

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 26, 2005
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Vice-Chairperson Egly at 7:35PM and opened with the Pledge of Allegiance.

Also present were: George C. Egly Jr. – Vice-Chairperson
Richard J. Manfredi – Supervisor
Kenneth B. Bennington – Township Manager
Francis X. Grabowski – Township Solicitor
C. Robert Wynn – Township Engineer
Thomas A. Buzby – Director of Public Works
Lynda S. Seimes – Township Secretary

Vice-Chairperson Egly announced the Board met in Executive Session on September 16, 2005 to discuss personnel, met with Township staff on September 19, 2005, and met in Executive Session prior to this meeting in order to discuss personnel.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – August 25, 2005 Public Meeting – Haines and Kibblehouse, Inc. Zoning Change Petition Agreement and August 31, 2005 Zoning Ordinance Amendment Public Hearing – Haines and Kibblehouse, Inc. -- Vice-Chairperson Egly advised that the minutes of both the August 25, 2005 Public Meeting and the August 31, 2005 Public Hearing, as noted above, were accepted as written by the Township Secretary. There was no public comment.

C. APPROVAL OF CURRENT BILLING: Vice-Chairperson Egly presented the Bills List dated September 27, 2005, with General Fund payments in the amount of \$65,110.93, Park and Recreation Fund payments in the amount of \$1,962.79, State Highway Aid Fund payments in the amount of \$10,129.56, and Escrow Fund payments in the amount of \$4,824.46; for a grand total of all payments in the amount of \$82,027.74.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to approve the Bills List dated September 27, 2005. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

E. SOLICITOR'S REPORT – Mr. Francis X. Grabowski, Township Solicitor –

1. Solicitor Grabowski presented a Sewage Operation and Maintenance Agreement for a repair/replacement system for Joseph Cloonan for TMP #15-001-157-002 for a Peat Option 1 A/B sewer system.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to accept the Cloonan Sewage Operation and Maintenance Agreement, as noted above. There was no public comment.

2. Solicitor Grabowski presented a second Sewage Operation and Maintenance Agreement for a replacement system for a property located at 943 Callowhill Road for Mr. and Mrs. Richard Corl.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to accept the Corl Sewage Operation and Maintenance Agreement, as noted above. There was no public comment.

3. Solicitor Grabowski presented the Subdivision/Land Development Agreement, Financial Security Agreement, and Road Frontage Easement Agreement for the Groff/Quiet Acres Lot Line Adjustment plan.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to accept the executed Subdivision/Land Development Agreement and Financial Security Agreement for the Groff/Quiet Acres Lot Line Adjustment Plan. There was no public comment.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to **adopt Resolution #2005-32, accepting the Road Frontage Easement Agreement for the Groff/Quiet Acres Lot Line Adjustment Plan.** There was no public comment.

4. Solicitor Grabowski presented an IRSIS Sewage System Agreement for a property located at 309 Fairhill Road for Angeline Earley.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to approve the Earley IRSIS Sewage System Agreement, as noted above. There was no public comment.

5. Solicitor Grahowski presented a Financial Security Agreement for the Gartner Building Group for Stormwater Management for a single residential dwelling being constructed on Cherry Road.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to approve the Financial Security Agreement and Stormwater Management Agreement for the Gartner Building Group, as noted above. There was no public comment.

6. Solicitor Grabowski presented the CVS Pharmacy Land Development and Financial Security Agreements for the site located at the intersection of Rt. 113 and Rt. 313. In addition, several other collateral agreements, including Sewage Maintenance Agreement for the holding tank, Agreement for reduction of non-residential parking requirements pursuant to plan approval, and a Road Frontage Easement Agreement.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to accept the Land Development Agreement, Financial Security Agreement, Sewage Maintenance Agreement, and Agreement for Reduction of Non-Residential Parking Requirements for the CVS Pharmacy Land Development as noted above; and to **adopt Resolution#2005-33, accepting the Road Frontage Easement Agreement for the CVS Land Development for the site located at Rt. 113 and Rt. 313, as noted above.** There was no public comment.

7. Supervisor Manfredi directed Solicitor Grabowski and Mr. Bennington to pursue the matter of a joint venture with Verizon for possible Cable TV service and to review the current Cable TV Franchise Agreement with Comcast, as has been discussed by the Board in the past. Solicitor Grabowski met with Mr. Bennington to discuss the Verizon matter and obtained the form Ordinance to participate in an Intergovernmental Agreement with area municipalities, which has been prepared by the lead municipality, Newtown Township.

Solicitor Grabowski advised that Verizon will be installing fiber optic lines throughout Hilltown in order to establish wireless Internet service. Mr. Bennington will be meeting with representatives of Verizon tomorrow to discuss the issue further. Solicitor Grabowski explained that the Township is considering entering into an Intergovernmental Agreement with approximately 15 other municipalities to share the cost of a cable television expert to negotiate a license agreement with Verizon. Discussion took place.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to authorize the advertisement of a proposed Ordinance to enter into an Intergovernmental Agreement with other area municipalities with respect to Cable TV services through Verizon, for consideration at the October 24, 2005 Supervisor's Meeting. There was no public comment.

The Agreement with Comcast expires in June of 2006, and Solicitor Grabowski advised that there have been discussions with Comcast that resulted in a draft of an Agreement,

which should be reviewed by the Board of Supervisors. He suggested that Mr. Bennington, as the new Township Manager, meet with Comcast representatives. Supervisor Manfredi agreed, and noted that there was telecommunications consultant at the PSATS convention in Hershey that the Township might want to consider working with during the negotiation process, and directed Mr. Bennington to provide a report to the Board of Supervisors.

F. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1. Daryl Derstine Land Development Waiver Request – Mr. Wynn's review dated September 7, 2005 was discussed. At their meeting of September 19, 2005, the Planning Commission unanimously recommended approval of the Derstine Land Development Waiver Request, which proposes to construct a 6,240 sq. ft. warehouse addition at the site located at 416 Schoolhouse Road within the Light Industrial Zoning District. This site was converted from a non-conforming single-family residential use to a warehouse/wholesale use pursuant to a land development plan approved by the Board of Supervisors on November 26, 1990. Since the five-year "protection" has long since expired, the plan has been submitted for a land development waiver request to permit construction of the proposed warehouse. Inspection of the site indicates that it remains in accordance with the original site plan approval in that buffer trees, stormwater management basin, and other such facilities have been installed and maintained. although required improvements including stormwater management were installed, the warehouse addition was not constructed. The Planning Commission's land development waiver recommendation to allow the warehouse to be constructed without further land development submission is conditioned upon installation of wetland plantings within the basin to meet current Stormwater Management Ordinance standards.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to grant waiver of land development to the Derstine Land Development, pending completion of items as noted above, including installation of wetland plantings within the basin to meet current Stormwater Management Ordinance standards, and as noted in the September 7, 2005 engineering review. There was no public comment.

2. Correspondence was received on Friday, September 23, 2005 from Heritage Construction Co. regarding the Heritage portion (apartments) of the Summer Lea Subdivision. The applicant is requesting a one-year extension to the Improvements Agreement until September 25, 2006. Mr. Wynn explained that all streets within Summer Lea is not the responsibility of Heritage Building Group. Rather, those roadways are the responsibility of TH Properties, who was directed to begin paving that section of roadway that passes through the center of the site and along the frontage of this portion of the site. Heritage's portion of the improvements include landscaping and

erosion and sedimentation control on the site. At this point, Mr. Wynn noted that the final buildings have been framed and are under construction, though parking lot paving and stabilization of the site must still occur.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to grant a one-year extension until September 25, 2006 to the Heritage Building Group for the Summer Lea Improvements Agreement, as noted above. There was no public comment.

3. The Board previously requested that Mr. Wynn pursue the replacement of some street trees in response to a request from residents of Country Roads Subdivision because of four trees that died over the years. Mr. Wynn requested proposals from four different firms; responses of which should be received prior to the October Worksession meeting. The total number of trees at various locations throughout the Township is approximately 16 to 18.

4. Concerning the Pleasant Meadows stormwater runoff issue, Mr. Wynn anticipates that Finlayson Brothers will be available either next week or the following week to begin the work. However, he has only spoken to one of the affected property owners regarding that schedule. Mr. Wynn has not yet been able to contact the property owner with the easement to advise of the scheduled work date, though he noted that work will not take place on that property except within the easement area along the rear property boundary.

5. On August 15, 2005, Supervisor Manfredi advised that the Board of Supervisors received correspondence from residents of New Britain Township regarding a surface water drainage problem along Upper Stump Road. Mr. Wynn commented that the correspondence was in relation to the construction start of Galway Estates, though those residents actually do not live downgrade of Galway Estates. The swale and the storm drainage those residents are speaking of is from the Ridings at Hilltown Subdivision, which is not yet under construction. Mr. Wynn noted that any problems those residents may be experiencing at this time has nothing to do with any construction activity from the Ridings of Hilltown, nor was there any construction activity at the Galway Estates site when the residents wrote that letter.

Supervisor Manfredi asked Mr. Bennington to assure those individuals that the Board of Supervisors are making every effort to look into their concerns and authorized the engagement of Mr. Wynn if necessary.

***8:00PM – Vice-Chairperson Egly adjourned the regularly scheduled meeting of the Hilltown Township Board of Supervisors of September 26, 2005 at 8:00PM in order to enter into an advertised Public Hearing to consider an amendment to the Zoning**

Ordinance for the Guttman Tract Subdivision to change the zoning from RR to CR-2.

Solicitor Grabowski explained that at the last meeting, the Board entertained an application by D'Angelo Construction Company, who requested a zoning change for several tax parcels owned by the Guttman family, a majority of which is located on Green Street with a portion of the property located on Fairhill Road. The Public Hearing was continued for this evening, and the proposed Ordinance was re-advertised in the Doylestown Intelligencer on September 9th and September 16th; a copy of the Proof of Publication is on file at the Township. The Zoning Officer posted the property with the legal notice. Solicitor Grabowski's office made a mailing to the affected property owners, and the proposed Ordinance has been on file at the Township office, the Doylestown Intelligencer, and the Bucks County Law Library. Additionally, the applicant's legal counsel has forwarded a fully executed Declaration of Intent to the Township

Mr. William Benner, the applicant's legal counsel, explained some of the points presented to the Board of Supervisors at the last formal hearing on August 25, 2005. The matter before the Board is the petition of D'Angelo Construction Inc., who is the legal and equitable owner of approximately 86 acres, which means that D'Angelo Construction is in legal ownership to a portion of that property, with the balance of the property under contract with an obligation to purchase it subject to certain developmental conditions. In that capacity, the applicant has petitioned this Board to propose re-zoning of the property from its current RR classification to the CR-2 classification, which was thoroughly reviewed by the Bucks County Planning Commission and the Hilltown Planning Commission, both of which recommended that the Supervisors act favorably upon the request.

Mr. Benner explained that the property is located adjacent to Silverdale Borough and is in a logical area for development under CR-2 Zoning. Mr. Scott Mill, the applicant's engineer, presented an extract of the current Zoning map, which clearly identifies the property location and how it relates to Silverdale Borough, as well as to the adjoining CR-2 Zoning classification. The Bucks County Planning Commission's recommendation dated March 4, 2005 addresses concerns such as the consistency with the Comprehensive Plan and the compatibility with existing zoning and land use. Mr. Benner read a section of that review, which states "We support the proposed amendments as well as the proposed Zoning map change, based upon the following considerations – the CR-1 and CR-2 Zoning Districts have been identified as the Township's development area and are primarily located in the center of the Township surrounding Silverdale Borough. The subject property also adjoins Silverdale Borough and lies adjacent to the CR-2 Zoning District along Rt. 152. Thus, the proposed re-zoning appears to be an appropriate extension of the CR-2 District. The proposed amendment also appears to facilitate the

Township's goal of protecting natural and scenic resources. The Cluster Option available under CR-2 District would allow development to be constructed in the southwest portion of the site, preserving natural features throughout the remaining areas of the property. Accordingly, the proposed Zoning reclassification appears to be compatible with existing land use and zoning."

