

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED WORKSESSION MEETING  
Monday, October 13, 2003  
7:30PM**

The regularly scheduled worksession meeting of the Hilltown Township Board of Supervisors was called to order by Vice-Chairperson Kenneth B. Bennington at 7:32 PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Supervisor  
George C. Egly Jr., Supervisor  
Gregory J. Lippincott, Township Manager  
Francis X. Grabowski, Township Solicitor  
David W. Taylor, Code Enforcement Officer  
Thomas A. Buzby, Director of Public Works  
Christopher Engelhart, Chief of Police  
Lorraine E. Leslie, Township Treasurer

Vice-Chairperson Bennington announced that the Board met in Executive Session prior to this meeting in order to discuss personnel, real estate and legal matters concerning the Quarry.

**A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None**

Vice-Chairperson Bennington commented that George C. Egly Jr. was appointed to the Board of Supervisors at the last meeting which was held on September 22, 2003. Mr. Egly took office the next day, September 23, 2003. Vice-Chairperson Bennington invited Supervisor Egly to make a public comment.

Supervisor Egly wished to thank all those who have contacted him and offered their support. He also wished to thank the Board of Supervisors for appointing him to this position.

**B. REORGANIZATION OF THE BOARD OF SUPERVISORS – Vice-Chairperson Bennington announced that due to the departure of Mrs. Snyder there is a vacancy for the Chairperson's position. Motion was made by Supervisor Bender, seconded by Supervisor Egly, and carried unanimously to appoint Kenneth B. Bennington as Chairperson of the Board of Supervisors.**

Chairperson Bennington stated that there is now a vacancy for the position of Vice-Chairperson of the Board of Supervisors. Motion was made by Supervisor Egly, seconded by Chairperson Bennington, and carried unanimously to appoint Supervisor Bender as Vice-Chairperson of the Board of Supervisors.

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C. APPROVAL OF MINUTES – Action on the minutes of the August 25, 2003 Board of Supervisor's Meeting. Supervisor Egly referred the Board to page 13;

**The PAC meeting is scheduled for September 25, 2003 at the Bucks County Community College at 7:30PM.**

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to approve the minutes of the August 25, 2005 Board of Supervisor's Meeting with the above noted corrections. There was no public comment.

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to approve the minutes of the September 22, 2003 minutes of the Board of Supervisor's Meeting as written. There was no public comment.

D. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated October 14, 2003, with General Fund payments in the amount of \$422,392.37 and State Highway Aid Fund payments in the amount of \$12,929.75; for a grand total of all payments in the amount of \$435,322.12.

Vice-Chairperson Bender asked if all the bills, thirteen in all, from Armour and Sons, were all for repairs or if some of that billing was for maintenance contracts. Mrs. Lorraine Leslie, Township Treasurer responded that all bills were for repairs to traffic lights.

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to approve the Bills List dated October 14, 2003. There was no public comment.

E. TREASURER'S REPORT: Chairperson Bennington presented the Treasurer's Report with the following balances as of September 30, 2003.

General Fund Checking	\$ 216,520.90
Payroll Checking	\$ 179.63
General Reserve Fund	\$ 4,597.60
Open Space Fund	\$ 415,749.38
Fire Fund Checking	\$ 66,424.87
Debt Service Checking	\$ 240,356.56
State Highway Aid Checking	\$ 199,867.14
Escrow Fund Checking	\$ 998,622.23
Capital Projects Fund	\$ 240,515.48

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Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to approve the Treasurer's Report dated September 30, 2003, subject to audit. There was no public comment.

F. PUBLIC WORKS REPORT – Mr. Thomas A. Buzby, Director of Public Works – Mr. Buzby presented the Public Works Report for the period of August 10, 2003 to October 11, 2003; a copy of which is on file at the Township office.

Mr. Buzby advised the Board of Supervisors that the salt bids have been received through the Bucks County Consortium. Bid results are as follows:

International Salt Company	\$33.81 per ton
Cargill Incorporated	\$38.65 per ton
Eastern Salt Company	\$45.00 per ton

Mr. Buzby recommended that the Board accept the bid of International Salt Company. Chairperson Bennington asked whether this bid is for salt, delivered. Mr. Buzby advised the Board that this was a delivered price.

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to accept the low bid of International Salt Company of \$33.81 per ton, delivered. There was no public comment.

Vice-Chairperson Bender asked whether the remainder of the work on the demolition of the old Maintenance Building was planned out for the remainder of the year. Mr. Buzby advised the Board that demolition of the old structure would begin on Monday, October 20, 2003.

