

# Swarthmore Planning Commission

## Meeting Minutes

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Meeting Date: September 20, 2023

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Commission Attendees

James Levine -- Chair Doug Harnsberger -- Vice Chair Rex Brien -- Secretary Don Jones Nancy Templeton	Steve Minton Douglas Perry Chris Kenney David Virgil
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Also in Attendance

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Meeting Location

Borough Hall

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- James Levine called the meeting to order at 7:35 PM
- **Public Comment:** None.
- **Agenda Item 1:** Motion to approve July 19, 2023, meeting minutes; seconded and approved.
- **Agenda Item 2:** Committee Reports – see below.
- **Agenda Item 3:** Comprehensive Plan Scoping Update
  - **Discussion**
    - James Levine reported that Borough Council ("BC") is preparing a Request for Proposal regarding the Comprehensive Plan and proposed that the Planning Commission ("PC") should request an opportunity to review same before going out to bid. James also reported that there has been no resolution yet of the proposed steering committee membership.
    - David Virgil queried how the proposed Town Center ("TC") Zoning revision factors into the Comprehensive Plan. James L. noted that the consultant has proposed that the TC Zoning changes should proceed now.
- **Agenda Item 4:** Town Center Zoning Update
  - **Discussion**
    - Doug Harnsberger reported that the TC Zoning consultant, FHI, did not allow for feedback during a recent meeting, and the consultant's draft Introduction To Town Center Zoning Changes report does not sufficiently address historic preservation. He also noted that the consultant has introduced modeling of proposed building heights which includes an allowance of 65' to building cornice, with even higher roof elements. Doug noted that the Historic

Preservation Task Force is proposing an historic district in TC and is communicating with Commonwealth officials. He believes that the consultant is ignoring those efforts.

- David Virgil agreed with Doug’s assessment and noted that BC appears to be pushing this process forward. He noted that the draft removes existing conditional use provisions, which would serve to limit PC’s involvement and assigns review of historic preservation issues solely to the Zoning Hearing Board, a less transparent and public review process. David suggested that PC should advise BC of our concerns.
  - Chris Kenney noted that all important issues pertaining to the proposed TC Zoning revisions are being made solely by BC without PC input.
  - James Levine reported that BC will be taking up the TC Zoning proposal in November. He proposed that PC should consider sending BC a recommendation that PC be permitted to review any proposed change to the zoning code before it goes to BC. He also noted that the Comprehensive Plan update can reconsider any changes made to the TC Ordinance.
  - Rex Brien noted that the efforts to develop TC Zoning revisions no longer appear transparent. He also commented that the existing conditional use provisions in the Ordinance are the primary means to ensure a thorough review of historic preservation issues including demolition of historic buildings and are utilized in municipalities throughout the Commonwealth.
  - Don Jones noted that the building height provisions in the proposed TC Zoning revisions do not address issues previously discussed at length by PC including factoring in typical floor heights into overall building heights.
- **Motion:** James Levine proposed drafting a recommendation to BC that PC be permitted to evaluate and provide its input and recommendations on the draft TC Zoning revisions before they are submitted to BC for approval or disapproval, in accordance with the historical practice of the PC and the Borough.
    - Motion to approve recommendation; seconded and approved unanimously. James Levine will prepare the referenced communication to BC. (A copy of the PC Chair’s October 9, 2023 communication to BC is attached hereto).
  - **Other Discussion:** Doug Harnsberger proposed as an upcoming topic a review of other municipalities’ requirements regarding building applications including modeling, elevations, renderings, and other depictions of the proposed building in context with its surroundings.
  - **Committee Notes**

Committee	Meeting info (time is PM unless noted.)	Planning Commission Liaison
Borough Council		No report.
Environmental Advisory Council (EAC)	4 <sup>th</sup> Tuesday @ 7:30	Discussed scheme to ease purchase of low-carbon energy by residents; applying for Bird Town designation; permanent string lighting for Park Avenue; expansion of SRS paving.