Mr. Benner advised that the Township Park and Recreation Board and the Open Space Committee have also reviewed the plan. Although both boards did not review the formal zoning petition, Mr. Benner stated that the question was whether the development of the Guttman Tract should proceed according to the existing RR zoning, or whether its development should be through some form of cluster. Both of those bodies generally endorsed the cluster concept, although not making any specific recommendation as to the cluster criteria. The Township Planning Commission, by a vote of 4:3, approved the following motion: "Motion was made by Mr. McIlhinney to recommend approval of the applicant's re-zoning request from RR to CR-2 Zoning District, on the condition that if the applicant submits a plan in the future with altering lot sizes of 20,000 sq. ft., 30,000 sq. ft., and 50,000 sq. ft. lots in a mix that is agreeable to the Planning Commission, as well as providing for a contiguous piece of open space that adjoins Silverdale Borough Park." Mr. Benner stated that the motion carried by a vote of four in favor and three opposed. Also grounding this petition were concerns about protecting the woodlands and environmentally sensitive lands, and the recognition that this property is strategically located so that if it were to obtain the extension of public sewer, the opportunity would be available for connection to those existing surrounding properties who are currently experiencing failing systems or are likely to fail in the future.

Mr. Benner assured the Board that if this property were to be rezoned, the applicant would not receive a density bonus as a result. The applicant's engineer prepared a by-right plan under existing zoning, which they believe would yield 51 lots. The Planning Commission and Township Engineer had expressed skepticism concerning the sketch plan and by agreement, all parties have now determined that the potential yield of this property was 45 lots, not 51 lots. This would include 42 new lots, with three existing lots. In order to reduce the lot yield from 51 to 46, some of the interior property lot lines would disappear. The lots would be 50,000 sq. ft. in size, with no community open space. The petition filed by the applicant was accompanied by a sketch plan portraying 45 single family lots arranged in a cluster fashion, with each lot containing a minimum of 20,000 sq. ft. consistent with the CR-2 option. This cluster plan provides for 42 new building lots, and three existing lots, which is the plan that the applicant based its re-zoning petition on. The Township Planning Commission had suggested that the actual implementation of the subdivision, should the petition succeed, should portray a mix of lot sizes of 20,000 sq. ft., 30,000 sq. ft., and 50,000 sq. ft. lots.

On August 25th when the first re-zoning Public Hearing was held, sketch plans were presented showing two different ways in which the Planning Commission recommendation might be implemented. One provides for two cul-de-sacs, and the second provides for a loop around the property's interior pond. At the conclusion of the August 25th meeting, the Supervisors made it clear that they would prefer something more than the applicant's promise on the record that if the rezoning was successful, the lot yield would not be greater than what has been consistently represented.

With the assistance of Solicitor Grabowski, D'Angelo Construction, along with Mr. James D'Angelo and his wife Tara, who have joined in their individual capacity and one of the other property owners, David and Margaret Guttman, drafted a written document labeled "Declaration of Intent." This document states that if Hilltown Township rezones the subject property to CR-2 as requested, the Township would be under no obligation to accept a subdivision plan that was not consistent with the design criteria stated in the agreement. This document would provide for Hilltown Township to have the right to deem any filing not suitable for filing and administratively incomplete. Mr. Benner commented that there is case law which states that if an application is administratively incomplete, a municipality is under no obligation to accept that filing, and the time periods and protections generally accorded an applicant under the M.P.C. are no longer valid. Further, D'Angelo Construction would retain no rights whatsoever by virtue of such a filing and Hilltown Township could, without further notice, initiate proceedings to re-zone the property back to RR. The applicant has also agreed that if Hilltown Township were to take any of these actions, they would waive their right to appeal. There was discussion at the August 25, 2005 meeting concerning the fact that there might be existing properties located in close proximity to the site that may wish to tie into the public sewer system constructed by the applicant. Under the Municipalities Authority Act, there is a requirement that if an applicant provides for infrastructure improvements at its own expense, they have the right to recover certain reimbursement fees. However, according to this Declaration of Intent, the applicant would waive its right to recapture any fees from those properties along the Guttman Tract's Green Street frontage that may wish to connect to the sanitary transmission line.

Supervisor Manfredi asked Solicitor Grabowski if he thought a Declaration of Intent was considered "contract zoning" and asked if the proposed Declaration of Intent is site specific or specific to D'Angelo Construction. For the sake of the record, Solicitor Grabowski noted that there was oral communication between himself and Mr. Benner at the direction of the Board of Supervisors. Solicitor Grabowski scrutinized the proposed Declaration of Intent to insure that no case law was violated and that the issue of contract zoning was not implied, which is he very confident has been accomplished. With respect to transferability, the Declaration of Intent would run with the property and therefore would be site specific. Supervisor Manfredi noted that the Declaration of Intent is silent to the recommendation by the Planning Commission for the developer to

propose a mix of lot sizes, and asked what assurance the applicant could offer to assure that is how they would proceed. Solicitor Grabowski explained that paragraph #3 talks about the ability of the Township to have the unconditional right to find any subdivision plan application administratively incomplete or otherwise not suitable for filing, a statement that he is comfortable with.

Addressing the issue of plan implementation, Mr. Benner stated that if the property were to be re-zoned to CR-2, the next step would be the filing of preliminary subdivision plans providing for some form of cluster development. Mr. Benner noted that D'Angelo Construction is fully prepared to implement a plan of development that may need zoning relief and would then be prepared to make appropriate filing to the Zoning Hearing Board for site-specific relief. Mr. D'Angelo has made it clear that he has no desire to become antagonistic or adversarial to the Township, and fully understands that any development of this property will require some level of cooperation. Mr. Benner reminded the Board that there are always Subdivision and Land Development waivers associated with any development, particularly that of an 86-acre parcel. If the Township would prefer a subdivision plan that needs zoning relief from open space requirements, Mr. Benner advised that the applicant would, in good faith, make that filing. The applicant had seriously considered amending its re-zoning petition to change the open space criteria to make either of these two sketch plans zoning compliant. However, Mr. Benner believes that following a staff meeting with the Township's consultants, the direction was to proceed with a petition to request change of the zoning classification to CR-2 and not to propose changes to area and dimensional regulations out of the concern that there might be other areas of the Township where similar criteria could be applied, perhaps in a way where the municipality might not have the control it wants. Discussion took place.

