

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, SEPTEMBER 25, 2017**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:02 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Lorraine Leslie, Township Solicitor Steve Harris, Township Engineer C. Robert Wynn, and Chief of Police Christopher Engelhart.

1. ANNOUNCEMENTS: Chairman McIlhinney stated an executive session was held prior to the meeting for informational purposes only.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the September 11, 2017 BOS Meeting
 - b) Bills List September 26, 2017

Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to accept and approve items a) and b) on the Consent Agenda. There was no public comment.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL: Solicitor's Report:
 - a) ZHB Hearings: 2017-014 – Swaminarayan Cultural Center and 2017-013 – Garlan Properties – Solicitor Harris reviewed several Zoning Hearing Board applications scheduled for October 12, 2017 with the Board of Supervisors. ZHB #2017-014, Swaminarayan Cultural Center, requests to have a residential apartment within the cultural center use and to allow the placement of a temporary mobile home for the same use during construction of the cultural center. Solicitor Harris stated the land development plan that was approved stated the Swaminarayan Cultural Center was not going to be used as a residence. The Board of Supervisors stated they wish Solicitor Harris to attend the Swaminarayan Cultural Center Zoning Hearing. ZHB #2017-013, Garlan Properties, requests special exception approval and variance to allow an indoor gym. The Board of Supervisors stated they wish Solicitor Harris to attend the Garlan Properties Zoning Hearing. ZHB #2017-15, Frank and Glenda Henofer, requests a variance for a lot area less than three acres and to permit a flag lot with a pole/lane only 12' in length. The Board of Supervisors stated they do not wish Solicitor Harris to attend the Henofer Zoning Hearing.

b) Dedication of Internal Roads – Coventry Meadows I & II – Solicitor Harris stated he has received executed Deeds of Dedication of the internal roads in Coventry Meadows I & II and the Dedication Agreements signed by Toll Brothers. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to except the Deeds of Dedication for Coventry Meadows I & II by Resolution #2017-017, authorize the Board of Supervisors to execute the Dedication Agreements by Resolution #2017-018, and commence the 18-month maintenance period. There was no public comment.

6. PLANNING:

a) Our Lady of the Sacred Heart Minor Subdivision – Mr. Wynn stated the September 7, 2017 engineering review letter was discussed at the Planning Commission and they unanimously recommended conditional final approval and the granting of all waivers requested by the applicant. Mr. John Stoler, Showalter & Associates, was in attendance along with Mr. Mark Fazio representing Our Lady of the Sacred Heart Church. Mr. Stoler stated following the Planning Commission meeting, the applicant added a ten foot wide access easement along the existing drive so it can be used during snow removal. The Board of Supervisors were in agreement. In regards to item #1 in the September 7, 2017 review letter, Mr. Wynn stated the applicant will remove the driveway and convert it back to lawn so it will not provide access to the parking area. He also noted, in regards to the existing or non-existing driveway, the driveway has never been discontinued and is overgrown with grass. The stone is there and it is intact so, therefore, it does not require a permit. In regards to the existing driveway access to Lot #2, Mr. Stoler questioned if the removal of the existing driveway access to Lot #2 be deferred until such time the property is sold. The Board of Supervisors was agreeable to defer the removal of the existing driveway access to Lot #2 until the property is sold. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant final approval for the Our Lady of the Sacred Heart Church Minor Subdivision contingent upon the items contained in Mr. Wynn’s review letters dated September 7, 2017 and September 20, 2017. There was no public comment.

b) McDonald’s Land Development Waiver Request – Mr. Wynn stated the plan was presented to the Planning Commission and they unanimously recommended waiver of the land development submission. Mr. Michael Jeitner, P.E., Bohler Engineering, was in attendance to present the McDonald’s land development plan and review Mr. Wynn’s engineering letter dated September 6, 2017. Mr. Jeitner stated McDonald’s is proposing a renovation and re-imaging of the existing McDonald’s restaurant. The rear core freezer will be removed and located inside the

building along with minor additions to the outside of the building which results in a 55 sq. ft. reduction in building area. The front play land area will be removed and turned into an outdoor patio seating area with the overall seating count remaining the same. The improvements will result in approximately 1,000 sq. ft. reduction of impervious coverage and the building sign area will be reduced by 17 sq. ft. Mr. Jeitner noted he was alerted that the changeable copy on the electronic message board was changing over three times a day and the applicant stated that will be rectified per the Zoning Hearing Board decision from 2012. Solicitor Harris stated he believes there should be a recorded plan even when there is a waiver and questioned if a development agreement will be needed. Mr. Wynn stated the only public improvement are the three trees they are adding. Chairman McIlhinney stated he believes they are short on customer parking spaces. Mr. Jeitner stated the driveway through area will be updated to provide a pre-menu board with an order window and a pay window. Chairman McIlhinney noted five mature canopy trees were taken down, but, according to Mr. Wynn's review letter, three trees will be required. Mr. Jeitner stated three brand new trees of similar species will be planted. Mr. Wynn stated the applicant will have to comply with the zoning ordinance requirements through the Zoning Officer. Supervisor Bennington questioned the traffic pattern. Mr. Wynn confirmed the traffic pattern will stay the same except for the drive thru area. Supervisor Groff confirmed the 55% reduction of the project overall. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to grant the waiver of requirements for the submission of the land development plan for McDonald's subject to the replacement of the trees and rectifying the digital sign in accordance with the Zoning Hearing Board decision. There was no public comment.