G. POLICE REPORT – Chief Christopher Engelhart – Chief Engelhart presented the Police Report for the month September 2003; copies of which are on file at the Township office.

Mrs. Marilyn Teed of Mill Road commented that she happened to be traveling on Diamond Street and saw a truck over in a ditch in the same area that has been talked about many times. Mrs. Teed was wondering if there wasn't any way that we could straighten that section of road. Mr. Greg Lippincott, Township Manager advised Mrs. Teed that this is a PennDOT road first of all and that PennDOT would probably have to condemn land to accomplish any straightening at that intersection. Chairperson Bennington advised Mrs. Teed that the Township would need PennDOT permission to make any repair on a State Road. Discussion took place.

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H. BUILDING REPORT – Mr. David Taylor, Code Enforcement Officer – Mr. David Taylor read the Building Report for the month of September, 2003; a copy of which is on file at the Township office.

Mr. Taylor mentioned that both Coffee Head and The Steak and Hoagie Factory are now open in the old Oak Works Building on Bethlehem Pike. He also advised the Board of Supervisors that Staples should be opened by the end of the month and Pet Supplies Plus is the only other tenant thus far known in the shopping center

I. WATER AND SEWER AUTHORITY REPORT – Mr. James Groff – Mr. Groff presented the Hilltown Township Water and Sewer Authority Report for the month of September, 2003; a copy of which is on file at the Township office.

J. HILLTOWN FIRE COMPANY REPORT – Mr. Bob Grunmeier, Fire Chief - Mr. Grunmeier read the Hilltown Township Fire Company Report for the month of September, 2003; a copy of which is on file at the Township office.

Mr. Grunmeier recognized Mr. John Snyder for his tireless service to the Hilltown Township Fire Company and presented Mr. Snyder with his life pin.

Chairperson Bennington commended Mr. Snyder for his dedicated service to the community through the Hilltown Township Fire Company and presented him with a plaque from the Hilltown Township Board of Supervisor's.

K. SILVERDALE FIRE COMPANY REPORT – Mr. John Gillespie, Fire Chief – Mr. Gillespie read the Silverdale Fire Company Report for the month of September, 2003; a copy of which is on file at the Township office.

Mr. Gillespie reported that the new building being constructed by the Silverdale Fire Company should be completed by mid November. When the building is completed they will be planning an open house.

L. PLANNING COMMISSION REPORT – Mr. John Kachline, Chairperson – Mr. Kachline read the Planning Commission Report for their worksession meeting of October 6, 2003; a copy of which is file at the Township office.

Chairperson Bennington wished to advise Mr. Kachline that in terms of minimum lots in the RR Chairperson Bennington is not willing to change the 1995 Zoning Ordinance. He feels that the three acre lot requirement with the 50,000 sq. ft. caveat has stood the test of time and his direction for the Planning Commission is no change.

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Vice-Chairperson Bender commented that a recent trend is for the homeowners who are adjacent to the open space to maintain it by taking care of the flower beds and so on as was being considered by the residents across the street from the Township Building. The Township could plant trees in the open space and that would cut down on the maintenance required by the Township personnel

Mr. Bender asked if there is any consideration of leaving what is currently in place and creating an overlay when you have sizeable amounts of open space. Mr. Kachline advised that the Planning Commission is currently working on that concept. Discussion took place.

M. PARK AND RECREATION REPORT – No one was present.

N. OPEN SPACE COMMITTEE REPORT – No one was present.

O. ZONING HEARING BOARD REPORT – Mr. John Snyder, Chairperson – Mr. Snyder presented the Zoning Hearing Board Report for the month of September, 2003; a copy of which is on file at the Township office.

Chairperson Bennington noted that a Zoning Hearing is scheduled for November 6, 2003 which is the same night as a Quarry Hearing. Mr. Greg Lippincott advised that the conference room would be available or that perhaps the Zoning Hearing could be moved to the lunch room at the new Public Works Building. Mr. Snyder will contact Mr. Trauger, Zoning Hearing Board Solicitor and advise Mr. Lippincott as to which would be preferable.

**Chairperson Bennington adjourned the Hilltown Township Board of Supervisors Worksession Meeting at 8:02PM to begin the Public Hearing for the possible adoption of the Comprehensive Plan.**

Chairperson Bennington turned the Public Hearing over to Mr. Charles Guttenplan of the Waetzman Planning Group and Mr. Francis X. Grabowski, Township Solicitor.

