



**NEWTOWN BOROUGH PLANNING COMMISSION  
MEETING MINUTES  
June 2, 2025  
Hybrid / Borough Hall and Zoom**

In attendance were Commissioners Don Hayden, Courtney Lang, Matt Neuman, Nicole Rodowicz, Scott Williams, Ron Wagner, and Corky Swartz; and Borough Engineer Michele Fountain and Secretary Leslie Dunleavy.

Also present: Ron Gualtieri; John Richardson, Dumack Engineering; and George Asimos, Esq.

Present via Zoom: Borough Councilor Liaison Gail Foley and Councilor Julia Woldorf.

**CALL TO ORDER**

**Addition to the Agenda**

Under New Business, the review for 110 N. State Street will not be a final plan review. Mr. Hayden said that the solicitor had advised that the letter to Borough residents within 300 feet of the project had not been sent prior to the final plan review scheduled for this meeting, as required. He asked the applicant to send out the letter before the final plan review, which should take place at the July 7<sup>th</sup> Planning Commission meeting.

**NEW BUSINESS**

**Plan Review for Patriots Place Subdivision/Land Development – 110 N. State Street**

Mr. Richardson summarized the changes to the revised plan dated April 4, 2025:

- The driveway was widened.
- There will be a stop bar on the driveway to block pedestrians.
- The property line between Lots 2 and 3 was realigned. The parking spaces are now fully on Lot 3.
- Both buildings will have a 5.3-foot setback from the street line, per the Zoning Officer.
- The garage configurations have been slightly rearranged.
- The Zoning Office advised that sidewalks and steps are allowed in the front yard.
- The addition of Lot 3 was rearranged and the driveway moved.
- Additional buffering has been added, as requested.
- The Trail easement was added.
- A second streetlight was added as requested by the Borough; streetlights to match those in front of the Newtown Theatre.
- Additional slight changes, i.e. to easements, etc.

The Commission discussed the review letter from CKS, May 28, 2025, noting:

**Zoning Issues**

- #3 Regarding streetlights and building mounted lighting: Ms. Fountain asked for additional details, including the type of lighting, maximum and minimum illumination in pedestrian areas, and other technical specs. She said that building mounted lighting will need approval from the Borough and HARB.

**Subdivision and Land Development Ordinance**

- #1 Regarding the Planning Module: Mr. Richardson said that it has been mailed. Ms. Fountain noted that it is required to be approved by the Borough, but not by the Planning Commission.
- #2 It was clarified that the most recent letter required to be sent to all residents within 300 feet of the property had been sent; the Applicant will send a copy of the notice to the Borough.
- #3 A PennDOT Highway Occupancy Permit is required for work on State Street and must include streetlights.

- #4 The applicant had no objection to Shade Tree Commission's recommendations for a fee-in-lieu of \$750 for a street tree not to be planted and a fee-in-lieu of \$6000 for 10 trees to be cut down.
- #5 The closure report has discrepancies that need to be corrected.
- #7 The applicant needs to confirm Borough approval for the public walking trail as shown on the plan.
- #8 Waivers:  
The first Waiver from Section 486-23.A regarding street trees has been granted.

The Waiver from Stormwater Ordinance Section 473-11.K to allow 8 hours dewatering time where 24 hours is required: Mr. Richardson said that all the water infiltrates into the ground with the drywell design being proposed, and that any changes made to expand the dewatering time would actually slow the process down. Ms. Fountain said that she has no objection to the waiver.

#### Grading, Stormwater Management/Storm Drainage and Erosion and Sedimentation Control

- #1 The letter of adequacy from the Bucks County Conservancy will be submitted.
- #2 An Operations & Maintenance Agreement is needed. Mr. Asimos said he is awaiting input from the Solicitor.
- #3 Verification of the driveway elevations is needed. Mr. Richardson said that they are being revised.

#### General Engineering Considerations

- #1 Operation and maintenance agreements for the shared driveway, streetlight and underground seepage bed must be submitted. In answer to a question regarding the need for a homeowners association, Mr. Asimos said that since there are only 3 residents involved a CCR (Covenants, Conditions and Restrictions) would be utilized instead. He said that it would be binding on all residents and could possibly include sidewalks.
- #2 Clarification is needed regarding the car turning diagram. Mr. Richardson said that they have no objection posting a "No Delivery" sign if a larger delivery truck would be unable to maneuver in the driveway and parking area.
- #3.f The required one-foot offset of the proposed addition on Lot 3 from the driveway will be included on the plan.
- #3.g Review of the addition on Lot 3 must be reviewed by HARB.

Mr. Hayden noted that approval from the Sewer Authority is still needed. He said that there was a prior letter of review received dated November 20, 2024 and that there were a few items that need to be addressed. Mr. Asimos said that the items would be addressed and re-submitted. Mr. Hayden said that he would get a letter from the Borough Zoning Officer affirming that there are no Zoning Issues.

