Zoom:** Doug Harris

**Councilmembers Absent:** none

**Councilmembers Late to Arrive:** Naz Atabas, Junior Council

**Staff on Zoom:** Kurt Ludwig, Water and Sewer President

**Staff Absent:** Diane McKairnes, Treasurer

**Guests in Attendance:**

- **For the Applicant:** John Kennedy, Kennedy and Assoc, Land Planner, Robert Cunningham, Holmes Cunningham Engineering, Civil Engineer and Ed Murphy, Esq, Attorney for Applicant
- **For the Protestant:** Terry Clemons, Esquire, representing the Hulmeville Conservation Committee, Daniel Gray, Knight Engineering Inc and Charlie Guttenplan, Land Planning Consultant
- **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 7:07 pm; all those present joined in the Pledge of Allegiance.

**Procedural Matters:**

- Doug Harris will be participating by Zoom
- Mr. Panzer confirmed to date there are 9 exhibits for council, 6 exhibits for the applicant and 1 exhibit for protestant.

**Parties:**

No additional Parties exhibits were presented at this meeting.

**Council Exhibits:**

No additional Council exhibits were presented at this meeting.

**Applicant Exhibits:**

Note, these are in addition to those presented at the meetings on March 15 and May 18, 2023.

7. Resume for John Kennedy
8. Four Boroughs Regional Comprehensive Plan, 1975
9. Future Land Use Map from Bucks County Comprehensive Plan, 2011
10. Fiscal Impacts

**Proponent Exhibits:**

No additional Proponent exhibits were presented at this meeting

**Applicants Case Continued:**

- The applicant presented John Kennedy who is a land use planner who evaluated the Conditional Use Plan presented in the Hulmeville Borough Ordinance and the Four Boroughs Regional Comprehensive Plan and compared it to Superior Holdings LLC plans for development. Mr. Kennedy reviewed how the applicants plan matches the Four Borough's regional Comprehensive Plan with a balanced of mixed housing including cluster homes to preserve land. Mr. Kennedy confirmed that the applicants plan is consistent with the Four Borough's Plan as well.

Mr. Kennedy also reviewed the Bucks County Comprehensive Plan drafted in 2011. That plan contains a Future Land Use Map which classifies Hulmeville Borough as a secondary town center which also encourages a variety of housing types and designs that will preserve open space preserving wetlands.

Note Naz Atabas, Junior Council arrived at 7:36 pm

Mr. Kennedy reviewed the Hulmeville Borough Zoning Ordinance where the property is zoned an R3 residential district. This document also encourages a variety of housing types to prevent overcrowding of land. Mr. Kennedy confirmed that the plans for amount of housing falls well below the standards set in the ordinance. The plans meet all criteria required in the ordinance. The development will be close together which allows them to preserve a large amount of the property. The plan purposes three different building types with variations in each type to offer different models. Mr. Kennedy confirmed that the plans meet all requirements outlined in the ordinance. Mr. Kennedy also confirmed that the design meets PennDOT standards as well. He also noted that the property does not fall in the historical district and is not subject to the requirements of HARP.

Mr. Kennedy presented a Fiscal Impact study he put together with the assistance of Kenneth Amey. Mr. Clemens requested that the report not be allowed to be included in their exhibits due to the fact that it is not relevant to the case. Mr. Panzer over ruled his request and allowed the document to be submitted. The document broke down each house type on their plan and estimated the number of people that will reside in each. The plan shows 33 apartments in total with the one-bedroom apartments anticipated rent of \$2,000- and two-bedroom apartments anticipated rent of \$2,400. The apartments will hold an estimated 50 people with 2 people being school age children. There are 49 townhomes on the plan. They anticipate the three-bedroom townhomes selling for \$575,000 each. The townhomes will hold an estimated 109 people with 10 being school age children. There are 39 single homes, 37 are three-bedroom homes anticipated selling for \$725,000 and 2 are four-bedroom homes anticipated selling for \$800,000. The single homes will hold an estimated 112 residents with 17 being school age children. The total number of estimated residents will be 271 and out of them they anticipate 29 to be children of school age. This will generate an estimate of \$269,433 in revenue for the Borough and \$353,128 in revenue for the school district. Also noted trash and snow removal will be private.