Public Comment:

1. Mr. Gene Cliver of Telegraph Road asked what the cost of these homes would be. Mr. Benner noted that the answer to that question would depend upon whether or not the re-zoning petition succeeds, and would also depend upon how long it takes the implementing plan of subdivision to go through the review process. Mr. Cliver asked if the area shown above the lots on the sketch plan is designated as open space. Before Mr. Benner could respond, Mr. Cliver commented that he is opposed to open space and believes that the Township is trying to take his land. Mr. Benner attempted to explain that the Ordinance requires a certain percentage of open space, which would be set aside, and either owned in whole or in part by a Homeowner's Association, or owned in whole or in part by Hilltown Township, and would not be acquired by using public funds. Mr. Cliver believes that this is government extortion, and was opposed to zoning. Vice-Chairperson Egly commented that there are Ordinance requirements in every community in Bucks County and the State of Pennsylvania. Mr. Cliver stated that he is simply

trying to protect his property. Vice-Chairperson Egly called Mr. Cliver out of order and warned that if it continued, he would be removed from the meeting.

2. At the last meeting, Mr. Jack McIlhinney of Broad Street had questioned the nature of the proposed open space, and had reminded the Board that when this process began, the open space was to be part of a system that would be open to the public and would connect the development to the Silverdale Borough Park. Subsequent to that, Mr. McIlhinney, who is a member of the Planning Commission, has reviewed plans, some of which indicate that the open space areas would simply be deed restricted land and would not be open to the public. Mr. McIlhinney believes that the last set of plans submitted to the Township contained 17 acres of deed restricted open space, which was the same 17 acres that had been used to calculate the number of lots proposed on this site.

3. Mr. Ed Donovan of 1109 Fairhill Road felt that Vice-Chairperson Egly was very rude to Mr. Cliver.

4. Mrs. Jean Bolger of Rt. 152 asked if Mr. D'Angelo and his family will be residing on a lot in this subdivision or if he intended to use it as an investment property. At this time, Mr. D'Angelo was uncertain at this time.

Mrs. Bolger felt it was appalling that after making their initial request to change the zoning, the applicant would then present a plan requiring even more waivers to be granted by the Township. Mr. Benner wished to make it clear that it was the Planning Commission's recommendation, after many evenings of deliberation, that the implementing plan of development show a mix of lot sizes of 20,000 sq. ft., 30,000 sq. ft., and 50,000 sq. ft. lots, which the applicant has done. Mr. Benner commented that the applicant has been civic, responsive and responsible, which is the way land use is designed to occur. As a member of this community, Mrs. Bolger stated that she did not need Mr. Benner or anyone else to tell her how the planning and land use process works, as she is very well aware of the required procedures.

5. Mrs. Alice Kachline of Mill Road asked how many lots could be achieved on this property if it is not re-zoned to CR-2. Mr. Benner replied that 42 new 50,000 sq. ft. lots, along with the existing three lots, for a total of 45 lots, could be achieved. If the property is re-zoned to CR-2, the property can be subdivided into 42 new single-family dwelling lots, with three existing residences. Mr. Benner noted that the number of lots would remain the same. The reason for the applicant's request to re-zone the site is the desire to propose a development that preserves the unique natural features, including woodlands, wetlands, and stream corridors. It also represents the opportunity to provide community open space and allows for the opportunity to bring public sewer to those areas of the Township that are experiencing failed or failing systems. In return, the applicant would receive the benefit of a cluster plan that is more efficient, which evolved over

approximately 18 months of discussions with the Open Space Committee, Park and Recreation Board, and the Planning Commission. Discussion took place.

Mrs. Kachline asked who would be responsible for the care and maintenance of the open space areas. Mr. Benner replied that this is a question raised by Mr. McIlhinney and others, which will have to be worked out during review of the subdivision plan. There are various options available, including ownership by a Homeowner's Association, ownership by the municipality or a land conservancy, or any combination thereof. Mr. Benner stated that it may be the case that there is some land, particularly those lands closest to existing recreation land in Silverdale Borough, that Hilltown may wish to take ownership of. Mr. D'Angelo has stated that if the Township wants that land, he would be willing to dedicate it to them. There has also been consideration for some of the land to be more suitably owned by a Homeowner's Association, though these details would be determined during subdivision plan review.

Mrs. Kachline advised that her idea of open space is a dwelling located on an acre or two of land, with the homeowner responsible for the care and maintenance. When open space is retained in a way suggested by Mr. Benner, Mrs. Kachline believes that all of the taxpayers in the Township are burdened with the cost. Discussion took place concerning open space in general. Mr. Wynn stated that the applicant has the right to suggest which method of designation of ownership of open space is considered. As Mr. Benner indicated, the Ordinance does provide other provisions for ownership – such as Homeowner's Association or conveyance to a Trust or some other entity that would be charged with maintaining the open space area.

*Vice-Chairperson Egly called for a 5-minute recess.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to **adopt Ordinance #2005-3, to amend the Zoning Ordinance by changing the zoning classification of parcels #15-28-21, 15-28-21-1, 15-28-21-2, 15-28-22, 15-28-23, and 15-28-33 for the Guttman tract as requested per D'Angelo Construction; and amending the Table of Performance Standards of Bulk and Area to be amended for CR-2 (single family lots) to reference Footnote #3 instead of Footnote #2 for s.f. cluster option 1 and s.f. cluster option 2, as noted above.** There was no further public comment.

Mr. Benner noted that the Supervisors have reviewed a by-right sketch plan showing forty-five 20,000 sq. ft. lots, and two sketch plans showing a cluster option providing for a mixture of lot sizes (20,000 sq. ft., 30,000 sq. ft., and 50,000 sq. ft.). Mr. Benner believes it would be helpful for the Supervisors to express its preference as to how the Planning Commission should move forward with the plan of development. Supervisor Manfredi advised that the Planning Commission has made a recommendation to the

Supervisors, and noted that the issue of the open space ownership is obviously an important matter that should be discussed further with the Planning Commission. Vice-Chairperson Egly commented that he is not in favor of cul-de-sacs.

