

**Agenda  
Planning Commission  
August 16, 2016**

- 1. Pledge of Allegiance**
- 2. Minutes of July 19, 2016**
- 3. Old Business**
  - A. Land Development Application – ATM Kiosk**
  - B. Land Development Application – New Britain Inn**
  - C. TCDI Draft Plan Review and Architectural Design Guide**
  - D. 2017 Comprehensive Plan**
  - E. Invasive Plant Discussion**
- 4. New Business**
  - A. Nature Preserve Signage**
- 5. Adjournment**

Planning Commission  
Meeting Minutes  
July 19, 2016

The monthly meeting of the New Britain Planning Commission was called to order by Chairman Michael Stanislaw at 7:30 PM. Planning Commission members present were Dr. Michael Parke, Mr. Bob Binkley, Mr. Richard Moxey, Mr. David Holewinski and Ms. Margaret Remmey. Not present were Mr. Rick Eggleston, Ms. Loren Frasco and Mr. Karl Dieterichs. Also present were Mr. Tom Yatsky, Mr. Mark Hintenlang, Mr. Sam Bryant and Mr. Matt Walters.

**Minutes of June 21, 2016:** Mr. Holewinski made a motion to approve the minutes. The motion was seconded by Mr. Binkley and were unanimously approved.

**New Business:**

**New Britain Inn Plan Review:** Mr. Jason Smeland of Lenape Valley Engineering distributed the proposed site plan for a 1,050 sq. ft. addition to planning commission members.

Mr. Michael Carey, owner of the New Britain Inn, stated the proposed addition is 20' x 50' and will be located next to the parking lot. The addition will have a four seasons room and will give his establishment the ability to compete with his competition in Doylestown. The addition will include a bar to accommodate 10 people and a 40 person dining area. Mr. Carey stated his family business has been in New Britain Borough for about 38 years and he would appreciate cooperation from the Borough on this project.

Mr. Yatsky asked if the plans have been recorded with the county and they had not. He believes the plans should be recorded considering it is a commercial building with an addition of over 1,000 sq. ft. It was determined that the solicitor will decide if the plans need to be recorded. They will need to be reviewed by the Bucks County Planning Commission.

Mr. Smeland stated there is a request for certain waivers including: waiver of land development, waiver of all parking spaces to be paved, waiver of sidewalks, waiver of street trees and a waiver of stormwater management. The parking lot paving, sidewalks, street trees and stormwater management would add approximately \$200,000 to the cost of this project. Mr. Hintenlang addressed the waiver requests and stated the plans will need to be reviewed by the planning commission and Borough Council. Mr. Holewinski noted that sidewalk and street tree waivers would be unlikely.

**Old Business:**

**Land Development Application – Bank of America ATM Kiosk:** Mr. Hintenlang discussed the items on his review letter of the revised plans dated June 8, 2016 with his recommendations regarding zoning, land development and subdivision. He stated the plans will need to be reviewed by the Conservation District and the Bucks County Planning Commission. Mr. Bryant stated that Stonefield Engineering will need to submit a waiver letter and they will go before the Zoning Hearing Board on July 21, 2016. The project will be reviewed by the Planning Commission again.

**Review of Ordinances Pertaining to Noise, Lighting, Rentals, Pets, Graffiti and Other**

**Nuisances:** Mr. Bryant stated there are currently no fees established for rental properties. Mr. Yatsky stated according to the ordinance residential rental properties are determined by 3 or less tenants. Above 3 would be considered a commercial property. Does it make sense for the Borough to have a fee? Should the Borough charge a fee for new tenant rentals? There is earned income tax revenue the Borough could be losing. After a lengthy discussion it was determined that a fee of \$25.00 or \$50.00 per year for rental units would cover costs. Mr. Stanislaw stated that if there was a \$25.00 registration fee for new tenants this would be a way to keep track of who is living in the Borough.

The Borough currently does not have a Graffiti Ordinance and Mr. Stanislaw did not see the need for one.

The Lighting Ordinance was discussed. Mr. Binkley spoke of dark sky lighting to eliminate a halo effect. He suggested including information about this in the next newsletter and on the Borough website to encourage this type of fixture to be used in the future.

**TCDI Draft Plan Review and Architectural Design Guide:** Mr. Walters stated the BCPC is still working on the design guidelines and will have them ready as soon as possible. Mr. Walters distributed copies of the Main Street Study document which details existing conditions and the revitalization plan. He asked that planning commission members review it and offer their comments to be discussed at next month's meeting. Mr. Yatsky stated it needs to be reviewed, marked up and given back to the BCPC and then will go to Borough Council for review.

**2017 Comprehensive Plan:** Mr. Walters distributed the (draft) Introduction of the New Britain Borough Comprehensive Plan. BCPC will resume work on the Comprehensive Plan as soon as the Main Street Study is finalized.

**Invasive Plant Discussion:** Mr. Stanislaw stated he believes the proposed Bamboo Ordinance (including other invasive plants) should be similar to that of Upper Makefield Township's ordinance in that an actual list of plants is included. The state list of plants could be used. He spoke of the significant cost for bamboo removal which generally does not have successful results. It would be to the Borough's advantage to have this kind of document in place considering that at this point new developers plant whatever they want. Mr. Bryant stated the ordinance would be used as a deterrent for future plantings or when there is a complaint. It was decided to draft an ordinance based on Upper Makefield's ordinance prohibiting noxious and invasive vegetation. It was decided to keep the list of plants separate from the ordinance as the list will change over the years. This will prevent having to create a new ordinance every time the list changes.

