

**STOCKERTOWN BOROUGH PLANNING COMMISSION MEETING**  
**Minutes of Planning Commission Meeting**  
**held**  
**Tuesday, March 10, 2020 at 7:00 pm**  
**at the Stockertown Borough Municipal Building**

Meeting called to order by Sean Dooley.

**Attendance:**

For Planning Commission: Sean Dooley; A. Joseph Gosnell; Kathleen Zdonowski  
Regrets: Joel Zingone

Others in Attendance: Zoning Officer John Soloe; Scott Brown of Borough Engineer's Office

**New Business:**

Review of Proposed amendments to the Borough Zoning Ordinance:

Special meeting of the Stockertown Planning commission held to review amendments to the zoning ordinance proposed by Borough Engineer Hanover Engineering Associates, Inc. (HEA) at the request of Borough Council. Purpose of the meeting was to review the proposal and make recommendations to Council.

Mr. Brown presented the proposed amendments outlined in HEA's letter of February 12, 2020 addressed to Borough Council. The changes can be summarized as follows:

1. In R-1 Residential District: increase the minimum lot size, minimum lot width and minimum front, side and rear yard setbacks for all uses on properties with public sewer; increase the front and rear yard setbacks for all uses for properties without public sewer.
2. In the MU Mixed Use District, increase the minimum lot size for the following uses: single-family detached; single-family semidetached and two-family detached, multi-family dwellings (tract), and mixed use for properties with public sewer. Minimum lot width is increased for the following uses: single-family detached, and single-family semidetached and two-family detached properties with public sewer, and for single-family detached for properties without public sewer. The Maximum Building coverage is reduced for properties with public sewer for the following uses: single-family detached, single-family semidetached and two-family detached, and for multifamily dwellings (tract). The minimum side yard is increased for single-family detached, and single-family semidetached and two-family detached.
3. Add Article XVI- Steep Slopes, to introduce restrictions on construction in steep slope areas over 15% slope.
4. Change language related to curbing and sidewalk from "where required" to "shall be provided".

Mr. Dooley prepared a presentation to illustrate various issues of concern and foster dialogue about possible alternatives to the proposed zoning amendments. Issues Mr. Dooley covered include:

1. Land is scarce and valuable – if it is to be developed it should be done so in ways that:
  - a. Are fiscally sustainable for the Borough to maintain any new infrastructure in the future.
  - b. Promote healthy community
  - c. Are environmentally responsible
  - d. That preserves valuable open space
2. Mapping was shown illustrating 100 properties that currently have non-conforming structures with respect to front yard setbacks – this is a full quarter of all households in the borough. This number will increase based on the currently proposed amendment.

3. Various lot sizes for different development densities were presented for reference.
4. Illustrations of alternative development types were presented.
5. Examples of how using the ordinance to control the placement of garages can be used to enhance character of community and foster healthier, friendlier neighborhoods. Different driveway schemes were presented.
6. A map of the Borough highlighting areas that are or could possibly be targeted for preservation of open space and environmentally valuable areas.
7. Maximum development yield examples were shown for undeveloped lands on the east side of the Borough based on a combination of existing zoning and targeted medium density areas. The higher density is proposed in targeted areas to limit overall land area that is developed and creates opportunities to preserve lands for open space and/or environmental protection.  
**DISCLAIMER: the plans presented were not a proposal – they were an exercise of what would be permissible. No one is proposing to impose development on an unwilling property owner. We are discussing what property owners would be allowed to do under Zoning law if they wanted to develop.**
8. A proposal for a comprehensive overhaul of the Zoning Map was presented that proposes the use of additional zoning districts to better accommodate the needs of different areas that are very different with respect to density, development potential, existence of land worth preserving, etc. **DISCLAIMER: the zoning map proposal was prepared quickly with the purpose of generating discussion only – it did not represent a formal proposal under review.**
9. Two (2) cost analyses were presented:
  - a. The first analysis looked at the disparity of overall tax revenue based on the minimum lot width required by Zoning. Taking both property tax and EIT into account, the calculations presented show higher density generally generates more tax revenue than lower density. **Note: “higher” = increased, not necessarily “high density”**
  - b. The second analysis looked at the projected 50% increase in overall road miles the Borough may be faced with maintaining and ultimately replacing in conjunction with development of the few remaining parcels in the Borough that are undeveloped.
10. Street width requirements should be viewed to balance funding liability to the Borough against foreseeable traffic issues.