### **Questioning:**

- Terry Clemons asked several questions of the applicant. Mr. Kennedy responded:
  1. Mr. Clemens had several questions regarding the Fiscal Impact report submitted. Mr. Kennedy confirmed that there were no costs included in the report. He also confirmed that the numbers provided for the number of people per unit came from a 2006 publication. Mr. Kennedy did look for a study conducted by Bucks County Planning Commission but he could not find any. He did find one from Montgomery Planning Commission conducted in 2010 and the numbers were very similar to the ones he used. Mr. Clemens asked to be allowed to ask more questions at a later date and Mr. Panzer allowed his request.
  2. Mr. Clemens pointed out that the Four Boroughs Comprehensive Plan is 48-year-old document and may be irrelevant today. He also asked if any consideration was given to the existing building being of historical relevance. Mr. Clemens also asked if Mr. Kennedy did review more than just the pages submitted of the Four Boroughs Plan. Mr. Kennedy did review other objectives outlined in the Four Boroughs Plan and the plan does meet the objectives outlined. Mr. Clemens also questioned the impact on natural features to reduce negative impact. Mr. Kennedy feels that the plan is well under the Borough's limits of development.
  3. John Baran, Chief of Police questioned the lack of tying in the streets and sidewalks with existing sidewalks and streets. Mr. Kennedy confirmed that pedestrian walkways will tie into existing community however due to constraints of the property other tie ins may not be able to occur. Mr. Clemens also questioned the single access design which Mr. Kennedy does not find issue with.
- Council Members had a few questions. Mr. Kennedy confirmed:
  1. Any consideration given to saving the current home which is estimated to be around 300 years old. Mr. Kennedy stated that the home was not within the historical district so they plan to knock it down.

2. The property was used at one time to make lead sinkers. Has there been any consideration given to testing the land for contaminates. Testing of the soil would need to be discussed during the land development stage.
3. Mr. Kennedy was asked to explain cluster development. Cluster development is built to reduce minimum lot sizes to increase open land. Low density is a general term used to describe cluster housing which is typically 3-4 units per acre but there is no specific number assigned. Mr. Kennedy pointed out that the plan is well below the allowed amount of development. They calculate this percentage by taking the total amount of land which in this case is 45 acres and subtract out all unbuildable land like slopes, wet land and forests. That left them with 26 acres of developable land. Mr. Kennedy will review the calculations in more detail at the next meeting.
4. Mr. Kennedy did confirm that the whole Borough is classified as a secondary town center, however that does not mean the whole borough is buildable.
5. The number of exits from the development can be based on the number of units it contains. The number of units is not a standard number but one set by each township.
6. The plan for the two estate homes entrance and exit from the property will be discussed at the next meeting.
7. Mr. Kennedy corrected the title he provided to the document presented regarding revenue generated from the development. A Fiscal Impact would include expenses and this report only shows revenue. This report should be called a Revenue Analysis. However, the majority of the expenses generated from the development will be the responsibility of the HOA and not the Borough. This would include trash collection, snow removal and road repairs.
8. Mr. Kennedy will see if Mr. Amey can be present at the next meeting to answer questions council may have regarding the report.
9. Mr. Kennedy confirmed that currently they are planning to remove the current structures from the property.

**Motion made by Mr. Mandolesi and seconded by Mr. Lodise to continue the meeting on June 29, 2023, at 7 pm at William Penn Fire Co; motion passed with all in favor 6-1-0. (Jim Pio opposed due to the birth of his child anticipated for that day)**

Respectfully Submitted

Dorothy Omietanski  
Secretary Hulmeville Borough