Mr. Holewinski made a motion to adjourn the meeting, the motion was seconded by Mr. Moxey and the meeting adjourned at 9:23 PM.

Respectfully submitted,

Carrie Gamble

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF NEW BRITAIN BOROUGH PROHIBITING NOXIOUS AND  
INVASIVE VEGETATION AND RESTRICTING HEIGHT OF VEGETATION  
GENERALLY; PROVIDING FOR ABATEMENT AS NUISANCE; ESTABLISHING  
PROCEDURES FOR ENFORCEMENT AND PRESCRIBING PENALTIES FOR  
VIOLATION

Section 1. Purpose: Vegetative Growth A Nuisance Under Certain Conditions.

The Borough Council of New Britain Borough recognizes that a variety of vegetation in the Borough is desirable as it promotes soil and air quality, prevents erosion, and is aesthetically pleasing. Borough Council also recognizes that noxious or invasion plants do not promote a variety of vegetation. In some cases noxious or invasive plants emit pollens and irritants into the air; in other cases noxious or invasive plants overtake native plants and wildflowers. Therefore it is the intent of this ordinance to encourage the propagation of wildflowers and native species while prohibiting the propagation and spread of noxious and invasion plants.

Section 2. Restriction of Certain Vegetation

No person, firm, corporation, or entity, owning or occupying any property within the Borough of New Britain shall intentionally propagate any of the species of plants listed on the Resolution. No person, firm corporation or entity owning property within New Britain Borough shall permit any of the plant species listed below to spread to the property of another.

Any vegetation of the species listed below growing upon property in New Britain Borough in violation of any of the provisions of this Section is hereby declared to be a nuisance and detrimental to the health, safety, cleanliness and comfort of the inhabitation of the Borough of New Britain.

- a. Cannabis Sativa, commonly known as marijuana
- b. Cirsium Arvense, commonly known as Canadian thistle
- c. Rosa Multiflora, commonly known as multiflora rose
- d. Sorghum Halepense, commonly known as Johnson grass
- e. Carduus Nutans, commonly known as musk thistle
- f. Cirsium Vulgare, commonly known as bull thistle
- g. Datura Stramonium, commonly known as jimson weed
- h. Polygonum Perfoliatum, commonly known as mile-a-minute
- i. Puerria Lobata, commonly known as kudzu vine
- j. Sorghum Bicolor, commonly known as shattercane
- k. Heracleum Mantegazzianum, commonly known as giant hogweed
- l. Galega Officinalis, commonly known as goatsrue
- m. Lythrum Salicaria, commonly known as purple loosestrife
- n. Polygonum Cuspidatum, commonly known as Japanese knotweed
- o. Any species of bamboo known as “running bamboos” with leptomorph rhizome systems, characterized by long, thin rhizomes that grow horizontally and spread quickly;
- p. Any plants on the Pennsylvania State Noxious Weeds List

Section 3. Responsibility For Removing, Cutting or Trimming.

The owner of any premises, or the occupant of premises occupied by other than the owner, shall remove all vegetation growing or remaining on such premises in violation of the provisions of Section 2.

Section 4. Notice to Remove, Trim or Cut/Municipality May Do Work and Collect Cost and Additional Amount

The New Britain Borough Code Enforcement Officer, or any officer or employee of the Borough of New Britain designated by Borough Council for this purpose, is authorized to give notice, by personal service or by United States Mail, to the owner or occupant, as the case may be, of any premises in violation of Section 2, directing and requiring such occupant, within five (5) days of receipt of the notice, to remove, trim or control the vegetation so as to conform to the requirements of this Code. Whenever, in the judgment of the New Britain Borough Code Enforcement Officer the designee thereof, it shall appear to be impractical to give notice as above provided, either because the owner or occupant cannot readily be found or because a search for the owner or occupant would entail unreasonable delay, the Code Enforcement Officer may give notice by posting conspicuously on the property where such nuisance exists, a notice or order directing and requiring that such nuisance be abated within ten (10) days. In case any person, firm or corporation shall neglect, fail or refuse to comply with such notice within the period of time stated therein, the New Britain Borough Code Enforcement Officer may cause the removal, trimming or cutting of such vegetation, and the cost thereof, together with a penalty of ten percent (10%) of the cost thereof, shall be collected by the Borough of New Britain from such person, firm or corporation, in the manner provided by law, including but not limited to filing of a municipal claim against the property in question.

Section 5. Penalties for Violation

Any person, firm or corporation who shall violate any of the provisions of this Ordinance shall, upon conviction thereof, be sentenced to pay a fine not more than One Hundred Dollars for the first violation (\$100.00), Three Hundred Dollars for the second violation (\$300.00), and Six Hundred Dollars for each violation thereafter (\$600.00) and in default of payment, to undergo imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Ordinance continues after notice, shall constitute a separate offense.

Section 6. Repealer

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

Section 7. Severability

The provisions of this Ordinance are severable, and if any part of this Ordinance is found to be invalid, such invalidity shall not affect the remaining provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council of New Britain to have enacted this Ordinance without such invalid part.

Section 8. Effective Date

This Ordinance shall become effective five (5) days after enactment.

ORDAINED and ENACTED this \_\_\_\_\_ of \_\_\_\_\_, 2016