Discussion about the amendment proposal and Mr. Dooley’s presentation raised the following issues of concern:

**Current Zoning makes many older properties in the Borough Non-Conforming  
 Proposed Zoning will increase the number of non-conforming properties.**

1. Current zoning has only one residential district that has dimensional regulations consistent with suburban development. As a result, most older properties along Main St. and Center St. in particular, but elsewhere as well, are non-conforming. At least 100 properties have non-conforming structures just based on front yard setbacks. Many more properties are non-conforming in other ways.
2. Per Zoning Section 12-4, property owners with non-conforming structures must go before the Zoning Hearing Board to improve their building – this applies to alterations, renovation and enlargement.
3. Mr. Gosnell asked if existing properties would be “grandfathered.” Mr. Soloe confirmed this is not the case as the existing Zoning Ordinance and proposed amendments are currently written. Mr. Dooley stated this is inequitable and places a burden on a large percentage of property owners to bear the costs of going before the Zoning Hearing board because their property is older than the current zoning.

### **Impact of Zoning on preservation of street façade in higher density areas of the Borough**

1. According to current zoning, if, for example, a non-conforming building is 100% razed by fire, a new building must meet current setback requirements – now 30 feet, proposed to be 40 feet.
2. Forcing facades back from historic street lines in higher density urban neighborhoods characterized by building facades being closer to the street creates “missing teeth” that negatively impact the character of the street and reduces property values.

### **Impact of proposed density on fiscal health of Borough**

1. A larger required lot width in residential districts reduces the number of households that share the cost burden for the Borough to maintain and ultimately replace any roads the Borough takes dedication of. This impacts taxpayers borough-wide for perpetuity and extends to costs related to sewer, police and public works.

### **Respect the character of different areas of the Borough**

Residents in and near the Long Development in attendance stated a preference for lower density. Their preference was to reduce the density from current zoning that is represented by the Long Development. It was mentioned by Mr. Soloe and Ms. Zdonowski that dimensional criteria of the Steeplechase development adjoining the Long Development across the municipal boundary in Forks Township was a model that informed the direction of the amendment proposal currently under review. There emerged a general consensus that concerns about the preservation of the character of the historic areas of the Borough with higher density should be addressed.

As a result of extensive discussion between all attendees noted above, and with comments from residents Thomas and Michelle Appleman (295 Crown View Ave) and Amy Richard (302 Center St), the Planning Commission defined the following recommendations for presentation to Borough Council:

#### **“Recommendations to Borough Council”**

1. The proposed Zoning Amendments should be revised to add provisions that address non-conforming properties/structures to equitably treat existing properties owners.
2. Borough Council is advised to hold a Workshop Meeting to review various issues raised by Mr. Dooley during the meeting.
3. Borough Council should authorize an investigation to study the legal ramifications and how to implement a policy to not accept dedication of new roads. One question of concern is what obligations the Borough might be under to take over responsibility of private roads if a Home Owner’s Association (or similar) becomes defunct and/or fails to maintain their roads.
4. Borough Council should assess the fiscal impact on the Borough of the proposed Zoning Amendments looking specifically at the impact of proposed development on increased costs to the Borough against projected tax revenues to determine if the zoning is economically sustainable for the Borough.

### **Motion to forward the above listed “Recommendations to Borough Council” to Borough Council:**

*Motion by:* A. Joseph Gosnell    *Seconded by:* Kathleen Zdonowski

*Yea \_3\_    Nea \_0\_    Passed: Yes*

### **Public Comment on Non-Agenda Items**

none

### **Adjournment:**

*Motion by:* A. Joseph Gosnell    *Seconded by:* Kathleen Zdonowski

*Yea \_3\_    Nea \_0\_    Passed: Yes*