

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARY SCHEDULED MEETING
MONDAY, AUGUST 25, 2014**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:03 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 Stephen Harris, Township Treasurer, Lorraine Leslie, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS:

a) **Chairman McIlhinney announced the Board of Supervisors met in Executive Session prior to the meeting to discuss personnel, litigation, and real estate matters.**

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONSENT AGENDA:

- a) Minutes of the July 28, 2014 Supervisor's Meeting
- b) Bills list dated July 30th – August 8th, 2014
- c) Bills list dated August 13th – August 22nd, 2014
- d) Financial Report July, 2014
- e) MMO Calculations for 2015 – Police & Non-Uniform

Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to accept and approve items a) through e) on the Consent Agenda, after one question Supervisor Bennington had in regards to an invoice to Lloyd Simons on page four. Ms. Leslie stated the reimbursement had already been received. There was no public comment.

4. CONFIRMED APPOINTMENTS:

a) Dave Taylor, Township Zoning Officer – Dave Taylor was present to seek approval for a permit software program called CSG Permit Manager. The software has not been updated since 2005 and the new software is setup for interfacing with GIS, streamlined permit and information tracking, is access based, and comes with support and updates. Mr. Taylor also requests that the part-time employee be retained to continue the scanning and organizing of the property files. The Supervisors all concluded it looked like a good software program. Motion

was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the purchase of the permit software program. There was no public comment.

b) Keith Kirkner, Director of Finance & Adm. (NOVA) – Keith Kirkner was present, along with Ben Derby and Mark Schweiker, to discuss the informal sketch plan located at the Northwest Corner of Broad Street/Route 313. Mr. Kirkner stated the non-profit organization was established in 1974 with offices in Perkasio, Jamison, and Fairless Hills, along with a thrift shop in Fountainville. Mr. Kirkner stated recently, the organization purchased the property located at Route 313 and Broad Street with hopes of developing the property into a new site for a thrift store. The current location, which is leased, is insufficient for the thrift store that is open seven days a week, has six employees, with approximately fifty volunteers. The three buildings located on the property would be demolished and replaced with a new building, parking, and stormwater management. An application has not been submitted nor has a zoning review been submitted. The Planning Commission had comments regarding public water and sewer, (which a variance would be needed), parking, and the traffic flow in the busy area. Chairman McIlhinney suggested a traffic light would be needed at the "t" intersection as well as a traffic study as stated by Supervisor Bennington. Chairman McIlhinney also questioned if taxes would be paid on the property. Mr. Wynn stated the next step would be a formal sketch plan to the Township and the Bucks County Planning Commission.

5. LEGAL: Solicitor's Report –

a) Solicitor Harris presented the revised Fire Company Billing Ordinance and the Hazardous Materials Response Costs Ordinance. Solicitor Harris stated only the fire company in the service area was allowed to submit a bill for costs along with the limit to how much of the costs can be billed. Chairman McIlhinney requested the word "their" third party billing company be added on page 2 (b) and (c). Motion was made by Supervisor Bennington and seconded by Supervisor Groff, to authorize the solicitor to advertise Ordinance #2014-1 for the Fire Company Billing Ordinance for the September 22, 2014 Board of Supervisors meeting. Motion passed 2-1 with Chairman McIlhinney being the opposing vote. There was no public comment.

Solicitor Harris presented the revised Hazardous Materials Ordinance. The ordinance will state no more than two units. Motion as made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the solicitor to advertise Ordinance #2014-2 for the

Hazardous Materials Ordinance for the September 22, 2014 Board of Supervisors meeting. There was no public comment.

b) Ivy Hill Equestrian Center – Reserve Parking Agreement for signature – Solicitor Harris presented the reserve parking agreement for signature as well as the record plans for signature. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to authorize the execution of the Reserve Parking Agreement for the Ivy Hill Equestrian Center as well as the record plans. There was no public comment.

6. PLANNING: C. Robert Wynn, Associates

a) Robert Showalter – Hilltown Development Co. – Robert Showalter, P.E., Showalter & Associates, was in attendance to present an informal sketch plan, that was presented to the Planning Commission on July 16, 2014, for twelve (12) garden apartments and a two (2) unit multiplex (one unit attached to the existing Victorian home) located at Township Line Road and Hilltown Pike on approximately 4.13 acres. The arrangement may be changed before the formal sketch plan is submitted. The property is in the VC Zoning District. Mr. Showalter stated the property has some wooded areas and minor steep slopes. The project will have to go before the Zoning Hearing Board because of the five acre minimum required for this project. The project would be serviced with public water and public sewer. There are 40 parking spaces provided (and two handicap spaces) which is more than the required 2.5 parking spaces. At the rear of the project, there is a walking path to Walmart. The Planning Commission comments were the area needs major upgrades in regards to draining, curbing, and sidewalks. This project will align with New Galena Road and improvements need to be made in the area such as tree coverage and street improvements. Mr. Wynn stated storm drainage will be an issue with this project. The Board of Supervisors all agreed that the area needs to be improved and they will see what the Zoning Hearing Board has to say. The next step would be a formal sketch plan submission.

