

**HULMEVILLE BOROUGH COUNCIL**  
**Conditional Use Meeting – Fourth Meeting**  
**June 29, 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, May 18, and May 31, 2023.

**Councilmembers Present**

Thomas Wheeler, President  
Dan Mandolesi, Vice President  
Nick Lodise  
Judy Coleman  
Naz Atabas, Junior Council

**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:** Jim Pio and Nick Toth

**Councilmembers Late to Arrive:** none

**Staff on Zoom:** none

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

**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 Joel Petty, Architect
- **For the Protestant:** Terry Clemons, Esquire, representing the Hulmeville Conservation Committee and Daniel Gray, Knight Engineering Inc
- **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 7:01 pm; all those present joined in the Pledge of Allegiance.

**Procedural Matters:**

- Mr. Panzer confirmed that Doug Harris was participating on Zoom and Jim Pio has an excused absence and Nick Toth was absent as well.
- Mr. Panzer confirmed that to date council has exhibits C1-C9, the applicant has exhibits A1-A10 and the protestant has exhibit P1.

- The applicant confirmed that the revision of the fiscal analysis would be sufficient without the need to have the author of the document attend the meeting in person. Terry Clemons confirmed that would be fine.
- Terry Clemons objected to revisions to the original plans and architect testimony. Mr. Panzer overruled the objection and will allow the revisions and witness to speak.

**Parties:**

No additional Parties to the hearing 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, May 18 and May 27, 2023.

7. Existing Resource and Site Analysis Plan Revision
8. Zoning Plan Revision
9. Alternate Zoning Plan
10. Fiscal Analysis Revision
11. Resume of Joel Petty, Architect
12. Photographs of Potentially Similar Homes

**Proponent Exhibits:**

Note, these are in addition to those presented at the meetings on March 15, May 18 and May 27, 2023.

2. Resume Dan Gray, Civil Engineer
3. Revised Site Plan
4. Photos Regarding Drainage (4a-4g)
5. Revised Site Plan
6. Revised Existing Features and Site Analysis
7. Dan Grey Review Letter of 6/26/23

**Applicants Case Continued:**

- Mr. Cunningham discussed the revisions made to A11. Mr. Cunningham explained that the existing resources and site analysis plan has been revised. He removed Middletown Township property, and the utilities easement along the property line with Hoover Elementary. The revised calculations are reflected, and Mr. Cunningham confirmed that the designed proposed still complies.

- Mr. Cunningham pointed out items that were added to the A12 revised zoning plan. The changes include labeling a possible perimeter buffer, and potential sidewalks along Trenton Rd to the William Penn Fire House and Herbert Hoover Elementary property lines. Mr. Cunningham added the proposed emergency access trail, if required would need to be approved by William Penn. All changes made to A11 have been reflected in A12 as well. Mr. Cunningham also revised Phase 1 and 2 numbers to reflect any changes.
- Mr. Cunningham created exhibit A13 to reflect the 25 feet lot width that has been debated in past meetings. This lot width would only allow for narrow, mobile home type buildings, which is why Mr. Cunningham drew the conclusion that it was not a maximum but a minimum allowance.
- The next two exhibits to be introduced were A15 and A16 which was Joel Petty's resume, who is the Architect, and 7 photos of building designs in the area which reflect what he has in mind for the property. He went over the types of designs and how they are used in the development.
- Applicant rests his case.

**Questioning:**

- Terry Clemons asked several questions of the applicant.
  1. Terry Clemons pointed out that the applicant needs to either have a variance or have council amend the zoning ordinance to rectify the issue of the 25-foot lot width in question.
  2. Terry Clemons questioned the differences in topographical information provide previously compared to what was submitted tonight. Mr. Cunningham does not know why there would be any variations and it must be a drafting error.
  3. Terry Clemons confirmed that the sidewalks would extend to the fire house if approved. Mr. Clemons also confirmed that there have been no discussions yet with the fire department regarding emergency access or the walking path proposed.
  4. Terry Clemons confirmed with Joel Petty that he has not prepared any designs yet for the property and the pictures he provided are just examples of what could be.
- Council Members had a few questions.
  1. Ms. Coleman inquired about road access to the estate houses. Mr. Cunningham explained that they would have access from Pennsylvania Ave.
  2. Ms. Coleman did not understand the dates provided on the revised maps. Mr. Cunningham explained that the original date shows along with any revision dates. All dates are displayed on the right side of the drawing.
  3. Mayor Mahon confirmed that the sidewalks along Trenton Rd would follow PennDOT specifications.
  4. Ms. Coleman confirmed that given the new calculations the number of units still remain unchanged. Mr. Cunningham confirmed that the new allowable maximum number of units is 187 while they are well below at a proposed 120 units.

5. Ms. Coleman inquired into the process of soil testing if needed. Mr. Cunningham confirmed that if an issue should arise, they would be required to manage it according to the law.
  6. Ms. Coleman inquired into the status of the home on the property and the applicant clearly and unequivocally said they have no plans to keep the home on the property.
- Parties' questions
    1. Mary Johnson questioned the validity of a statement made by Mr. Cunningham that the community had input into the width size of the lots. She only recalls being presented two plans one for single homes and the one being discussed tonight.
    2. Mary Johnson asked Mr. Petty if he had experience working in historical communities. Mr. Petty explained that he works extensively in historic communities in the area.
    3. Patricia Taggart asked if the exhibit documents could be circulated to the public or put on display for viewing.

**Proponents Case:**

- Mr. Clemons submitted a notebook containing exhibits P2-P7.
- Mr. Clemons introduced Dan Gray, Civil Engineer. He touched on his resume and focused his discussion on the water management system proposed on the current plan. According to Mr. Gray he believes the current plan will be a detriment to the community below the proposed development which includes multiple houses and a church on Main St. as well as Main Street itself. The Applicant objected to the stormwater issues being brought up at this point to which Mr. Panzer overruled. Mr. Gray is concerned with the amount of water run off that will be created with the current plans. Mr. Gray is proposing two areas for stormwater management where there are planned homes at this point. Mr. Gray reviewed a few pictures he took under exhibit P4. He pointed out that along this area there is no facilities to manage runoff.

**Motion made by Mr. Lodise and seconded by Mr. Mandolesi to continue the meeting on July 27, 2023, at 7 pm at William Penn Fire Co; motion passed with all in favor 5-0-0.**

Respectfully Submitted

Dorothy Omietanski  
Secretary Hulmeville Borough