c) Wawa Land Development/Subdivision Sketch Plan Presentation – Mr. Wynn stated the Planning Commission reviewed the Wawa sketch plan and his engineering review letter dated September 6, 2017. Mr. Wynn stated the opinion by the Zoning Officer is that the gas sales is not a principal use but an accessory to the retail use, and, therefore, it complies with zoning. Solicitor Julie Von Spreckelsen, Eastburn & Gray, was in attendance on behalf of Hunt Real Estate Services, Inc., stating the property is zoned PC-2 and comprises approximately four acres. Also in attendance was Mike McManamey and Chris Salemi on behalf of Hunt Real Estates Services, Inc., Mike Jeitner, Bohler Engineering, and Eric Ostinchuk, P.E., Traffic Planning & Design. The re-development of the property consists of the subdivision into two lots. The current Wawa will be demolished and replaced on Lot 1 with the construction of a new 5,585 sq. ft. Wawa with sixteen fueling positions on approximately 2 ½ acres. Lot 2 will comprise of the construction of a restaurant on 1.6 acres. Solicitor Von Spreckelsen reiterated Mr. Taylor's letter dated September

15, 2017 stating fuel sales are an accessory use to the principle E-1 retail store use. Both are permitted uses and they do not need any use variances. The Planning Commission had a few questions and comments but were generally supportive of the project. Mr. Jeitner stated the existing Wawa site is 3300 sq. ft. and has full access from Route 113 and Route 313. The new Wawa will have approximately 63 parking spaces and a few oversized parking spaces with associated buffering and landscaping. Lot 2 will have 52 parking spaces and a variance will be needed from the required 155 parking spaces for fast food restaurants. The access on Route 313 will be moved to the south to provide more separation from the intersection and a deceleration lane will be added. The access on Route 113 is proposed to be a right in/right out and, from further discussions with the Township and PADOT, that may change. The project will have a pump station and sewer extension towards the Regency at Hilltown where it will connect to a public system. Water will be extended from the frontage of the property down to Webb Drive. Chairman McIlhinney asked if the sewer line would be large enough to accommodate other users. Mr. Jeitner stated it is being investigated. Mr. Ostinchuk discussed the right in/right out area on Route 113 and stated it was brought up at the Planning Commission and their opinion was that the left out should be investigated. This will be done at the traffic study and presented to PADOT. It was confirmed that they will be coordinating with Weiss Market in regards to the intersection at Route 113 and Route 313. Supervisor Bennington stated he is concerned with the contamination across the street with the big plume from the gas station and he wants to make sure when they come in with their future plans, that there is complete protection for the Township and for the people at that site. It was confirmed that everything will be in conformance with the latest standards and environmental testing will be done. Supervisor Bennington stated there may be some opposition from residents being that the project will be a super Wawa with gas tanks, especially from the residents at the over 55 community. Mr. Wynn stated one issue at the Planning Commission was the limited spaces for the oversized vehicles. No action was taken.

7. ENGINEERING: None.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Scott Drumbore – H&K – Requesting for extension of hours for October of the Concrete and Asphalt Plant at the Skunkhollow Quarry – Chairman McIlhinney stated H&K has requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between

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the hours of 6:30 pm to 6:30 am, Monday through Saturday, between October 1, 2017 and October 31, 2017, excluding holidays, for the PennDOT projects per their letter dated September 15, 2017. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of October for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated September 15, 2017 with the exception of striking the part in the letter in regards to "and/or private customers." The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

b) Rickert Road Speed Limit Reduction Request – Nick Didenko, 125 Nettles Lane, was in attendance on behalf of the residents on Nettles Lane to request a speed reduction on Rickert Road from 45 mph to 35 mph on the Route 152 and Callowhill Road interval. After a lengthy discussion, it was stated to move the placement of the stop sign, have the developer cut back some of the vegetation and trees for better site distance, and to possibly have a traffic analysis done after the Rickert Road bridge is complete to gauge normal traffic on Rickert Road. Mr. Wynn stated he will reach out to the developer in regards to tree replacement, trimming of the trees, and the placement of the stop sign in the development.

c) Matt Chartrand – Brixmore - Requesting a Staff Meeting for Route 113, former location of Blockbuster & TD Bank – Ms. Leslie stated a staff meeting request has been received from Matt Chartrand in regards to the former Blockbuster & TD Bank location and an escrow will be posted. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the staff meeting for Matt Chartrand. There was no public comment.

d) Eric Wert – David & Laura Christensen – Requesting a Staff Meeting for 3323 Spur Road – Ms. Leslie stated a staff meeting request has been received from Eric Wert in regards to 3323 Spur Road and an escrow will be posted. Chairman McIlhinney stated he would like to attend the staff meeting. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the staff meeting for Eric Wert. There was no public comment.

e) Michelle Seiler – 308 Jessica Lane - Michelle Seiler, 308 Jessica Lane, requested permission to encroach within an existing drainage easement to build a 440 additional sq. ft. patio extension. Chairman McIlhinney stated since this is the second time coming in front of the Board

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of Supervisors to do this, it was suggested to extinguish most of the easement so she does not have to continually come back. Solicitor Harris said it would be a partial extinguishment of the easement, will need a legal description and survey plan, and recorded at the County. Ms. Seiler stated she is not planning to do anything more after the patio and would rather just do the project via a grading permit. Motion was made by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously to approve the additional encroachment of the easement for the 400 sq. ft. patio for the property located at 308 Jessica Lane. There was no public comment.

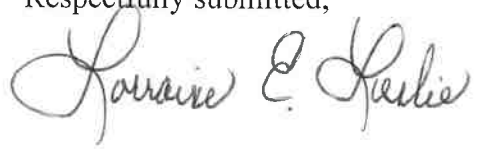
10. SUPERVISOR'S COMMENTS: None.

11. PUBLIC COMMENT: None.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff and carried unanimously, the September 25, 2017 Hilltown Township Board of Supervisors meeting was adjourned at 8:10 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and recordings and should not be considered official until approved by the Board of Supervisors at a public meeting).