

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, JANUARY 25, 2016**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:10 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Richard Schnaedter, Chief of Police Christopher Engelhart, Township Solicitor Steve Harris, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to the meeting to discuss legal and real estate matters.

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

Robert Maxwell, 8 Woodlawn Drive, Blooming Glen, PA read an email he sent to the Board of Supervisors to re-visit his letter he sent on December 14, 2015 in regards to the Bamboo Ordinance. Chairman McIlhinney thanked Mr. Maxwell for his email and noted the Bamboo Ordinance will be tabled this evening.

3. CONSENT AGENDA:

- a) Minutes of the January 4, 2016 Reorganization Meeting
- b) Bills List January 2, 2016 – January 20, 2016

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) (Kirk Tract) – Extinguishment of Pedestrian Path Access & Road Frontage Easements – Solicitor Harris stated there was an agreement for the pedestrian path access and road frontage easements, which were granted back in 2002, would be vacated so that the new development that was proposed for the Kirk Tract would be required to meet all of the current ordinances. They attempted to extinguish the path easement in 2006 but it was recorded against the wrong easement so a new extinguishment of pedestrian path access and road frontage easements has been prepared for approval and execution by the Board of Supervisors. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to

approve and execute the Extinguishment of Pedestrian Path Access & Road Frontage Easements for the Kirk Tract. There was no public comment.

b) Approval and Signature of the First Amendment to the Grant of Easements for Regency at Hilltown – Solicitor Harris stated when the Regency of Hilltown was approved a grant of easements was approved which didn't allow any building to occur within the open space. That was a mistake because, for example, the recreation center and all of the improvements associated with the recreation center are within the open space, the propane delivery system for the individual homes is located in the open space, and the proposed entrance sign is also located in the open space, etc. Solicitor Harris prepared a First Amendment to the Grant of Easements for Regency at Hilltown to correct and properly record those improvements which are allowed in the open space versus those which have not been approved by both Toll Brothers and the Mr. Wynn's office and which are shown on the final plan. Chairman McIlhinney questioned if the outer lands were going to continue to be farmed. Mr. Anderson stated the intent is to continue with the farming. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve and execute the First Amendment to the Grant of Easements for Regency at Hilltown. There was no public comment.

6. PLANNING:

a) AF Partnership L/D Waiver – Mr. Wynn stated Mr. Scott McMackin, P.E., Cowan Associates, Inc., is present regarding the AF Partnership Land Development Waiver on Bethlehem Pike. Mr. Wynn referenced the review letter dated January 7, 2016 and the waiver of land development was recommended conditionally by the Planning Commission last week. Conditions included items from the January 7, 2016 review letter as well as the capital contribution for road improvements not being installed along the Hilltown Township portion of the tract, and the applicant notify the downstream property owner that the development is taking place. Mr. McMackin stated a sketch plan was submitted a few months ago and received some feedback from the Township. The parcel is located directly across the street from A&T Subaru and the applicant is looking to construct a 6,000 sf building to support the business as an auto repair/car washing facility. There will be no customers in and out of the building. The majority of the project is located in West Rockhill Township with a portion of the parking facilities and a majority of the street frontage located in Hilltown Township. Mr. McMackin stated a land development application has been submitted to West Rockhill Township and a Planning

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Commission meeting scheduled for February 9, 2016. The applicant will still come into Hilltown Township for zoning, grading, earth disturbance, and stormwater management permits, but is asking for the land development waiver to simplify the process and leave all of the land development issues and recording of the plan with West Rockhill Township. Mr. McMackin stated all of the items listed in Mr. Wynn's review letter dated January 7, 2016 will be complied with. Two waivers were requested: parking setback from the right-of-way is 10 feet instead of 15 feet, and a waiver from the roadway improvements for curbing, sidewalk, etc. in-lieu-of a contribution. Motion was made by Supervisor Groff, seconded by Supervisor Bennington, and carried unanimously to approve the Land Development Waiver for AF Partnership contingent upon compliance with Mr. Wynn's review letter dated January 7, 2016, and a capital contribution equal to the waived public street improvements on the portion in Hilltown Township, and the downstream property owner will receive notice of development activity. Supervisor Bennington stated since the applicant does not comply with the 2 acre minimum site area, will they have to get a variance from the zoning ordinance. Mr. Wynn stated he didn't think that was something that was needed in this case because it is an existing lot and the majority of the lot is in West Rockhill Township along with all of the development except for a small portion of the parking area is within West Rockhill Township and they meet the requirements in West Rockhill Township. There was no public comment.