***Vice-Chairperson Egly adjourned the first Public Hearing at 9:04PM and entered into the second advertised Public Hearing to obtain resident's views and proposals for the 2006-2008 Community Development Block Grant Funding.**

Mr. Bennington announced that the second Public Hearing of the evening would be to obtain resident's views and proposals for the 2006-2008 Community Development Block Grant Funding. The amount of funding available for this three year cycle is \$102,000.00, with the general types of eligible activities to include: acquisition of real property, public facilities or improvements, removal of architectural barriers to the handicapped, rehabilitation of public or privately-owned buildings, historic preservation, financial assistance to private businesses for economic development, preparation of Comprehensive Plans, and administrative costs.

Mr. Bennington had been asked to investigate whether or not the Deep Run Valley Sports Association stormwater management study could be included in this funding process. Upon investigation, Mr. Wynn determined that there are no planning costs included in this three-year cycle period, and that Deep Run would not qualify because it is not located within an area of low-income housing.

Proposal Presentations:

1. Mr. Tony Luna, Director of Development for Pearl S. Buck International, was present to submit a request for \$21,000.00 of Community Development Block Grant funding to assist with preservation of the Pearl S. Buck House National Historic Landmark located at 520 Dublin Road in Hilltown Township. This historic site consists of 60-acres, where prize-winning author and humanitarian Pearl S. Buck resided from 1934 until her passing in 1973. Over 17,000 annual visitors, including families, students and senior citizens come to the site to learn about Pearl S. Buck's life, accomplishments and continuing legacy of helping children and promoting cross-cultural understanding. Mr. Luna noted that PSBI was fortunate enough to be allocated approximately \$32,000.00 of the Community Development Block Grant funding through the Township last year, which was used for the restoration and repair of the historic site's 35,000 sq. ft. driveway, for which he was most appreciative.

The proposal before the Board this evening is in the amount of \$21,000.00, which would be used to repair and replace every door and window in the Pearl S. Buck homestead. Once repaired or replaced, exterior window frames, sashes, lintels and sills will need to be treated and/or repainted to preserve historic integrity. In addition, a number of

original doors will be repaired and/or replaced and repainted. Mr. Luna explained that the repainting of the deteriorated doors and windows of the Pearl S. Buck House will ensure the home, which is a National Historic Landmark and is on the National and State Register of Historic Places, will be properly preserved as an important source of community education and inspiration for generations to come.

2. Mr. Thomas A. Buzby, Director of Public Works, was in attendance on behalf of the Township, requesting a portion of the Community Development Block Grant Funding to pave a roadway that is proposed to be completed in the Pavement Management Program in the year 2007. If the Township were to repair all of the roadways located within the permitted CDBG map area, it would cost in excess of over \$300,000.00. Mr. Buzby advised that Cherry Road, in particular is in very poor shape at this time, with the estimated cost of repair at \$81,300.00. Other roadways in the permitted map area include Township Line Road (North), Washington Avenue, Central Avenue, Reliance Road, and Cherry Lane, all of which require repair before the year 2010. Mr. Buzby noted that if CDBG funding were allocated to re-pave Cherry Road, it would assist with keeping taxes down.

Public Comment:

1. Mr. Hans Sumpf of Beverly Road asked why the Deep Run Valley Sports Association could not be considered for this funding. Mr. Wynn explained that Deep Run is not located in an area of low to moderate income, and planning grants, such as for the study of the stormwater project, are not available in this funding cycle. Mr. Sumpf commented that he is not concerned with the stormwater project; rather he was hoping to obtain funding for the handicapped parking area and driveway improvements. He wondered why Pearl S. Buck International would be permitted to participate in this funding program, since it is not located in an area of low or moderate income either. Mr. Bennington replied that PSBI is included because their request is for historic preservation of a structure, which is one of the eligible activities in this funding cycle.

Mr. Bennington stated that the Supervisors must make a decision on the funding at their October 10, 2005 Worksession meeting, because the completed applications must be submitted to Bucks County Department of Community and Business Development by 3:00PM on Friday, October 14, 2005. Supervisor Manfredi asked if there would be a restriction against the Board considering any additional new applications that might be received at the October 10th meeting. Mr. Bennington does not believe there is, noting that it would still give individuals an opportunity to make their presentation in public, until the Board of Supervisors makes their final determination on the proposed funding.

***9:17PM – Vice-Chairperson Egly adjourned the second advertised Public Hearing and reconvened the regularly scheduled meeting of the Hilltown Township Board of Supervisors.**

F. PLANNING (Continued) –

6. Holly Farms Subdivision (Final) – This 13-lot subdivision plan was tabled at the August 22, 2005 Supervisor's Meeting. The plan, which has access to Schoolhouse Road, was unanimously recommended for final plan approval by the Planning Commission on August 15, 2005, conditional upon the following being accepted and accomplished by the applicant:

- Sheet 3 of 12 must be corrected so that property boundary information is consistent with Sheet 1 and 2 of 12.
- Consideration should be given to providing additional landscaping/buffer plantings to the homeowners who will now have corner lots due to the installation of the eastern entrance to the site.
- Resolution of stormwater management along Schoolhouse Road to reduce the potential of stormwater runoff flowing across the roadway onto the neighboring property.
- Ownership/maintenance of the detention basin should be the responsibility of the owner of Lot #1.
- All items as contained within the July 21, 2005 engineering review must be accomplished except as otherwise modified by the above conditions.

Since the August 22nd meeting, Mr. Wynn met with Mr. Eshelman, the neighboring property owner on the north side of Schoolhouse Road, Mr. Scott Mease, the applicant's engineer, and Mr. Rich Beres, the applicant to discuss the stormwater issue. Mr. Wynn also had a phone conversation with Mrs. Limbert, another neighboring property owner, and met with Mr. Limbert, both of whom were present this evening, to address the matter of their property becoming a corner lot due to the installation of an eastern entrance to the site. Mr. Bolig, the Eshelman's attorney, advised Mr. Wynn that the Eshelman's intend to execute an agreement allowing temporary access onto their property for the installation of additional rip-rap material to control erosion at an existing pipe discharge point in their rear yard, for the replacement of a pipe beneath Schoolhouse Road with a slightly larger pipe that would be comparable in size to that which flows to the Eshelman property, and for the installation of a Type M inlet junction box at the location where the new pipe would join with the existing pipe. Mr. Wynn explained that the plan currently proposes

improvements on the opposite side of the road to control stormwater runoff from the upgraded properties along Schoolhouse Road to the culvert pipe, which is to be replaced. He advised that there is an opportunity to improve the control of the stormwater basin, which would be a modification of the outlet structure to change the control in order to take advantage of some capacity that is designed in the basin at this point. Even if the stormwater basin could somehow prevent any water from leaving the site, there is still a significant amount of flow that drains to that culvert, which Mr. Wynn has explained to Mr. Eshelman.

