

HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULARLY SCHEDULED MEETING
Monday, March 15, 2010
7:30PM

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairman Mark Funk at 7:30PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Kirk Hansen, Jeff Lapp, Joe Marino, Lori McCauley, Andrew Mele, and Anita Menegaux; along with Township Engineer, C. Robert Wynn, and Township Planner, Judy Stern-Goldstein.

A. APPROVAL OF MINUTES – Action on the minutes of the February 15, 2010 Planning Commission meeting: Motion was made by Mr. Lapp, and seconded by Ms. Menegaux, to approve the minutes of the February 15, 2010 Planning Commission meeting, as written. Mr. Mele abstained from the vote since he was not a member of the Commission at that time. Motion carried.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONFIRMED APPOINTMENTS:

1. Weisbecker Subdivision/Lot Line Adjustment – The applicant was not present at this time.

2. Guttman Tract (aka: Hilltown Walk) Revised Sketch Plan – Middletown Mortgage Zoning Petition – Mr. Robert Gundlach, the applicant's legal counsel, was in attendance along with Mr. Joe Duckworth of Arcadia Land Company, to present the plan. Review by the Township Planner, Ms. Stern-Goldstein, dated March 11, 2010 was discussed. The proposed project is located south of Silverdale Borough along Green Street in the CR-2 Zoning District. Following the last meeting with Township staff, a revised sketch plan was submitted on February 23, 2010. The specific revisions include the following:

- Relocated the proposed commercial space from the north side of the property to the center. This relocation allowed the land planner to first layout the commercial buildings, then fill in the residential units around it.
- Provided for an expansion area for any additional commercial space needed in the future.
- Provided for residential units above the commercial space.
- Provided for home occupation uses around the commercial space.
- Eliminated the previously proposed townhomes and limited the residential dwelling types to singles, twins, and the units above the commercial space.

- Allowed for better integration of the product type throughout the project, including integration on the same block.
- Eliminated the previously proposed library use.
- Provided for active recreation lands adjacent to the Al Reese Park.
- Provided for passive recreation lands and a community garden adjacent to Silverdale Borough.
- Provided for the renovation and redevelopment of the existing farmstead for use as a bed and breakfast or other similar low impact commercial use.
- Integrated the proposed project with the surrounding area through the use of walking trails and sidewalks.
- Provided for roadway and traffic calming improvements on Green Street.
- Reduced the size of the commercial space and user types.
- Revised the street layout to better conform to the Township Ordinance requirements and eliminated the previously proposed meandering roads.

Planning Commission Comments:

1. Mr. Marino referred to Ms. Stern-Goldstein's review, which mentions many times that additional revisions are required before the plan can be moved forward and considered for a rezoning change. Mr. Duckworth replied that the applicant intends to comply with all the points raised by Ms. Stern-Goldstein to the Township's satisfaction. However, he noted that the applicant wishes to insure that they are moving in the right direction as far as the Township's opinion of their TND proposal before addressing the re-zoning request. An informal vote was taken by the Planning Commission as to whether they felt this location was an appropriate site for a TND. Mr. Marino felt it was critical to consider the thoughts and comments of the neighboring residents of Silverdale Borough as well.

2. Mr. Lapp agreed that this location may not be the most desirable for a TND. He does not believe that the Planning Commission, while reviewing the initial TND Ordinance, envisioned sites other than those located around Village Center areas, such as Blooming Glen, the Village of Hilltown, and Line Lexington for a TND.

3. Since traffic on Green Street is a concern, Ms. Menegaux asked if consideration had been given to obtaining access to Rt. 152 to alleviate some of the traffic. Mr. Duckworth understands

that there were safety concerns with respect to speed with the Green Street access, but he was not under the impression that there was a concern with level of service. He agreed that there is a valid concern with the intersection of Rt. 113 and Green Street in Silverdale Borough however, after conferring with the applicant's engineer; Mr. Duckworth believes that there are enough viable possibilities to solve the traffic issues. Given that, the applicant has not considered acquiring easements or additional properties to provide an access to Rt. 152.

4. Mr. Lapp does not believe that traffic issues at Green Street and Rt. 113, or any of the other intersections impacted by this development can so easily be resolved. Mr. Duckworth does not dismiss the existence of traffic issues in conjunction with the proposed development, but he has confidence that these problems may be solvable. Mr. Gundlach further noted that the applicant's traffic consultant, Mr. Horner, is reasonably comfortable that the existing traffic issues can be made better than what currently exists. For instance, according to Mr. Horner's traffic study the intersection of Rt. 113/Green Street is projected to decline from a "C" to a "D" even without this development in the near future. With the improvements contemplated and the potential installation of a traffic signal at that intersection, it was noted that the intersection could be improved up to a level of "C," rather than declining to a "D." Mr. Marino reminded Mr. Gundlach that there are other issues besides traffic that figure into this approval process.