Francis X. Grabowski, Township Solicitor advised that the hearing for the possible adoption of the Comprehensive Plan was advertised for this evening in The Doylestown Intelligencer in an ad appearing on September 25, 2003 and again on October 2, 2003. The proof of publication is on file in the Township office. The revised Ordinance has been available for examination during regular business hours and that Mr. Guttenplan will be going over the revisions to what has been accomplished thus far and perhaps provide a summary.

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Mr. Guttenplan stated that the plan has been being worked on by the Task Force for approximately three years. The plan was completed in the summer of 2002 in draft form.

The Planning Commission has held two public meeting and the Board of Supervisor's have held meetings in March, April and May of this year. At that time there was direction for changes that were to be made to the document.

The changes are now contained within the document. All changes are printed in bold and anything being deleted in marked with a line-drawn through it. There have been changes in the demographics section of the document as the 2000 census information in now available and included. There has been some editing, changes in wording and grammatical corrections.

Page 37 in the land use element makes clear that the recommendation of this plan and the recommendation of the Task Force to the Board of Supervisors was to continue to study TDR's and to have a feasibility study done. The Task Force felt that TDR's are a viable technique for preserving the character of Hilltown Township and requires significant further study

Chairperson Bennington asked who might be a part of this feasibility study. Mr. Guttenplan suggested that perhaps a group similar to the Comprehensive Plan Task Force, or the Planning Commission, with outside help.

Chairperson Bennington wished to make it clear that in the 2003 Comprehensive Plan that there is just a recommendation for further investigation and study of TDR's. There is no specific blanket statement that this Township is proceeding down that path until a feasibility study is completed.

Mr. Guttenplan stated that the next couple of major areas are a synopsis of some of the regional planning efforts that the Township has been involved in or is verbally engaged in and that have a bearing on the plan and are recorded in the plan as plans that are underway or completed and what was recommended with no position being taken by the Township. These plans include the Pennridge Area Greenway Study, page 57, the Route 113 Corridor Study, page 69, and the Stormwater Management Plan, page 89.

Vice-Chairperson Bender referred Mr. Guttenplan to page 25 of the document and asked whether a change should be made to item no. 8 which recommends revising current policies for stormwater management. That revision was recently completed. Mr. Guttenplan suggested that the statement be changed to state that we continue to encourage best practices for stormwater management.

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Chairperson Bennington asked Solicitor Grabowski whether or not this change would require readvertising. Solicitor Grabowski explained that only substantive changes would require readvertising a public bearing for the purpose of adoption of this document. He felt that this change was not substantive.

Mr. Guttenplan also wanted to note the inclusion of various review documents in the appendix. There wasn't an appendix in the previous draft. He also wanted to note that they have not been any changes to the maps included in the document since March of 2003.

Vice-Chairperson Bender asked whether or not the document was accurate when it lists the amount of open space. Mr. Guttenplan responded that the amount of open space listed in the document was at a specific time and does not include anything that has been purchased since.

Vice-Chairperson Bender also noted a typographical error on page 40 namely the spelling of complimentary.

Supervisor Egly referred Mr. Guttenplan to page 78 regarding the Hilltown Township Police Department and it was agreed to change the document to read 16 officers including one detective. Page 79 of the document states the Perkasio Fire Company serves the area of Hilltown Township Northeast of Perkasio Borough. The document should be changed to state that Perkasio Fire Company serves Hilltown Township South of Perkasio Borough.

Supervisor Egly also referred Mr. Guttenplan to page 79 regarding the Fire Companies serving the Township. He felt that Souderton Fire Company should be included. There should be eight companies listed. He also noted that station 61 of the Hilltown Township Volunteer Company was missing from the map. Mr. Guttenplan will make the above changes.

Chairperson Bennington asked whether the major documentation from previous hearings was being included in the document such as comments by the Bucks County Planning Commission, and the Land Owners Association. Mr. Guttenplan responded that the documentation that was discussed and the Board of Supervisors agreed have been included in the document.

Chairperson Bennington noted that Mrs. Betty Snyder should be included among those involved in the plan preparation and Supervisor Egly should be included because he will be voting on the adoption of the plan.