Mr. Wynn stated that Mr. and Mrs. Limbert's main concern was the impact the proposed roadway would have by creating a front yard on their property. Mr. Wynn explained that the possible improvements planned for an addition to the rear of the Limbert home (perhaps enclosing a patio) would not be impacted or changed by the new front yard designation, however it would impact any addition proposed to be constructed on the side of the dwelling toward the new road, since it would now be considered a front yard. Mr. Wynn and Mr. Limbert discussed the possibility of providing buffer along the property boundary, perhaps a hedge or row of Norway Spruce trees, which currently exists on the neighboring DiCarlantonio property on the opposite side of the proposed roadway. Mr. Wynn also advised of an existing drainage flow that comes from the Beres property to the Limbert's rear yard, which creates a wet area during much of the year, and suggested the possibility of creating a swale along the rear of the Limbert property on the Holly Farms site to intercept that runoff. There are four other properties to the left of the Limbert property that presently take the flows from the farmland to the rear of those lots, however that flow will be cut off by the construction of the detention basin. Unfortunately, that basin does not extend along the rear of the Limbert property. Mr. Beres has agreed to the installation of a swale, and considered installing a total of 30 Norway Spruce trees along what will become the Limbert's front yard, with some of those trees being planted on the opposite side of the entrance drive at the DiCarlantonio property where there is a gap in the existing tree row. These trees would be planted at intervals of 10 ft. along the property boundary. Street trees will not be installed in that area since there is not sufficient space. Mrs. Limbert has since contacted Mr. Wynn advising that she was not satisfied with Mr. Beres's proposal for buffering.

Mr. Bill Benner, the applicant's legal counsel, along with Mr. Rich Beres, the applicant, were in attendance to present the plan. Mr. Benner spoke with Mr. Bolig late this afternoon who issued correspondence dated September 26, 2005, which details the Eshelman's agreement to permit a temporary access agreement to authorize Beres Construction to enter their property to complete the drainage swale work as outlined by Mr. Wynn. Mr. Bolig's correspondence further states that the Eshelman's are not inclined to grant a permanent stormwater management easement to the Township. The Eshelman's engineer, Mr. Showalter, has suggested minor changes to the outlet structure. If those changes are made, Mr. Benner asked if the stormwater management plan would

still be in compliance with the design criteria as stated in the Subdivision/Land Development Ordinance and the Stormwater Management Ordinance. Mr. Wynn replied that it would. Mr. Bolig represented to Mr. Benner that this change is insignificant and would not materially increase the cost. That being the case, the applicant agreed to the change.

With respect to the plantings along the Limbert property and the DiCarlantonio property, Mr. Benner advised that the Township granted an unconditional waiver to construct the access to Schoolhouse Road, in part based upon documents signed by both the Limbert family and the DiCarlantonio family, stating that they had no objections to the proposed roadway design. Mr. Benner explained that correspondence was provided to both residents advising of their right and opportunity to appear at a Planning Commission meeting and subsequent Board of Supervisor's meeting to express their concerns, however neither of them did. Therefore, it is the legal position of the applicant that they are under no obligation to do anything for either of these two property owners. Mr. Beres would be agreeable to the condition that the final landscaping plan be revised to provide for 30 additional trees as recommended by Mr. Wynn. Apparently, Mr. and Mrs. Limbert have also requested that some incidental drainage work be undertaken on the Holly Farms property in the nature of a swale, to which Mr. Beres has agreed.

Mrs. Mary Kate Limbert, whose property will be directly affected by the proposed development, wished to reiterate how she and her husband were first approached by the applicant. She explained that Mr. Beres visited her home a half hour prior to a Planning Commission meeting where the Holly Farms Subdivision would be discussed, stating that there was no new roadway proposed to the site, rather there would be an emergency access constructed between her property and the DiCarlantonio property. Mr. Beres assured the Limbert's that there would be no changes to their property, and that their attendance at the Planning Commission meeting was not necessary. Mrs. Limbert did sign the document stating that she had no objection to the proposed roadway design, however she believes that Mr. Beres misrepresented himself and the proposal for the subdivision of the Holly Farms property. Mrs. Limbert would not be agreeable to the installation of 30 Spruce trees as a buffer and construction of a drainage swale to the rear of her property as compensation. She explained that this proposal would completely change her property to a corner lot, which would directly impact what she and her husband have planned for their home in the future. Mrs. Limbert does not feel that she was given ample notification and believes that she and her husband were ultimately lied to by Mr. Beres. Although Mr. Wynn stated that the Limbert's would be able to construct an addition to the rear of their home, they would be unable to construct a deck to what is now the side of the dwelling. Mr. Wynn explained that what is currently the Limbert's side yard would become a front yard, and there are limitations to what is permitted to be constructed toward a new public street. The Limbert's current 25 ft. side yard setback would be changed to a front yard setback of 50 ft..