5. Mr. Mele is mindful of the applicant's intention to minimize expense in determining whether the Township is receptive to their proposal for a TND in this location prior to moving forward. While he believes it is an innovative concept, Mr. Mele expressed concern that the applicant appears to be seeking the Commission's concurrence for a zoning change prior to considering the TND proposal. Mr. Duckworth commented that the applicant is not seeking a vote on either the TND proposal or the rezoning request until all outstanding issues are resolved to the Township's complete satisfaction.

6. As had been suggested at a previous PC meeting, Mr. Lapp recommended that the applicant consider conducting a market analysis to determine whether there is sufficient traffic to even sustain a Village Center development such as this. He referred to the nearby Heritage Executive Campus, and other commercial ventures that currently exist in the area. Lengthy discussion occurred regarding the possible commercial uses that could be considered for this site, such as a travel agency, daycare center, barber shop, etc.

7. Ms. Stern-Goldstein acknowledged that this latest version of the plan is much better, and is most closely aligned with the TND Ordinance requirements than previous versions. However, she explained that the evolution of the TND Ordinance in Hilltown Township was based more upon supplementing and augmenting the existing commercial enterprises and opportunities within the existing Village Centers, thereby branching out from there, not necessarily with the intent to create new Village Centers. The question remains as to whether or not this particular property is an appropriate site for a TND the way the Ordinance was written for Hilltown.

8. Mr. Hansen noted the major change that would be required from the previously approved 45 single-family lot subdivision to 150 mixed use units, which is a significant increase, particularly for that area of the Township. Mr. Duckworth believes that this plan as currently proposed is very similar in scale and density to Silverdale Borough, and therefore, as the TND Ordinance would permit expansion of other Village Center Zoning Districts, he feels this is a logical location to do so. Rather than having more suburban development directly adjoining an existing village, Mr. Duckworth explained that developing this parcel as a TND would accomplish what the Township set out to do. Discussion continued.

9. Since this is the first proposal for a TND, Mr. Marino reminded the developer that they will be held to the highest standards and that all requirements must be met, with no exceptions. Mr. Duckworth noted that the developer has been most successful in the municipalities with the reputation of being the most rigorous; working successfully with two communities in Lower Moreland and communities in both Lower Merion and Narberth. He encouraged the Commission to research the work that was accomplished in those municipalities.

10. Chairman Funk struggled to see the benefit of the density increasing over 300% of what was previously approved for this site.

Public Comment:

1. Mr. Jonathan Huss of 338 Green Street lives directly across the street from the proposed development. He personally does not believe that this location is an appropriate site for a Traditional Neighborhood Development, and is opposed to the re-zoning of this property to VC. Mr. Huss has visited the applicant's community in Lower Moreland, but does not believe it successfully blends with the surrounding area. Additional traffic and the increased density of this proposed TND is a major concern. He noted that commercial development currently exists in and near the neighboring Silverdale Borough. Mr. Huss does not believe that Green Street is an appropriate location for any commercial uses as it is a rural road in a rural neighborhood. He respectfully requested that the Township not re-zone this property to VC for the construction of a TND.

2. Mr. Tom Lehrman of 326 Green Street agreed with Mr. Huss's comments. He does not believe drawing in additional commercial traffic is desirable for this neighborhood or for the Township as a whole.

3. Mr. T.C. Fike of 116 Green Street (Silverdale Borough) is a proponent of TND's in general, however does not feel such a development is appropriate on Green Street. He explained that there are approximately 60 dwellings between Hilltown Pike and Rt. 113 along Green Street, and the construction of this development would triple that number. Most of the existing traffic, in Mr. Fike's opinion, is through traffic. As to the aspect of connectivity to Silverdale Borough, he noted that there are very few commercial properties in that area of the borough, and there

would be a distinct lack of walkability due to lack of sidewalks on Green Street. Mr. Fike felt it was unfair to the existing commercial properties in Silverdale, Blooming Glen, and Hilltown where the TND is targeted for VC Zoning.

4. Ms. Amy Riddle-Montgomery of 110 Green Street (Silverdale Borough) commented that Silverdale Borough is a political entity with its own zoning and small, downtown commercial areas. It was her opinion that this proposal for a TND would become almost its own small village or borough. She continues to be concerned about the increased traffic from this development, and the continued claim by the applicant that the existing traffic issues at the Rt. 113/Green Street intersection can be "easily rectified." Ms. Riddle-Montgomery pointed out that there are currently empty office buildings and commercial properties in the Village of Blooming Glen and in the Heritage Executive Campus on Rt. 152/Walnut Street, and questioned the need for additional commercial and/or live-work units in this area.

5. Ms. Jan Miller of 406 Green Street expressed concern with the speed limit and traffic issue on Green Street, explaining that she has witnessed two fatal accidents directly across the street from the proposed development within the past 10-15 years. A brief discussion occurred as to the traffic calming measures the applicant has proposed along Green Street.