PUBLIC COMMENT:

1. Mr. Jack McIlhinney, Hilltown Land Owners Association asked whether or not the comments from the public at the March, April and May meeting were going to be included in the document. Mr. Lippincott commented that those discussions are included in the minutes of those meeting and are currently filed in the appropriate minute books. Chairperson Bennington and Vice-Chairperson Bender commented that these minutes should also be included in the document. These documents can be copied and forwarded to Mr. Guttenplan for inclusion.

Mr. McIlhinney referred the Board of Supervisors to page 86 and 87 of the document and asked why the recommendations of the PACC Water Resources Plan were still included in the plan. Chairperson Bennington commented that he thought the recommendations were being removed because these recommendations have not been adopted by any of the members as of this date. Vice-Chairperson Bender agreed that it was his understanding that the document would remove the reference to recommendations. Mr. Guttenplan was directed to make this change.

Mr. McIlhinney referred the Board of Supervisors to page 19, 21, 33, 34 and 96 regarding TDR's. Chairperson Bennington reminded Mr. McIlhinney that no decision has been made regarding TDR's at this time. A feasibility study has not yet commenced, nor has a group been assigned that task to date. Solicitor Grabowski reminded Mr. McIlhinney that the sale of TDR's is totally voluntary.

Mr. McIlhinney referred the Board of Supervisors to page 21, item 6. It was agreed by the Board to remove this reference to tax relief for farmers.

Mr. McIlhinney referred the Board of Supervisors to page 22, item 6. Chairperson Bennington stated that he felt that this simply stated that we prefer open space to development and was a generic statement.

Mr. McIlhinney referred the Board of Supervisors to page 24 regarding Historic Preservation. He does not feel that farms should be deemed as historic. Mr. Guttenplan disagrees with Mr. McIlhinney. He stated that the Task Force had given a great deal of consideration to this issue. They felt that it was a heritage issue. Farms were of historical significance to Hilltown Township.

Chairperson Bennington stated that he felt that this was a very generic statement and only says that farms are a resource like any other.



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Mr. McIlhinney referred the Board of Supervisors to page 26, Open Space Land Preservation, as it refers to items one through ten. He expressed concern that these items would require the Township to take property, either outright or the use thereof.

Chairperson Bennington stated that no where does it say that the Board of Supervisors would be taking anyone's land. Mr. McIlhinney disagreed.

Mr. McIlhinney referred the Board of Supervisors to Page 30, Map #2, Existing Land Use Map. He asked why the map has not been updated. Mr. Guttenplan responded that the Task Force, along with Township staff had updated the map in July of 2000 and again in October of 2000. The Task Force felt that the map was merely a picture as a specific time and stopped updating at that point.

Chairperson Bennington asked Mr. Guttenplan if this is normal procedure among surrounding Townships. Mr. Guttenplan explained that it indeed was the normal procedure to stop updating the maps because there were only a picture as of that specific time.

Mr. McIlhinney referred the Board of Supervisors to page 69, Route 113 Corridor Study and asked who are the authors of this plan. Mr. Guttenplan responded that the Delaware Valley Regional Planning Commission along with the Delaware Valley Improvement Consortium. This group is composed of representatives from twenty-one municipalities from Bucks and Montgomery County along with businesses from Bucks and Montgomery County as well. Chairperson Bennington stated that a municipality would have to approve any plan that would impact its Township.

Vice-Chairperson Bender suggested that this material had been discussed but had not been available until recently and that a link be added to Hilltown's web site so that anyone with access could familiarize themselves with the progress of this group.

Mr. McIlhinney referred the Board of Supervisors to page 21. He questioned why farming would be described as a viable industry when only 0.2% (down from 1.1%) of the Township work force claims farming as their employment.

Chairperson Bennington stated that farming to those 0.2% still engaged in that occupation is still a viable industry.

2. Mr. John Kachline, Hilltown Township Planning Commission questioned why a copy of the questionnaire was included in Appendix A but the results of the survey were not included. Mr. Guttenplan suggested that a summary of the responses to the survey as well as the power point presentation be included in the appendix. All agreed.

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3. Mr. Joe Miketta, 1211 Hilltown Pike, referred the Board of Supervisors to page 44, where it states that Hilltown is the headwaters of both the East Branch of the Perkiomen, and the North Branch of the Neshaminy Creek. Yet the map on page 46 actually shows

Hilltown as the headwaters of four, the West Branch, the North Branch, the East Branch and the Tohickon, Deep Run.

Mr. Guttenplan will make the appropriate changes to have the text match the map.