b) R. Huber Electric Land Development Preliminary Plan (Keystone Drive) – Jason Smeland, Lenape Valley Engineering was in attendance to present the preliminary plan that was presented to the Planning Commission on July 21, 2014 and recommended preliminary plan approval. The project consists of a .7981 acre site located in the LI Zoning District and is proposed to be developed for office and commercial/industrial craft uses. Currently the site is in residential use, and contains a single family detached dwelling, shed, and two driveway accesses along Keystone Drive. The applicant proposes to convert the existing dwelling into office space

Page 4
Board of Supervisors
August 25, 2014

and construct a 40' x 80' shop for commercial/industrial craft use. The applicant has obtained written approval, dated March 18, 2014, from the Zoning Hearing Board relating to buffer yards adjoining the residential use and along the perimeter of the proposed parking facilities, minimum yard and lot width requirements to permit the side yard setback of 25 feet rather than 30 feet, development of the lot containing a nonconforming lot width, minimum area requirement for uses within the LI Zoning District, and to permit parking to be located within the front and side of the building. Mr. Smeland stated the neighbor would prefer to not have any plantings and submitted a letter dated February 2, 2014 of that nature to the Zoning Hearing Board. Supervisor Bennington requested the trees be planted somewhere else. Mr. Wynn's review letter dated July 9, 2014 was discussed including all items are will complies. Mr. Smeland discussed the waiver requests per his July 18, 2014 memo and indicated the plans were sent to the Sellersville Fire Company for their review and received a letter dated August 8, 2014 indicating no discrepancies with the plans. Mr. Wynn stated final plans were submitted and will be on the next Planning Commission meeting in September. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, for the preliminary plan approval for R. Huber Electric Land Development contingent upon Mr. Wynn's review letter dated July 9, 2014, the Planning Commission's comments, and the trees to be utilized somewhere else. There was no public comment.

c) Envision Land Use Subdivision – Edward Murphy, Esquire, was in attendance to present the revised preliminary plan to address engineering/drafting detail items that were included in the engineering review dated June 9, 2014. The Planning Commission recommended preliminary plan approval at their June 16, 2014 meeting. Mr. Wynn's review letter dated August 19, 2014 was discussed along with the following waivers:

A. SLDO Sections 140-28.P, 140-29.D(1), 140-35, 140-36, and 140-37 – cartway reconstruction/overlay, drainage improvements, cartway widening, curb, sidewalk, and street trees along existing roadways with the frontage of the site.

B. SLDO Section 140-27.B(1) – block length shall not exceed 1,600 LF.

C. SLDO Section 140-27.B(4) – lot lines intersecting the street line be oriented substantially at right angles or radial to the street line, from the street line to the rear of the lot.

D. SLDO Section 140-27.B(11) – residential lot depth not be less than one nor more than three times the lot width.

Page 5
Board of Supervisors
August 25, 2014

E. SLDO Section 140-39.C – top and bottom edges of slopes to be a minimum of five feet from property lines or right-of-way lines of streets in order to permit the normal rounding of the edge without encroachment onto abutting property.

F. SLDO Section 140-47 – residential developments of between 29 and 49 lots construct at least one playfield and one tot lot.

Two additional waivers have since been requested since the Planning Commission meeting:

A. SLDO Section 140-38.C(2)(r) and (s) – minimum horizontal separation of 10 feet between storm sewer and other utilities, and also requires that crossings between storm sewer and other utilities be at 90° angles.

B. Stormwater Management Ordinance Sections 134-19.J.4.a and b – maximum depth of detained runoff in a basin be 24" for the 2-10 year storm events; and 36" for the 100-year storm event.

A discussion ensued regarding the location of street trees and the pushing up of the sidewalks. It was suggested that the trees be placed behind the sidewalk within an easement. Mr. Wynn stated PP&L will not allow trees in their easement. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to approve the preliminary plan for Envision Land Use contingent upon Mr. Wynn's letter dated August 19, 2014, the approval of the waivers, and items discussed with the Planning Commission. There was no public comment.

d) Smith Minor Subdivision – Scott Mease, Smith Engineering, along with solicitor Jeff Landis, were in attendance to present the two lot subdivision located along the south side of Broad Street. The Planning Commission gave preliminary/final plan recommendation at their August 18, 2014 meeting. Mr. Mease stated the site is approximately 27 acres and is within the RR Zoning District. Lot one consists of approximately 16 acres and contains an existing single family detached dwelling, and several accessory structures. Lot two is approximately 11 acres and is proposed to be a building lot. Mr. Wynn's review letter dated July 22, 2014 was discussed, with all items to be complied with, along with the conservation easement. According to the waiver request letter dated July 28, 2014, the following waivers were requested:

Page 6
Board of Supervisors
August 25, 2014

A. SLDO Sections 140-29.D, 140-35, and 140.36 – cartway widening, curb, and sidewalks.

B. SLDO Section 140-28.P – cartway reconstruction/overlay and drainage improvements along existing roadways within the frontage of the site.

