

New Castle City Planning Commission Meeting
Minutes
April 22, 2019 -- 6:30 p.m.
City of New Castle Town Hall

Members Present: David Baldini, Chair
Jonathan Justice, Vice Chair
William Walters
Marco Boyce
Vera Worthy
Peter Toner

Members Absent: Gail Seitz
Russ Smith
Brenda Antonio

Also Present: Chris Rogers, AICP, Principal Planner, AECOM

Mr. Baldini called the meeting to order at 6:30 p.m. Roll call followed and a quorum was declared.

Minutes

Two corrections to the March 18, 2019, Minutes were made:

- Page 2, 1st line: Add the word “weeks” after “approximately 3”
- Page 2, 5th paragraph, last sentence: Add the word “because” after “Mr. Bergstrom was not sure how much there is to cap, but that it is”

A Motion to approve the Minutes of the March 18, 2019, Planning Commission meeting as amended was made, seconded and approved unanimously.

Mr. Walters asked for clarification of the comment under the proposed development at 610 West 7th Street on page 2, 2nd paragraph, of the March 18, 2019, Minutes, “Mr. Bergstrom stated the City Solicitor advised the Board not to discuss the Plan so no rights are prejudiced”, and asked why the item was on the Agenda.

Mr. Baldini explained the Commission did not have a package to review or to consider, and the item was on the Agenda as notification to the Planning Commission that it was in play. Mr. Walters asked if that project is grandfathered prior to Ordinance 518, and Mr. Baldini stated that it is. Mr. Toner noted he also had comments on that issue.

2019 Comprehensive Plan

Mr. Baldini stated the Commission is set up to hold public input meetings on Monday, April 29, 2019, at Buttonwood School, on Tuesday, April 30, 2019, at Carrie Downie Elementary School, and on Wednesday, May 1, 2019, at the New Castle Library. WILMAPCO will have the Boards completed and Mr. Baldini will pick them up on April 23, 2019. Mr. Bergstrom has advised the maps will be ready. Mr. Baldini advised that four Commissioners were required to be in attendance at each of the three meetings, and the Commissioners gave him their availability.

Mr. Baldini explained the Boards reflect the critical topics that are part of the Plan and the Commissioners will capture public thoughts and comments for each of the topics. The meeting dates will be posted around town, published in the newspaper and posted on the City website. He added, however, there may be a glitch with the City website at this time.

The Commission will work with WILMAPCO to get the data assimilated as quickly as possible and the data will be added to the Comprehensive Plan.

Mr. Baldini noted there had been some correspondence regarding the Rt. 9 corridor and asked Mr. Boyce about creating a master plan that is beyond the current scope to do an amendment to the Comprehensive Plan. Mr. Boyce will spearhead that project.

Mr. Baldini asked Mr. Justice to work on recommendations for future funding in order to start to look at future studies and accruals for getting the Plan done for the next Comprehensive Plan and make it part of the activities of the Commission.

Ordinance No. 518

Mr. Baldini advised that the Ordinance requires a 15 day Notice and that notice has not been met, so the Commission can discuss but cannot make any recommendation at the present time. Mr. Baldini opened the floor to public comments.

Mr. Roderick Gillespie – 24 West 4th Street

Mr. Gillespie spoke in favor of Ordinance 518 to impose a nine-month moratorium on the issuance of building permits, noting he felt the City is being overdeveloped.

Mr. Chris Rogers, AICP, Principal Planner at AECOM

Mr. Rogers noted that the Ordinance was not posted for the required 15-day public notice period for a public meeting, reiterating that the Commissioners can discuss the Ordinance, but that no recommendations can be made.

Commissioners' Comments

Mr. Toner was absent at the previous meeting, and stated that he understood the Developer brought a sketch of a conceptual plan to the previous meeting, but that there were no pictures of buildings and no research was done on traffic, etc. He noted the commission should know what The Garrison will look like when it is fully occupied, including, in part, traffic, storm water and drainage.

Mr. Boyce stated that at the previous meeting he had brought up the issue of architectural standards in the Code, and was advised by Mr. Bergstrom that the Code does not have substantial standards to give better guidance for apartment or mixed-use complexes in the Gateway Areas. He added that there are standards in the City that could be utilized to inform projects so they are not as massive and bulky as The Garrison, which had to be pushed up out of the flood plain thereby giving it a taller profile than a normal 3- or 4-story building would have. He stated his agreement with Mr. Toner regarding traffic, flow, and parking issues.

Mr. Walters stated that the Commission could not recommend the Ordinance as it is currently drafted, noting it does not do what it is supposed to do. He noted that he and Mr. Toner will give their comments to the City Council to have the Ordinance redrafted. He stated that the Ordinance must be redrafted, adding that in its current iteration it opens the town to liability. In regard to the Rt. 9 project, he noted that Mr. Bergstrom had advised that a submission had been made; however, in his experience, to be in full compliance with an initial submission requires, in part, finished site plans, storm water management plan, and elevations. He had been told that some of those items were done; however, he was not certain they were part of the submission. He noted that in trying to read through the documentation given, he is unclear of exactly what the process is. Mr. Walters added that he felt the Developer has been forthright and is trying to do the right thing, and he wants to ensure that he is given sufficient direction on exactly how to do the right thing. Mr. Walters further noted that The Garrison is not leasing according to their schedule despite it being a very well done project. He stated the Commission's duty is not to make judgment on the viability of a project, but only on its impact to the City; adding that he would like more clarification from City Council and from the Developer as to where he is and what is proposed. He further noted that the moratorium as a general motion is a good idea; and although he is not opposed to the Ordinance, per se, it needs to be redrafted and the Commission needs clarification from City Council and/or the Building Inspector as to what constitutes a proper Application and what allows a project to be grandfathered. The Ordinance specifically talks about grandfathering and it is trying to grandfather the Rt. 9 project.

Mr. Rogers advised that the Commission formulate their comments and present them to City Council in the Commission's formal recommendation on the Ordinance after the 15-day Notice period. The Ordinance has gone through its first reading at City Council, and Mr. Rogers did not foresee it changing. Messrs. Toner and Walters stated that neither of them could vote in favor of the Ordinance in its present rendition. Mr. Rogers noted that any of the Commissioners could submit their comments to City Council as individual citizens. Mr. Walters stated that if City Council signs it, the Ordinance repeals half the standing Ordinances in the City. Mr. Walters further stated that comments need to go to the City Council and the Ordinance needs to be redrafted, noting that the intent was to say that the Ordinance will "prevail" over existing Ordinances; however it says "repeals". Mr. Baldini noted the first reading of the Ordinance has been made; however, the Commission does not have authority to recommend until after the 15-day Notice.

Mr. Baldini stated that no decision will be made until the May Planning Commission meeting. Mr. Rogers anticipates the Ordinance will be duly advertised for the next regularly scheduled meeting of the Planning Commission.

There being no further comments from the Commissioners, Mr. Baldini moved the meeting into Public Comment.

Public Comment

Roderick Gillespie – 24 West 4th Street

Mr. Gillespie noted that the Comprehensive Plan meeting dates and times were not published on the City website as of 3:00 pm on April 22, nor were they published in the April 17th issue of The Weekly. Mr. Gillespie also noted that the April 22, 2019, Planning Commission Agenda was not published on the City website as of 3:00 pm. Mr. Baldini advised that there is a glitch on the website and the City will be notified.

There being no further business, Mr. Baldini called for a Motion to Adjourn.

A Motion to adjourn the meeting at 7:00 pm was made, seconded, and unanimously approved.

Kathy Weirich
Stenographer