Mr. Miketta referred the Board of Supervisors to page 99. He objected to the word educate in number 3 and number 9. Vice-Chairperson Bender suggested that the word be changed to inform. Chairperson Bennington and Supervisor Egly agreed.

Mr. Miketta referred the Board of Supervisors to page 24 and wished to concur with Mr. McIlhinney in that he doesn't want his farm to be considered an historic resource.

Mr. Miketta referred the Board of Supervisors to the map on page 29. He asked what the entry for vacant land indicated. Mr. Guttenplan responded that vacant land indicates land that does not fit any of the other uses. Mr. Miketta questioned several of the parcels indicated in white that have houses on them.

Chairperson Bennington suggested that instead of the word vacant, the phrase none of the above be used.

Mr. Miketta referred the Board of Supervisors to page 18, item #3 which states to promote sound standards for land development to insure that the community roads and stormwater management systems are not adversely affected while carrying the burdens the new development places upon them. Mr. Miketta stated that he doesn't see any mention about existing problems with stormwater runoff. Mr. Guttenplan explained that any further development would be required to correct problems as part of the land development process.

Mr. Miketta stated that he sees a lot of things in the plan that would affect him and require him to do things in the future and yet other people who are causing problems are not required to do anything.

Solicitor Grabowski stated that this discussion took place when the hearings on the stormwater management ordinance took place, which is the law and an ordinance which affects properties. He reminded Mr. Miketta that this plan is merely a goal and does not affect anyone's property in any way. It is the ordinances of the Township that affect

property whether it be the Stormwater Management Ordinance or the Zoning Ordinance or any amendment to those in the future. Discussion took place.

4, Mr. Paul Williams, Dublin Borough Manager wished to state that he felt that the Township had done a nice job on the Comprehensive Plan. He wished to address the Board of Supervisors regarding recreation, connection to sidewalks, and existing sidewalk networks in the Borough. He stated that approximately two years ago Dublin Borough passed through its open space money to Hilltown Township in order to jointly acquire thirty-seven acres on Frontier Road. He wished to advise the Board of Supervisors that Dublin Borough Council is anxious to move forward with some sort of recreation plan. He realizes that this property made not be a priority location for Hilltown Township but it is for Dublin Borough. He noticed in the back of the plan there are recommendations for things to do. He would like to suggest that Hilltown Township and Dublin Borough move forward together with an application to the Department of Community and Natural Resources for funding for whatever may be envisioned for that land, be it active or passive recreation.

Chairperson Bennington asked Mr. Williams if Dublin Borough currently has a Park and Recreation Committee in place. Mr. Williams advised that this is currently being considered. Chairperson Bennington suggested that Mr. Williams or a representative from Dublin Borough attend our next Park and Recreation Committee meeting which will be held on the second Thursday of November. Discussion took place regarding the placement of sidewalks and walking trails that adjoin the Frontier Road property.

Mr. Williams also wished to alert the Board of Supervisors that should Hilltown Township develop a water supply towards the Route 313 end of the Township, Dublin Borough would be interested to discussing an inter-connect for emergency purposes only, for Fire Protection.

Chairperson Bennington asked Mr. Lippincott to advise the Park and Recreation Committee that Mr. Paul Williams would be attending their next meeting to discuss ideas regarding the Frontier Road property.

**Motion was made by Vice-Chairperson Bender, seconded by Supervisor Egly, and carried unanimously to approve the Comprehensive Plan with the changes noted.**

Vice-Chairperson Bender suggested that the names of all those who worked on the Comprehensive Plan should be mentioned, including Keith Miller as the Chairperson, John Kachline, Chuck Kulesza, Jon Apple, Bill Reiser, Sandra Seifert, who is a past member, Regina Bolger, Mark Fazio, John Bender, Richard Manfredi, Nick Lupinacci, who was a past member, Greg Lippincott, and Charles Guttenplan, AICP of the Waetzman Planning Group. This plan was also reviewed by the Planning Commission

members, John Kachline, Betty Snyder, Ken Beer, Brooke Rush, Jack Fox and Bill Bradley. The Board of Supervisors would like to thank these people for all their time and efforts on behalf of the Hilltown Township Comprehensive Plan.

The Board of Supervisors would also like to thank the Township Staff, Greg Lippincott, Township Manager, Lynda Seimes, Township Secretary, Frank X. Grabowski, Township Solicitor, Bob Wynn, Township Engineer and Andy Heinrich, Township Traffic Engineer for all their help.