Mr. Hayden summarized the list of action items that need to be completed by the applicant:

- a. Provide the Borough a copy of the notice that was sent to all property owners within 300 feet of the property in advance of the final plan review (SLDO 486-10.D).
- b. Place a note on the Record Plan stating that any building-mounted lights must be reviewed and approved by the Borough during the Building Permit application process.
- c. Add detail on the output and illumination patterns of the two proposed freestanding streetlights in the North State Street right-of-way to the plans. The lights should be LED, and we recommend a 3000K color temperature. (Z.O. 550-21.C and SLDO 486-32).
- d. Submit a planning module to the Borough, secure Borough approval, and then submit the module to PADEP for final approval. (SLDO 486-10.A and 486.41.E.1)

- e. Secure a PennDOT Highway Occupancy Permit for all work along North State Street. The plan must be resubmitted for PennDOT's approval and must include the installation of the streetlights within the PennDOT right-of-way and address the item(s) contained in PennDOT's letter dated December 12, 2024. (SLDO 486-15.D.5 and D.6)
- f. Make a fee-in-lieu payment to the Borough in accordance with the Shade Tree Commission (STC) recommendations. The STC has calculated a fee-in-lieu amount of \$6,000.00 for ten protected trees that were removed and has also determined that an additional \$750 payment is required for the one street tree that will not be planted. We also recommend that the stump in the rear of the property and the branches from the Spruce trees that overhang the Newtown Commons be removed in accordance with the STC recommendations. (SLDO 486-25)
- g. Submit a closure report that addresses the discrepancy in the metes and bounds listed for Lot 1 to the satisfaction of the Borough Engineer.
- h. Show the metes and bounds for the variable width drainage easement on the plan that is recorded. Per the Preliminary Plan Approval, a "public walking trail area" is shown within the drainage easement. The Planning Commission had no objection to the location of the trail area. Further, the area is also required to be noted as an area for the Borough to perform stream bank restoration and/or other MS4 enhancements to the Newtown Creek. Note 25 on Sheet 2 must be revised.
- i. Secure a letter of adequacy from the Bucks County Conservation District. (SLDO 486 17.C)
- j. Prepare and execute an Operations and Maintenance Agreement for the proposed stormwater and conveyance systems that is satisfactory to the Borough Solicitor. (SMO 473-36)
- k. Verify and show the garage floor elevations and the spot elevations at all corners of the garages. The spot elevations and garage dimensions must be acceptable to the Borough Engineer and the building code official.
- l. Submit and secure Borough Solicitor approval for operation and maintenance agreements and Covenants Conditions and Restriction agreements for the shared driveway, streetlight, and underground seepage bed.
- m. Revise Sheet 13 (car turning diagram) to show the length of the car on the plan. If a larger delivery truck will not be capable of maneuvering in the driveway and parking area, a "No Delivery Vehicle" sign should be installed.
- n. Secure approval by the Newtown, Bucks County Joint Municipal Authority, including addressing all items in the Gannett Fleming letter dated November 20, 2024.
- o. Secure approval by the Borough Zoning Officer
- p. Address the following conditions of the Preliminary Plan Approval:
  1. Financial security is required to be posted to guarantee the completion of the improvements.
  2. All project-related costs and fees must be paid to the Borough.
  3. The required one-foot offset of the proposed addition on Lot 3 from the driveway must be dimensioned on the plan.
  4. The setback and interconnectivity of the addition on Lot 3 for must be submitted to HARB for review and all suggestions incorporated into the plan.

The Planning Commission also indicated its support for a waiver to Stormwater Ordinance Section 473-11.K to allow a dewatering time of 8 hours for the proposed drywell.

Mr. Williams asked if the streetlights along State Street all should be the same design, setting a precedent. Mr. Swartz said that the objective was to use the same design along the same area, and to match as much as possible the lights at the Newtown Theatre. Mr. Hayden said that he would locate a recommendation for the streetlights. Ms. Fountain said that the applicant should provide a cut sheet for the lights.

The applicant said that the required notice letter to residents will be sent in advance of the July 7, 2025 Planning Commission meeting, when the final review should take place.

#### **OLD BUSINESS**

##### **Approval of the Minutes of January 6, 2025**

*Mr. Swartz made a motion to approve the minutes of the January 6, 2025 meeting as submitted. Mr. Williams seconded the motion, which was approved unanimously by the Commission.*

#### **PUBLIC COMMENT - none**

#### **NEXT MEETING**

The next meeting is scheduled for Monday, July 7, 2025 at 7:00 pm, a hybrid meeting to be held at Borough Hall and via Zoom.

#### **ADJOURNMENT**

*On a motion from Mr. Williams, seconded by Mr. Swartz, the meeting was adjourned at 8:00 pm.*

Respectfully submitted,  
Leslie P. Dunleavy, Recording Secretary