Mr. Benner was not present when Mrs. Limbert signed the letter of December 17, 2004, however he noted that the letter makes clear that the subdivision of Holly Farms proposes the creation of a road that connects Schoolhouse Road to the interior street, which would be adjacent to the Limbert property. The letter further states, "The subdivision regulations of Hilltown Township generally discourage designs of roadways that have the incidental consequence of creating a non-conformity on adjoining properties. In this case, the proposed roadway will have the effect of making your property a corner lot. As a corner lot, any property that adjoins public roads becomes a front yard. Thus, the design for Holly Farms will have the effect of creating a front yard along the western boundary of your property that abuts the proposed new road. Because of the regulations, your residence will now encroach into a yard that will become a "front yard" by the terms of the Ordinance. Under well established principles of land use law, your residence will enjoy "non-conforming" status and thus may continue undisturbed." The letter goes on to state, "If you have concern about this condition or any other aspect of the proposed subdivision, you have the right to participate in the deliberations on the proposed subdivision plan, either before the Hilltown Township Planning Commission or Board of Supervisors when those bodies consider the application. Presently, the Hilltown Township Planning Commission will again review this proposed subdivision at their regularly scheduled meeting on December 20, 2004." At the end of the letter, a checklist was provided for the Limbert's and the DiCarlantonio's to check either of the following statements: "I have no objection to the proposed roadway design." or "I am concerned about the roadway design and plan to participate in the formal review of the Holly Farms Subdivision." Mr. Benner noted that the DiCarlantonio's and the Limbert's checked the box stating they had no objection to the proposed roadway design. He reminded the Board that the applicant's waiver request was approved and granted unconditionally. Mr. Benner advised that Beres Construction, with no legal obligation to do so, has agreed to address the landscaping concerns identified by Mr. Wynn. If Mr. and Mrs. Limbert choose not to accept the design specifications as recommended by Mr. Wynn, Mr. Benner stated that the applicant has no obligation to install the landscaping. While Mr. and Mrs. Limbert might find the applicant's offer to provide landscaping inadequate, Mr. Benner noted that it is more than what was there previously, and it is a commitment that Mr. Beres is prepared to live by, even though not required.

Mr. Jack McIlhinney of Broad Street was in attendance at most of the meetings where this issue was discussed in December of 2004. After reading the letter, he believes it is quite unfair of Mr. Benner to characterize the letter as fully informing the neighboring property owners of the implications of this development. Mr. McIlhinney noted that the letter mentions nothing about the restrictions placed upon the setbacks for the former side yard, which, by the construction of the new roadway, would become a front yard. When this plan was proposed, Mr. McIlhinney and others suggested that the applicant should apply to the Zoning Hearing Board on behalf of the Limbert family and the DiCarlantonio family to offer support in their quest for relief from this new requirement.

Mr. McIlhinney also suggested that Mr. Beres be financially responsible for the Limbert and DiCarlantonio applications to the Zoning Hearing Board. Mr. Benner commented that perhaps it would have behooved Mr. McIlhinney to attend all of the meetings where this issue was discussed. Discussion took place.

Mr. Phil DiCarlantonio, who has been a resident of 226 Schoolhouse Road for 33 years, was approached by Mr. Beres just 15 minutes prior to the start of the December 20th Planning Commission meeting, asking that he sign a document basically waiving his rights with respect to the proposed access road, without having the opportunity to thoroughly review the proposal. He was also disappointed that the Township Engineer never met with him to discuss the issue as he did with Mr. and Mrs. Limbert. Mr. Wynn stated that the Board of Supervisors had directed him to meet with Mr. and Mrs. Limbert, because they had expressed their concern about this proposal at previous meetings. In anticipation that evergreens would be proposed along the Limbert property line, Mr. Wynn wished to insure that Mr. DiCarlantonio was also the recipient of some of those trees. Mr. DiCarlantonio was concerned that the existing Norway spruce trees located along his property boundary would be removed. Mr. Wynn assured him that those trees would not be removed. Mr. DiCarlantonio asked if there would be a sidewalk along the proposed roadway. Mr. Wynn replied that no sidewalk is proposed along the road. Mr. DiCarlantonio asked if it would be possible to have buffer trees installed along his rear property line to shield the view from the rear yards of the new dwellings. Mr. Wynn noted that there is no buffer required between like uses, such as a single family dwelling being proposed next to a single family dwelling. Supervisor Manfredi wondered how many trees would be necessary to provide a buffer along Mr. DiCarlantonio's rear property line. Discussion took place. Mr. DiCarlantonio indicated that he would be happy with the existing buffer along the proposed Candace Way as long as there is no disturbance to those trees. Mr. Benner commented that Mr. Wynn had suggested that some Spruce trees be planted within the right-of-way of Candace Way so that Mr. DiCarlantonio's line of existing trees would continue. Mr. Wynn does not recall if he had suggested 8 or 10 trees on Mr. DiCarlantonio's side of proposed Candace Way. Mr. Benner noted that Mr. DiCarlantonio stated that he would be agreeable to having those proposed 10 trees being planted along the common rear property line between his home and Lot #12, rather than along proposed Candace Way. Mr. Beres stated that he would be happy to oblige.

Mr. John Limbert of 228 Schoolhouse Road advised that on September 20, 2004, Mr. Beres was specifically asked by the Planning Commission if he had contacted the individuals who would be affected by the access roadway, at which time Mr. Beres confirmed that the neighboring property owners were notified. Mr. Limbert was never notified until Mr. Beres came to his home on the evening of December 20, 2004, just a half hour prior to the Planning Commission meeting. Mr. Limbert also felt it was interesting that when Mr. Beres presented the signed letters at the December 20, 2004

meeting, a motion for approval was made by the Planning Commission, which did not pass due to a 3 to 3 tie. However, in February of 2005, the vote came up again, and unfortunately for Mr. Limbert, two of the three Planning Commission members who originally voted against this plan were not in attendance, which is why the vote then passed by a 3 to 1 vote. Mr. Limbert wondered if it would be possible to "grandfather" his property so that future additions or improvements would be permitted.

*Vice-Chairperson Egly called for a temporary recess in order for the Supervisors to review the preliminary plan action letter to determine how this issue was addressed.

During the temporary recess, Supervisor Manfredi advised that Solicitor Grabowski presented the Board with copies of Mr. Wynn's September 21, 2005 review that outlined the conditions of the preliminary plan approval. He noted that the Supervisors have a legal obligation to approve the plan as submitted based upon the completion of outstanding items of the preliminary approval.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to grant conditional final plan approval to the Holly Farms Subdivision pending completion of all outstanding items as noted in the September 21, 2005 engineering review; and with the oral offer as provided by the applicant's legal counsel at this meeting to install additional landscaping/buffer plantings along the access roadway and property boundary with the Limbert property (20 Norway spruce) as well as along the rear property boundary of Lot #12 with Mr. DiCarlantonio's property (10 Norway spruce), and the satisfactory resolution of the storm sewer issue with respect to the Eshelman property as discussed this evening. There was no public comment.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to offer Township support for Mr. and Mrs. Limbert's application to the Zoning Hearing Board for relief from front yard setback requirements with respect to the Holly Farms Subdivision, as previously discussed, and to waive the Zoning Hearing Board fees for such an application, as noted above, if said application is made within six months of the date of this action. There was no public comment.