Mr. Guttenplan wished to express that the Task Force was exemplary in the fact that it represented so many facets of the Township and the result of that was that Hilltown Township ended up with a very good document. The process was a good one and Mr. Guttenplan is proud to have been a part of it.

**At 9:15PM Chairperson Bennington re-adjourned the regularly scheduled Worksession Meeting of the Hilltown Township Board of Supervisors.**

P. MANAGER'S REPORT: - Mr. Greg Lippincott, Township Manager -

1. Mr. Lippincott presented a request from the Hilltown Township Zoning Hearing Board that the policy of paying the Board members \$35.00 per night, be changed to paying the Board members \$35.00 per applicant.

Chairperson Bennington stated that this would be reviewed as part of the budget process which is on-going at the present time.

Vice-Chairperson Bender asked if this proposal would be \$35.00 per applicant whether or not the applicant needed additional nights to complete their hearing.

Mr. Greg Lippincott, Township Manager advised that indeed this would be the proposal.

2. Mr. Lippincott asked the Board of Supervisors what date they would like to advertise for the Budget meeting.

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to advertise the budget meeting for Wednesday, October 29, 2003 beginning at 7:00PM.

3. Mr. Lippincott wished to remind the Board of Supervisors about Broad Street.

Chairperson Bennington advised that as part of the Quarry Hearing discussions it have come to the Board of Supervisors' attention that truck traffic on Broad Street has become

a major issue. Board Street between Hilltown Pike and Callowhill Road is currently 35 MPH.

Motion was made by Supervisor Egly, seconded by Vice-Chairperson Bender, and carried unanimously to authorize the Hilltown Township Police Department to conduct a traffic study for the purpose of possibly reducing the speed on Board Street, between Hilltown Pike and Callowhill Road to 25 MPH.

Q. CORRESPONDENCE: None

R. MYLARS FOR SIGNATURE: None

S. PUBLIC COMMENT:

1. Mrs. Helen Jaeger of Hatfield spoke with Greg Lippincott, Township Manager and was advised that a letter was sent to PennDOT in June of this year regarding a traffic study request for the Hilltown Pike and Route 152 intersection. After further contact with representatives from PennDOT, Mr. Lippincott was advised that they were still working on the traffic study that was requested by the Township. He will again contact PennDOT to ascertain a possible completion date for this study. Mrs. Jaeger also mentioned that the lines which was placed at the intersection by the Township have now been removed by PennDOT due to the paving project currently taking place. Mr. Lippincott will ask whether or not these lines will be replaced.

Mrs. Jaeger suggested that perhaps the signage that currently is in place at the curve at Dublin Road could be installed at Route 152 to alert drivers that the road curves. Mr. Lippincott will check to see if this is a possibility. Discussion took place.

T. SUPERVISOR'S COMMENTS:

1. Vice-Chairperson Bender mentioned that a few weeks back on October 1, 2003, Pat Lester did a follow-up article regarding MTBE levels that are still high around the Route 113 and Route 313 areas. Apparently the levels that have been detected in test wells had been going down but now they are back up again. This problem has been going on for an extremely long time and he would like DEP to give Hilltown Township an update

Greg Lippincott, Township Manager, will contact DEP and attempt to make arrangements to have a representative from DEP attend a Supervisor's Meeting to provide an update on the situation with this problem.

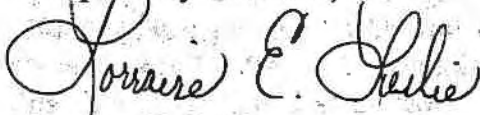
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2. Chairperson Bennington wished to announce that there will be a Quarry Hearing tomorrow evening, October 14, 2003 beginning at 7:00PM in the Hilltown Township Municipal Building. Despite miss-information to the contrary the meeting is specifically for water on Blooming Glen. It has nothing to due with Skunk Hollow. There is no stink at Skunk Hollow.

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

V. ADJOURNMENT: Upon motion by Supervisor Egly, seconded by Vice-Chairperson Bendér, and carried unanimously, the October 13, 2003 Hilltown Township Board of Supervisors worksession meeting was adjourned at 9:35PM.

Respectfully submitted,



Lorraine E. Leslie  
Township Treasurer

(A list of questions, submitted by Mr. Jack McIlhinney, regarding the Hilltown Township Comprehensive Plan, is attached to these minutes.)