7. ENGINEERING:

a) Kirk Tract Subdivision – Proposed development and street name revision – Mr. Wynn stated the developer of the Kirk Tract Subdivision is requesting the name be revised to Highfield Estates and the street name be revised to Winterberry Lane. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the development and street name revision to the Kirk Tract Subdivision to Highfield Estates and the street name to Winterberry Lane. There was no public comment.

b) Regency at Hilltown – Proposed development signage/plan revision – Mr. Wynn stated the ordinance requires the development sign be shown on the subdivision plan. There was not a sign shown on the subdivision plan and that is why there is a plan revision. Dave Anderson, Toll Brothers, was present to seek approval for entrance signs at both site access and incorporate a landscape plan for approval. Mr. Anderson stated it is a private gated community and the roads will owned by the HOA. In addition, two buildings were adjusted by 20 feet to provide additional setback for the existing cell tower. Motion was made by Supervisor

Bennington, seconded by Supervisor Groff, and carried unanimously to approve the development signage/plan revision for the Regency at Hilltown contingent upon Mr. Wynn's review letter dated January 20, 2016. There was no public comment.

c) Recycling Facility Fence Proposal – Mr. Wynn stated he has received three fence proposals but he still needs clarification on one of them and requested the item be tabled until further notice.

d) Vehicle and Traffic Amendment – Mr. Wynn stated the vehicle and traffic amendment is in the process of being reviewed with the Chief of Police and the Public Works Director and requested it be tabled.

8. UNFINISHED BUSINESS:

a) Consider adoption of Bamboo Ordinance – Solicitor Harris asked for a motion to table the Bamboo Ordinance until the next meeting so it does not have to be re-advertised. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to table the Bamboo Ordinance until the Board of Supervisor's meeting on February 22, 2016. There was no public comment.

9. NEW BUSINESS:

a) Purchase of a Wheel Loader – Township Manager Richard Schnaedter stated Tom Buzby, the Public Works Director, is requesting authorization to purchase a new 2016, Model 324K wheel loader at the cost of \$88,300 through Co-Stars, Pennsylvania Legacy Contract #2420-02, which is a 29% discount over the original price, and comes with a 5 year warranty. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize the purchase of the new 2016, Model 324K wheel loader, Pennsylvania Legacy Contract #2420-02 including to purchase the additional preventative maintenance program. There was no public comment.

b) Scott Drumbore – H&K – Requesting for extension of hours for February of the Concrete, Asphalt Plant, and Crushing 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 the hours of 6:30 pm to 6:30 am, Monday through Saturday, between

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February 1, 2016 and February 29, 2016, excluding holidays, per their letter dated January 15, 2016. Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to grant the extension of hours for the month of February per their letter dated January 15, 2016. The motion passed 2-1 with Supervisor Bennington having the opposing vote. There was no public comment.

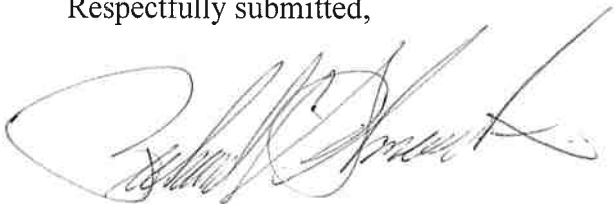
10. SUPERVISOR'S COMMENTS: Supervisor Groff stated the Public Works Director, Tom Buzby, and his crew did a great job with the snow. Supervisor Bennington stated they all did a great job during this past storm, Hurricane Sandy, and the 1996 storm, and all of them should be commended. Hilltown Township roads look better than everybody else's roads. The Supervisors agreed Solicitor Harris does not have to attend the upcoming Zoning Hearing Board meeting for a pool at 209 Shultz Road.

11. PUBLIC COMMENT: Mr. Ed Krylow, 1235 Mill Road, presented pictures of running bamboo on his property and stated bamboo stops at water and he has no problems with it. Mr. Krylow also stated, a few years ago, he had a fire at his house in 2 ½ inches of snow and it took 47 minutes for the fire department to arrive. He suggested a snow plow be used in front of the fire trucks in an event of a fire.

12. PRESS CONFERENCE: No members of the press were present.

13. ADJOURNMENT: Upon motion by Supervisor Groff, seconded by Supervisor Bennington, and carried unanimously, the January 25, 2016 Hilltown Township Board of Supervisors Meeting was adjourned at 7:42 PM.

Respectfully submitted,



Richard C. Schnaedter
Township Manager/Secretary

(*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).