C. SLDO Sections 140-38 and 140-40 – deferral from the stormwater management requirements and a deferral from obtaining an adequacy letter from the Bucks County Conservation District for the erosion and sediment control requirements for lot two.

Chairman McIlhinney stated it is pre-mature asking for a subdivision while the conservation easement is being considered and should be done as a package. Solicitor Harris stated the documents still has to be finalized and that will possibly be done by late September. No action was taken.

7. ENGINEERING: C. Robert Wynn, Associates

a) Weiss Market – PennDOT Requirements – Mr. Wynn stated PennDOT requested the execution of an "Applicant's authorization for agent to apply for Highway Occupancy Permit" and for the Township to be a co-applicant in regards to Weiss Market. After discussion, it was stated that Mr. Wynn and Solicitor Harris will discuss the issue further in regards to an agreement.

b) Mill Road Bridge – Mr. Wynn stated the work on the Mill Road Bridge is anticipated to be complete on August 29, 2014 with the inspection to be completed on August 28, 2014 at 10:00 AM.

c) Ashland Meadows Subdivision – Mr. Wynn stated an extension has been requested by Toll Brothers for the Ashland Meadows Subdivision till May 31, 2015. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to approve the extension till May 31, 2015 for the Ashland Meadows Subdivision. There was no public comment.

d) Hilltown Ridge Subdivision – Mr. Wynn stated nothing has been completed at the site since the date of his latest punch list dated July 28, 2014 for the Hilltown Ridge Subdivision. The NPDES permit expired on December 8, 2013 with no attempts by The David Cutler Group to renew the permit. Mr. Wynn requests the Board of Supervisors authorize the Township Solicitor to take appropriate steps to secure the funds from the bond to finish the improvements.

Solicitor Harris, as a courtesy, will make a phone call to the developer. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, for Solicitor Harris to prepare the paperwork to secure the funds from the bond to complete the improvements for the Hilltown Ridge Subdivision. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Steve Kendra – Hilltown Community Day Presentation – Steve Kendra was present to discuss the Hilltown Community Day which will be held on October 11, 2014 from 2:00 P.M. until dark. There will be food vendors, fire department equipment, helicopters on display, fireworks, etc. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to donate the \$3,000 for the fireworks for the Hilltown Community Day. There was no public comment.

b) H&K Quarry- Request for extension of hours of operating hours for September, 2014, Both Concrete/Asphalt Batch Plants – H&K has requested to operate 6:30 pm to 6:30 am, Monday through Saturday for the month of September, excluding holidays.

Public Comment: Steve Thompson, 506 Upper Stump Road, discussed his email to Richard Schnaedter and his displeasure over the noise, soot, and rock crushers. He stated it is a great inconvenience and imposition and is opposing the extension of hours for September.

Motion was made by Supervisor Groff, seconded by Supervisor McIlhinney, to grant the extension of operating hours for September, excluding holidays, according to the request letter dated August 13, 2014. Motion passed 2-1 with Supervisor Bennington being the opposing vote.

c) J. Edmund Mullin – HRMM&L – Representing John Antonucci of Mill Road requesting a staff meeting – J. Edmund Mullin, Esq. was not present at the meeting but requested a staff meeting. The Board of Supervisors agreed with the staff meeting with the fee being \$2500.00.

10. SUPERVISOR’S COMMENTS: Supervisor Bemington questioned if the September 22, 2014 Honor Flight information is on the Township website. He also stated that he is tired of not getting any answers in regards to the Rickert Road Bridge and requested a representative from

Page 8
Board of Supervisors
August 25, 2014

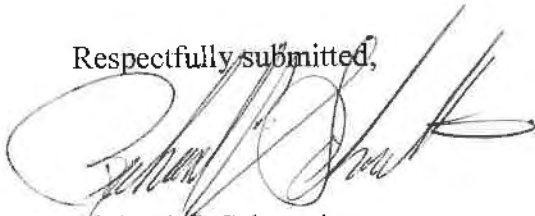
Bucks County to be at the September Board of Supervisor's meeting. Supervisor Bennington stated that a cell tower ordinance needs to be looked into along if the "no turn on red sign" on Diamond Street had been installed. Mr. Wynn stated they have been placed but they still need the final inspection.

11. PUBLIC COMMENT: Fred Neiman, Pleasant Meadows, reminded the Supervisors that leaves will be starting to fall soon and discussed the issue of the leaves in the storm drain during the snow storm before New Year's Eve. He wanted to know if it was possible to pass out a flyer with dates of leaf collection and also on the website.

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

13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, the August 25, 2014 Hilltown Township Board of Supervisors Meeting was adjourned at 9:05PM.

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).