Hilltown Township Comprehensive Plan

QUESTIONS FOR THE SUPERVISORS' MEETING OF OCTOBER 13, 2003  
BY THE HILLTOWN LANDOWNERS ASSOCIATION

1. Why are the public comments from the Planning Commission meetings of August 7, 2002 and August 15, 2002 not included in the Comprehensive Plan Appendix B as previously indicated? Since the Planning Commission "responses" were not given at these meetings and no discussion with the commission was permitted, it is inappropriate to exclude the minutes yet include the commission's made up responses.
2. The statement in the minutes of the meeting of August 15, 2002 under section B1-Public Comment incorrectly states that I oppose the Comprehensive Plan. What I stated was I oppose incorporating and entangling into the Comprehensive Plan incomplete outside studies and plans which themselves have not been reviewed and accepted by the Township.
3. Why are the public questions, comments and minutes of the meetings of March 10, April 28, and May 14, 2003 Supervisors' meeting covering the comprehensive plan not included in the Appendix B, yet the BCPC comments are included?
4. Why is the Township incorporating or referencing incomplete or complete outside studies and plans, such as the PACC Water Resources Plan - page 86, into the Comprehensive Plan? How can these referenced and outside plans be included in the Comprehensive Plan prior to completion and/or without any detailed discussion? Example: Please explain the recommendations A through H with all its intricacies as it relates to landowners.
5. How can a Comprehensive Plan include such incomplete and/or undiscussed studies, plans or recommendations as it would relate to the MPC and Zoning ordinances?

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6. TDRs are mentioned throughout (pages 19, 21, 33, 34, etc.). Please explain in detail the program envisioned including who would be eligible? The implementation section gives few details.
7. How is the Township protecting individual property rights (page 20)? Why only one sentence in the document? Does the will of the majority override the rights of the individual? Can the government at any level deprive the landowner of his land, the use thereof or its part or full value without due process or just compensation under the names of "community good" etc. ?
8. Tax relief for farmers -page 21, item 6. Is this the proposed tax freeze for those 3 or 4 landowners in the township who sold their development rights for one or two million dollars? Are you aware that Act 153 permits these rights to return to the owner simply by repaying the money to the township, county and state without interest if the governmental entity (township or county with planning commission) having jurisdiction so deems it? Why special treatment for "special" people? Ag security? All landowners? Retired People? Real cause of high RE taxes- School teachers' and administration salaries, benefits and pensions.

Hilltown Township Comprehensive Plan

QUESTIONS- CONTINUED

- 9. Please explain in detail the term Development District Concept as it is used in the Plan (pg. 19, #1; pg. 21, #2; et. al.) ?
- 10. Please explain the omission of the word "public" as specified in Article I, Section 27 of the Pennsylvania Constitution when referring to " natural resources" (pg. 19) (see pg. 42)? Is this an assumption by the township that the control exercised over public lands may, by right, be exercised over private property without due process or just compensation?
- 11. Under Farmlands (pg. 21 ) what is meant in the opening statement "...that steps be taken to preserve the better agricultural lands"? What is meant by item #4 "...legitimate land use"? What is meant by "viable industry" when only 0.2% (down from 1.1%) of the township work force claims farming as their employment and many of those have a second full time job?
- 12. Per Community Development (pg. 22, #6), please indicate which natural areas of the township are to be preserved without development? Whose property? What are the criteria and set by whom? Is there due process and just compensation?
- 13. Under the Community Planning objective (pg. 23), what is meant by "...under other goals and objectives"? Are not the goals restricted? What does item #3 mean?
- 14. Under Historic Preservation (pg. 24), who decides what is historic? Will there be due process and just compensation for property devaluation and limitation of use? Under what authority are private farm structures and private farm land deemed historic?
- 15. Under Infrastructure (pg. 25, # 3), where is the "development district"? What percent of the township land area is in this "district"? What percent of this "district" is for residential use only? Why is centralized sewer service limited to the "development district"(item #3)? Would not the objectives of item #4 be better served by expanding #3 and #8? Are all of these policies to be applied equally to all the citizens/property owners of the township? What is meant by item #6 "...where conditions are acceptable"?
- 16. Under Open Space (pg. 26), rural atmosphere, open space and scenery are stated to be among the most desirable attributes of Hilltown. What is not stated is virtually all of the land is privately owned and the attributes are provided by those who own it, not the township. Implementation of items #1 through #10 will require taking of property, either outright or the use thereof. Will this be through purchase with due process and just compensation? Will this be through down zoning, density reductions, use restrictions, utility restrictions, development requirements, etc. and, if so, will due process and just compensation requirements prevail?