Mr. Benner asked for clarification of the Township's position with respect to ownership and maintenance of the stormwater management facilities proposed for Lot #1. He recalls that the Planning Commission had recommended that the ownership and maintenance should be with the owner of Lot #1. Mr. Wynn agreed Mr. Benner's recollection was correct.

G. ENGINEERING:

1. Suburban Equities Subdivision – The applicant has provided a written extension until January 14, 2006.
2. Hawk Valley Estates Subdivision – The applicant has provided a written extension until December 18, 2005.

H. NEW BUSINESS:

1. On August 31, 2005, Mr. Bennington (while still a member of the Board of Supervisors) and Supervisor Manfredi attended a County Line Road project meeting with representatives of Hatfield and New Britain Townships. At the time, both Mr. Bennington and Supervisor Manfredi individually concurred that a letter of support should be forwarded to the Montgomery County and Bucks County Planning Commissions. Vice-Chairperson Egly explained that there is no monetary payment involved with forwarding a letter of support on this issue.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to authorize a letter of support be sent to the Bucks County and Montgomery County Planning Commissions with respect to the County Line Road Projects, as noted above. There was no public comment.

2. New Britain Township has provided a courtesy copy of their Comprehensive Plan, which was adopted on August 8, 2005; a copy of which is available for review in the Township office.

3. Officer James Kane of the Hilltown Township Police Department has pleaded guilty to all charges, and therefore, Chief Engelhart and the Township's legal counsel have asked that Mr. Kane be officially terminated from employment with Hilltown Township.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly to officially terminate Mr. James G. Kane's employment with Hilltown Township and reaffirming the action of termination dated September 20, 2005. There was no public comment.

4. The Jack C. Fox Memorial Tree Planting will be held on Saturday, October 8, 2005 at 11:00AM here at the Municipal Building.

5. Mr. Bennington and Mr. Dan Jenkins, Fire Marshal, will meet with residents of Longleaf Estates with respect to sprinkler issues on Tuesday, September 27, 2005 at 7:00PM here at the Municipal Building.

6. The final Land Use Summit Public Meeting will be held on October 20, 2005 at 7:00PM at the Penn Central Middle School. Supervisor Manfredi explained that the sole purpose of this meeting is to obtain public input and comment regarding land use and zoning issues. Since there is no recording equipment available at the middle school for minute transcription, discussion took place. The Board unanimously agreed to hire a stenographer to attend and take minutes of the meeting as noted above.

Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to authorize the advertisement of a Public Meeting to be held at Penn Central Middle School at 7:00PM on October 20, 2005, as noted above. There was no public comment.

7. Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to authorize the advertisement of the sale of five used vehicles, including two patrol cars, the former DARE vehicle, former ambulance, and a pick-up truck. There was no public comment.

8. Motion was made by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously to adopt the official seal (a rendering of which is mounted in the Municipal Building Meeting Room) of Hilltown Township; and to place a formal Resolution to adopt this seal at the October 10, 2005 Supervisor's Meeting. There was no public comment.

I. MYLARS FOR SIGNATURE: Rickert Farm Tract (Guidi Homes/McElhinney)

J. PUBLIC COMMENT:

1. Mrs. Mary Schiavone of Township Line Road suggested that the lamps placed on the Supervisor's table be removed since it is difficult to see and make eye contact with the Board during meetings.

Mrs. Schiavone commented that the Planning Commission has been working on revising the current Zoning Ordinance. However, within the past month, the Supervisors approved and passed two revisions to the Zoning Ordinance – one was H & K Quarry's re-zoning request and one was the re-zoning request by D'Angelo Construction for the Guttman Tract, which was passed this evening. Both of these amendments to the Ordinance were actually prepared and written by the developer/applicant, which Mrs. Schiavone feels is wrong. She suggested that Township Ordinances should be carefully

proofread to insure that there are no conflicts or flaws that make it possible for developers to propose even more development or greater site density.

2. Mr. Mark Fund of Broad Street advised that there is a property located on Rt. 313 just north of Stump Road, that is beginning to resemble a junkyard or dump. Vice-Chairperson Egly advised that the Township is very much aware of this situation, and noted that enforcement actions are being taken against the tenant, who was apparently evicted from his property in Chalfont Borough for the very same violations.

3. Mrs. Alice Kachline of Mill Road is aware of a new development being proposed near Mill and Church Road tentatively called Hawk Valley Estates. Mrs. Kachline noted that this proposed development is located less than a mile away from the existing Hawk Ridge development. She fears the confusion that such similar names could cause.

Mrs. Kachline wondered why the Land Use Public Meeting is being held at the Penn Central Middle School, rather than here at the Township building. Supervisor Manfredi is hoping that the attendance at this meeting will be very high, which would warrant it being held at the school. Once the final Land Use Summit is held, Mrs. Kachline hopes that the Board of Supervisors will seriously consider the results of the questionnaire that was sent to residents during the revision to the Comprehensive Plan. Supervisor Manfredi explained that the meeting on October 20th is being advertised as a Public Hearing for land use and zoning, not strictly for the summation of the previous Land Use Summits. He has said all along that the Land Use Summit was the beginning of the process, not the end. What occurred at the previous two Summits was not to be considered the final chapter of the Township's review and consideration of planning and zoning issues. Supervisor Manfredi noted that the point of this Public Hearing is to obtain public input from residents as to their feelings on land use and zoning in Hilltown Township.

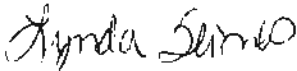
4. Mr. Hans Sumpf of 9 Beverly Road advised that Deep Run has received approval from Bucks County to move forward with the land development plan at the Fairhill Road site, however PennDot requires a Township signature for the proposed emergency access driveway. Mr. Wynn advised that either Mr. Bennington or Mrs. Seimes can sign the PennDot permit application.

K. SUPERVISOR'S COMMENTS: None.

L. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

M. ADJOURNMENT: Upon motion by Supervisor Manfredi, seconded by Vice-Chairperson Egly, and carried unanimously, the regularly scheduled meeting of the Hilltown Township Board of Supervisors of September 26, 2005 was adjourned at 10:26PM.

Respectfully submitted,


Lynda Seimes
Township Secretary