

YARDLEY BOROUGH PLANNING COMMISSION
Thursday, February 9, 2023 7:30 PM Borough Hall
MEETING MINUTES



- I. **CALL TO ORDER** Richard Hodge, Chair

- II. **PLEDGE OF ALLEGIANCE**

- III. **ROLL CALL**
Present: Matt Sinberg (MS), Richard Hodge (RH), Susan Taylor (ST),
Chuck Dolan (CD), Bob Bushar (BB) Melissa Mertz (MM), Zach Bark (ZB)

- IV. **COMMUNITY ANNOUNCEMENTS**
 - A. All Council and Committee Meetings are still in-person format.
 - B. Video recordings of Council Meetings available on Yardley Borough Website/Facebook page.

- V. **PUBLIC COMMENTS**
 - A. No Public comment.

- VI. **APPLICANTS FOR THIS MONTH**
 - A. The application for Yardley Inn Improvements under review this month. The Planning Commission is also to consider, and make recommendation on, the Conditional Use Application as required for Outdoor Dining, which is understood to be a feature of the restaurant.

- VII. **MINUTES APPROVAL**
 - A. Approval of Minutes dated 12 Jan 2023
- ST moved approval as submitted, MS seconded – ZB abstained. All others approved.

- VIII. **COUNCIL UPDATES**
 - A. Not discussed

- IX. **ITEMS FOR REVIEW THIS MONTH**
 - A. **Yardley Inn Improvements** – TYI Holdings LLC
Representing Yardley Borough:
Engineer Pat Foley, Remington & Vernick Engineers
Solicitor Andrew Griffin, Curtin & Heefner
Zoning Officer Caitlin Mest, Barry Isett & Associates
Floodplain Administrator, Susan Mazzitelli, SMM Consulting
Recording Secretary, Mary Ann McLean
Representing the applicant:
Michael J. Meginniss, Begley, Carlin & Mandio
Zachary Ranstead PE, T&M Associates

Peter Golden, Sherute LLC
Joe Mutinsky, Sherute LLC
Eben Copple, Genesis Hospitality
Michelle Molhollen, Yardley Inn
Michael Rafael, Rafael Architects
Linda Szpak, Rafael Architects
Guy DiMartino, TP&D

An extensive discussion was held concerning, among other topics, parking, traffic flow, tree removal and replacement, internal and external building design, impervious surfaces, and flooding. Detailed questions were asked by most members of the Planning Commission. The design and engineering team addressed each question.

The applicant explained major improvements –

- accessible to everyone throughout, including an elevator as well as a lift at the front door;
- fire and life safety improvements, including current emergency exit stairs;
- functional and safety improvements to the kitchen and other work environs;
- Lifting the main floor above the base flood elevation (5.5-6 feet raising above grade) and constructing a waterproof basement should make the facility more able to survive future flooding.

The architects presented a visual walkthrough using renderings and floor plans. Effort was made to retain the visual character of the current building even while substantially reconstructing it. The increase in floor area is mostly from stairs, corridors, bathrooms, and back of house spaces – the public areas are not dramatically different in size.

The new outdoor dining featured on the second floor seats about 35. Total seat count is 297-300, compared with current seating capacity of around 265. The new waterproof basement floor plan is about the same size as the existing basement. The crawl space areas will be vented for the flow of water in a flood event, although no evidence of flood vents is seen in the renderings. The applicant stated that the third floor space is currently planned storage and office use.

As requested at the sketch plan review in November 2021, T&M studied the event in June 1996 in which the threat came from a flooding Brock Creek rather than the Delaware River. Modeling data shows the Delaware River flood events have more significant impact on the Yardley Inn site. Also, it was noted that the previous storm water management measure exceeded what is required. The measures have been scaled back to a single rain barrel.

Three variances were granted by ZHB in June 2022 (RVE YII Second Review, part III). And nine waivers are requested in the current application (RVE YII Second Review, part IV). The project seeks to continue an existing nonconformity related to parking space size and parking lot aisle widths, even though the application acknowledges a re-milling and restriping of the parking lot. The Planning Commission has reservations about indulging the applicant restoring an existing nonconformity that is so readily remedied in the applicant's plans. The Planning Commission continues to have reservations about the number of off-site parking spaces allowed, about their distance from the restaurant and about the likely longevity of the agreements. The Borough-owned site adjacent is a candidate for off-site, off-street parking.

The applicant should address the topics raised in the Bucks County Planning Commission review of the project, especially regarding the existing trees in the planting strip along East Afton Ave. The applicant should engage an arborist or landscape architect to evaluate and report on the condition of these trees, with the aim of preserving the trees in accordance with ordinance section 22-502.4.

The Conditional Use Permit application for Outdoor Dining appeared to be incomplete, with no reporting of floor area and other requested information. In principal the Planning Commission does not take exception to the Yardley Inn application for the second floor outdoor dining, with the understanding that full consideration is given to the interests of neighboring property owners.

Regarding outdoor lighting, the Planning Commission favors fixtures that support the Dark Skies initiative as well as those capable of masking to prevent nuisance spillage of light onto neighboring properties.

A final, formal application to the Yardley Historical Architectural Review Board is expected before the applicant appearing before Council.

Engineer Pat Foley, RVE – Applicant has addressed most of the questions and comments provided by the engineer or have committed to address the questions as the project moves forward. The engineer was most concerned with parking and safety.

Solicitor Andrew Griffin –Recommends approval of the project as presented provided the project is in compliance with PennDot requirements, Bucks County Planning Commission requirements, and the Borough engineer’s comments and conditions are satisfied.

Floodplain Administrator Ms. Mazzitelli takes no exception to the application with regard to the floodplain ordinance or FEMA compliance.

Mr. Hodge motions to recommend approval of the application to Yardley Borough Council with the following conditions:

- The Engineer’s comments and conditions are satisfied.
- An update and request for review is presented to Bucks County Planning Commission
- An update and request for review is presented Yardley Borough HARB
- An evaluation is sought by an arborist and/or landscape architect to ensure compliance with Borough Ordinances on tree conditions and replacement species
- Compliance with Borough’s outdoor dining ordinances and requirements

The motion was seconded by Mr. Sinberg. A vote was held, and the motion passed 7-0

X. **ADJOURNMENT at 9:50 PM**

- Reconvene 9 Mar 2023