Hilltown Township Comprehensive Plan

QUESTIONS- CONTINUED

- 17. When will Map #2 -Existing Land Use Map (pg. 30) be updated to show the correct current usage of parcels? What is vacant land indicated on Map #2? Various parcels shown as agriculture are no longer so; giving the impression of viable farming entity where only a marginal one exists. How much of the land shown as agriculture is actually owned by the few remaining active farmers? If the land use plan is of vital importance why isn't the map?
- 18. While Map #3 -Land Use Plan (pg. 32) no longer shows the expanded Village Center in conjunction with the receiving area of the a "voluntary" TDR program, the recommendation is scattered throughout the text; backed up with a threat of Agricultural Preservation ordinances,etc. (page 37 & 96).
- 19. What is the Conservation District (pg. 33)? Why is its existence solely for the benefit of those in the Development Areas? Why does the residential land use in RR raise more concern about safe and adequate water supply than residential land use in CR-1, CR-2, or VC? In terms of usage does a 50,000 s.f. developed residential lot with 2.81 residents use more or less water per resident if on a central community water system rather than an individual on lot well? Likewise for all other lot sizes in all other districts? Under what legislation is authority given to deprive landowners in the RR district to well water based on land area for the benefit of high density districts without due process and just compensation?
- 20. When was the soil survey of 2002 issued? Were field samples of each and every soil type for each and every parcel taken?
- 21. What is the total acreage of all lands within the township considered as "open space" as indicated in the plan's Natural Resources/Open Space Element (pg. 54 etc.)? Include all lands of state, county,local, federal, S & W authority, school districts, public and private institutions, conservancies, private wild life refuges, private open space, trails and easements for same, reservoirs, airports, glider ports, power line easements, athletic associations, golf courses, etc.? (The amount listed is approximately 1500 ac. and is not all inclusive.) In light of the fact that the most stringent NRPA guidelines require 10.5 ac. per 1000 population, the current requirement would be 127 Acres. When the township is "built out" by 2030, the population would be approximately 24,000 requiring 252 Ac. We already have that just in Township holdings today, without Berry Brow. What is the ultimate acreage goal? What is the cost to the township both in upkeep and portions being non-productive in tax revenue?
- 22. The route 113 Heritage corridor study - page 69. Who are the authors of the plan? What are the details of the growth and preservation plan? How does it effect the property owners?

Hilltown Township Comprehensive Plan

QUESTIONS- CONTINUED

- 23. Since private wells are expected to continue to be the primary source of water in the township (pg 84), will the current philosophy of allowing up to a million gallons of water per day (5 times what the HTWSA pumps), offered free from the quarries, continue to be pumped downstream?
- 24. In RR individual on-lot residential septic systems return all their on-site well water to recharge the ground water while large sewage treatment plants for high density areas direct discharge vast amounts of well water into streams with no recharge, why would there be a preference to have high density areas, such as an expanded VC at 5 units or more to the acre, at the expense of landowners in RR ? That is, requiring 3 Ac. zoning until such time that "public " water is available when ALL RR on-site septic water will be returned to the ground?
- 23. Pennridge Water Resources Plan, page 86. See also discussion at meeting of March 10, 2003. What are items A through G, when were they ever discussed by the Supervisors among themselves and with the citizens? When was it voted on to include Hilltown and its residents? See Bennington comments 3-10-03 page 5703 of minutes supervisor work session.
- 24. Under Stormwater Management (p. 89). Are there developments one lot or larger in the township where inadequate management of accelerated stormwater runoff results from development throughout the watershed that increased flood flows and velocities, contributed to erosion and sedimentation, degraded the water quality, overtaxed the carrying capacity of existing streams and storm sewers, greatly increased the cost of public facilities to convey and manage stormwater, undermined floodplain management and floodplain reduction efforts in upstream and down stream communities, reduced groundwater recharge and/or threatened public health and safety? If so, how many and where are they and what is the township doing about it? Is the law applied equally to all landowners in light of this threat to the health, safety, welfare and protection of the people of Hilltown?
- 25. On page 1 the plan says "manage growth"; on page 4 "slow growth"; on page 17 "encourage growth in the development area"; on page 19 encourage development in the village center based on a study no yet done. On page 24 maintain the integrity of historic villages?
- 26. How much density reduction is being recommended in the RR in order to increase the density in the VC? Which landowners in the RR are to be sacrificed for the gain of which landowners in the VC?

Hilltown Township Comprehensive Plan

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