6. Mr. Joe Montgomery of 110 Green Street (Silverdale Borough) is also most concerned about the traffic safety issue with respect to children. He referred to the proximity of the Middle School located in Silverdale Borough, which generates bus traffic, pedestrian traffic, and children waiting for the bus along Green Street. With the density proposed, Mr. Montgomery anticipates that the side streets intersecting Green Street such as Silver Street and Wenger Avenue will become short cuts for motorists to avoid the major intersection of Green Street/Rt. 113.

7. Mr. Stan Critowski of Oak Drive (Silverdale Borough), who is also a member of Silverdale Borough Council, appreciates the Township's willingness to share information and consider their comments and opinions during the planning process. Mr. Critowski continues to be concerned with traffic safety, traffic flow and density, and hopes that these very serious issues remain at the forefront and are addressed to everyone's satisfaction for the entire community.

8. Mr. Matt Rosen has noticed that there are not any commercial businesses and/or shopping districts located on Township roadways, only on State highways. He fears that if a TND is approved for this site, there could be a proliferation of this type of development. Chairman Funk noted that the Ordinance only permits TND's in the Village Center Zoning District, which is why this applicant is also seeking approval to re-zone. Discussion took place regarding the increased traffic that would occur should this plan be approved.

9. Mr. Boh Kehs of 334 Green Street does not feel this proposal is consistent or in character with the rural nature of the surrounding neighborhood.

10. Ms. Debbie Clark of 109 Oak Drive (Silverdale Borough) questions the viability of commercial and retail stores on rural Green Street, particularly given the current economy and the vacant storefronts and professional offices that presently exist, such as those in the Hilltown Crossings Shopping Center.

There was no further public comment.

Since it appears to Mr. Gundlach that there are still a few open minds remaining on the Planning Commission, the applicant will provide additional information and make an effort to address the concerns expressed here this evening.

2. Weisbecker Subdivision – The applicant still was not present. The Bucks County Planning Commission review dated February 25, 2010 and Mr. Wynn’s review dated January 25, 2010, was discussed.

Motion was made by Mr. Marino, seconded by Mr. Lapp, and carried unanimously to deny the Weisbecker Subdivision unless an extension is received.

D. PLANNING: None.

E. ORDINANCES:

1. Zoning Ordinance Amendment – Use E21, Adult Entertainment – The Bucks County Planning Commission review dated March 3, 2010 and correspondence from Solicitor Grabowski dated March 1, 2010 and March 8, 2010 were discussed. The revision proposes to amend Section 160-23.E (21) of the Zoning Ordinance by deleting the Adult Store Use and replacing it with a new Use E21 Adult Entertainment. The use regulations would include definitions, separation requirements, age restrictions, time restrictions, and parking standards. The Adult Entertainment Use would be permitted as a Special Exception in the Heavy Industrial (HI) District.

Discussion took place concerning the distance requirement of only one thousand feet for the building or structure of any such use from any residential use or district, public or private school, place of worship, recreation facility, or any other religious, institutional or educational use.

Motion was made by Mr. Marino, seconded by Ms. McCauley, and carried unanimously to recommend acceptance of the proposed Zoning Ordinance Amendment – Use E21, Adult Entertainment to be advertised for Public Hearing.

2. Subdivision Ordinance/Zoning Ordinance Amendments – Landscaping and Buffer Yards – Mr. Wynn’s memo dated January 18, 2010 to the Board of Supervisors regarding

Landscaping and Buffer Yard Requirements was presented to the Commission for review and consideration.

Mr. Lapp commented that the listing of Noxious Weeds as defined by the Noxious Weed Control Law (Act 72 of 1994) is not complete and is constantly amended. He also suggested that a recommendation for native plantings, where applicable, be considered. Mr. Wynn explained that most of the plantings on the approved Tree List are native. Discussion took place.

This matter was tabled for consideration in greater detail at the April 19, 2010 Planning Commission meeting.

- F. OLD BUSINESS: None.
- G. NEW BUSINESS: None.
- H. PLANS TO ACCEPT FOR REVIEW ONLY:
 - Pileggi Land Development (Nursery) – Rt. 313
- I. PUBLIC COMMENT: None.
- J. PLANNING COMMISSION COMMENTS: None.
- K. PRESS CONFERENCE: No members of the Press were in attendance.
- L. ADJOURNMENT: Upon motion by Ms. McCauley, seconded by Mr. Lapp, and carried unanimously, the March 15, 2010 Hilltown Township Planning Commission meeting was adjourned at 8:58PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*NOTE: These minutes were transcribed from recordings taken by Mr. Kirk Hansen, Planning Commission Secretary, and should not be considered official until approved by the Planning Commission at a public meeting).