Traffic Advisory Committee	Meetings as needed.	No meeting.
Tree Committee	David Page – Meets as needed.	Discussed conflicting language in Zoning Code re: street trees, distance from curb edge and/or street; looking for funding for software to inventory Borough trees.
UCC Board of Appeals	Meets as needed.	No meeting.
Zoning Hearing Board	Meets as needed, 4 <sup>th</sup> Tuesday.	No meeting.
Borough Council – Environment	4 <sup>th</sup> Wednesday 7:30	Discussed PECO settlement; single use plastics ordinance.
Borough Council – General Government & Hum. Services (Library, town center)	Sarah Graden – 3 <sup>rd</sup> Monday @ 7:30	No report.
Borough Council - Planning & Zoning	Kristen Seymore – 2 <sup>nd</sup> Wednesday 7:30	No meeting.
Borough Council - Public Safety	Jill Gieski – 3 <sup>rd</sup> Tuesday	No meeting.
Borough Council - Public Works/Parks & Rec.	Francie Halderman – 3 <sup>rd</sup> Thursday 8:30 AM	No report.
Borough Council – Finance	TBD – 4 <sup>th</sup> Monday @ 7:30	Reviewed 2024 budget; funding earmarked for Comprehensive Plan.

The meeting was adjourned at approximately 9:00 PM.

**NEXT MEETING:**

The next scheduled meeting is scheduled for October 18, 2023 at Swarthmore Borough Hall.

End of Meeting Minutes



James Levine &lt;jlevine721@gmail.com&gt;

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## Planning Commission Position on Town Center Zoning Amendment Process

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**James Levine** <jlevine721@gmail.com>

Mon, Oct 9, 2023 at 9:49 AM

To: Mary Walk <mwalk@swarthmorepa.org>, jgaieski@swarthmorepa.org, Kristen Seymore <kseymore@swarthmorepa.org>, David Boonin <dboonin@swarthmorepa.org>, sgoldfield@swarthmorepa.org, Scarlett McCahill <smccahill@swarthmorepa.org>, ssmythe@swarthmorepa.org  
Cc: mspiegel@swarthmorepa.org, William Webb <wwebb@swarthmorepa.org>, Elise O'Rourke <elise@swarthmorepa.org>  
Bcc: James Levine <jlevine721@gmail.com>

Dear Borough Council Members,

I write as Chair of the Planning Commission to express the Commission's deep concern over the lack of transparency in the Town Center zoning review and revision process, and particularly the lack of an organized process or structure for the Planning Commission to provide meaningful input as a whole in the process prior to the release of the preliminary draft changes prepared by FHI Studio, and before Borough Council's consideration of those proposed changes.

As you are all aware, the Planning Commission's charge and role is to advise and provide recommendations to Borough Council concerning planning and zoning matters relevant to Swarthmore. The Commission has a long and successful history of providing such productive guidance, consistent with the Borough's Ordinances and Codes.

When Council has sought to amend the Borough's Planning and Zoning Code or to take actions that relate to the Code, it has historically sought input from the Planning Commission early in that process. In particular, proposed Code amendments typically come from the Planning Commission to Borough Council, not vice versa.

That deliberative process has always proven beneficial and has helped drive consensus in connection with many development projects and Code revisions over the years, including the development of the Inn, the roundabout, and the process of evaluating the 110 Park Avenue project, as well as legislation concerning prior Town Center zoning amendments, solar panels, caregiver suites, and countless other enactments in the Borough.

The Planning Commission understands that, with respect to the proposed amendments to Town Center zoning prepared by FHI Studio, the current plan is that Borough Council will consider those amendments at its November meeting(s)—before the Planning Commission formally evaluates and provides input on the proposed amendments. The Planning Commission believes that this process would be backward; proposed zoning amendments should be considered by the Planning Commission prior to being taken up by Borough Council.

In addition to the longstanding historical practice, the Planning Commission has extensive experience and professional expertise in planning and zoning matters, and having the Commission evaluate and provide its input on the draft revisions before Council considers them will be a more productive and effective process. Based on the Commission's preliminary review of FHI's recommendations, we anticipate providing broad feedback to FHI's draft, and believe having the process go through the Commission first will ultimately be

more efficient and a better use of Borough Council's time and energy, so that it only has to consider the proposed revisions once, rather than both before and after the Planning Commission's review and input.

Swarthmore's Planning Commission is comprised of citizens who are deeply dedicated to the Borough, and particularly to ensuring the continued strength and vitality of its Planning and Zoning Code. We are ready, willing, and able to help Council make Swarthmore's Town Center the strongest it can be. Give us the chance.

In conclusion, the Planning Commission unanimously urges Borough Council to follow the successful historical practice of the Commission providing its input on proposed Town Center zoning amendments before Council considers or takes any action on them.

Respectfully submitted for a unanimous Swarthmore Borough Planning Commission,

James Levine

Chair

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