

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 25, 2000
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:31PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Vice-Chairperson
E. Diane Parks, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Kerry L. Trauger, Chief of Police
Lorraine E. Leslie, Township Treasurer

Chairperson Bennington announced that the Board met in Executive Session following the September 11, 2000 Supervisor's worksession meeting in order to discuss real estate and personnel matters; and also met this evening prior to this meeting in order to discuss real estate and personnel matters.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated September 26, 2000, with General Fund payments in the amount of \$112,885.76, State Highway Aid Fund payments in the amount of \$1,610.42, and Escrow Fund payments in the amount of \$1,029.13; for a grand total of all payments in the amount of \$115,525.31.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated September 26, 2000. There was no public comment.

C. CONFIRMED APPOINTMENTS: None.

D. MANAGER'S REPORT – Mr. Greg Lippincott, Township Manager:

1. Mr. Lippincott requested authorization to attend an Economic Development Seminar at Penn State University from December 3rd through December 8th. If registered by October 31, 2000, the cost is \$510.00 plus \$71.00 per night lodging. The course is designed to draw participants from across the eastern United States for the purpose of learning theoretical and practical approaches to economic development and to attract a company by creating high interest in business and community development, retention and planning.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to authorize the attendance of the Township Manager at the Economic Development Course at Penn State University, as noted above. There was no public comment.

2. At the Supervisor's worksession meeting of September 11th, the Supervisors tabled the issue of Mr. Jager's request to graze sheep and/or livestock on Township open space. The Supervisors advised Mr. Jager that they would render their decision at this evening's meeting. However, when Mr. Jager attended the last Park and Recreation Board meeting, they tabled this issue for further consideration at their next meeting. The Supervisors agreed to table a response to Mr. Jager's request until after a recommendation has been received from the Park and Recreation Board.

3. The regular Supervisor's meeting of Monday, October 23, 2000 has been rescheduled for Monday, October 30, 2000.

4. The Board of Supervisors and the Hilltown Township Water and Sewer Authority will hold a joint meeting on Wednesday, September 27, 2000 at 7:30PM.

5. The Park and Recreation Board has rescheduled their October meeting to Thursday, October 5, 2000 at 7:30PM.

6. Mr. Lippincott presented the Supervisors with the proposed C.D. Moyer Demolition Sequence Schedule as provided by Heritage Building Group. Chairperson Bennington was very surprised that the demolition process of the C.D. Moyer property had not yet begun. Mr. Lippincott explained that Heritage Building Group is still researching issues and reviewing prices for demolition.

7. Impact Signs Inc. has quoted a price of \$450.00-\$485.00 per sign for "Welcome to Hilltown Township" signs. Discussion took place.

8. A speed survey was conducted on Conestoga Way and the Police Department recommends a speed limit of 20 m.p.h. Mr. Lippincott is seeking Board authorization for the Solicitor to prepare and advertise a Speed Limit Ordinance for Conestoga Way.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to authorize the Township Solicitor to prepare and advertise a Speed Limit Ordinance to reduce the speed on Conestoga Way to 20 m.p.h. There was no public comment.

Chairperson Bennington suggested that developers be required to purchase and install speed limit and "Watch Children" signs within their proposed developments so that the Township is not responsible after the fact. Mr. Wynn explained that all signs are now required to be installed by the developer under the Subdivision Ordinance, including any type of advisory signs, speed limit signs, street name signs, or regulatory signs etc. Supervisor Bender asked how speed limits within a development are initially determined. Chief Trauger advised that speed limits are set by the State, and then a speed study is done to determine the proper speed limit within residential districts. Mr. Wynn commented that in newer developments such as Orchard Hill, the Township is requiring that 25 M.P.H. speed limit signs be installed by the developer during construction. In the past, the Township has not been able to do that because speed limit signs were once subject to speed studies performed once the development was constructed. The amount of speed limit signs are specified by State regulations – either every ½ mile or between every intersection.

9. There are three escrows for the Board's consideration this evening, one of which is cash held by the Township:

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|--------------------------|-------------|-------------|
| Hilltown Plaza Outparcel | Voucher #02 | \$ 335.28 |
| Keystone Estates | Voucher #25 | \$ 267.20 |
| Orchard Glen | Voucher #61 | \$ 8,426.64 |

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to release the three escrows as noted above. There was no public comment.

E. CORRESPONDENCE – Mr. Greg Lippincott, Township Manager –

1. Correspondence was received from Silverdale Borough accepting the Township's proposal for snow removal for the 2001 winter season.

2. Correspondence has been received from Governor Tom Ridge regarding the use of cellular telephones while operating a motor vehicle.

3. The Bucks County Association of Township Officials will hold its annual dinner meeting on October 18, 2000.

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

1. Solicitor Grabowski advised that the internal road within the Hilltown Hunt Subdivision is ready for recordation. Once this is accomplished, the internal road will be eligible for Liquid Fuels reimbursement.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-25 to accept the internal road within the Hilltown Hunt Subdivision;** and to **adopt Resolution #2000-26 to declare that the internal road within the Hilltown Hunt Subdivision is for public purpose.** There was no public comment.

2. Solicitor Grabowski advised that the internal roads within the Orchard Glen Subdivision are ready for recordation. Once this is accomplished, the internal roads will be eligible for Liquid Fuels reimbursement.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-27 to accept the internal roads within the Orchard Glen Subdivision;** and to **adopt Resolution #2000-28 to declare that the internal roads within the Orchard Glen Subdivision are for public purpose.** There was no public comment.

3. Solicitor Grabowski presented a Declaration of Easement for road frontage offered to the Township by the developer of the Frank Eckert Subdivision located at Rt. 152 and Rickert Road.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-29, a Declaration of Easement for road frontage for the Eckert Subdivision.** There was no public comment.

4. Solicitor Grabowski presented three Declarations of Easement for the Cope/Landis/Alderfer Lot Line Adjustment located at the intersection of Fairhill School Road and Maron Road. This minor subdivision necessitated that all three families provide an easement to the Township.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-30, a Declaration of Easement for road frontage from the Cope family for the Cope/Landis/Alderfer Lot Line Adjustment;** and to **adopt Resolution #2000-31, a Declaration of Easement for road frontage from the Landis family for the Cope/Landis/Alderfer Lot Line Adjustment;** and to **adopt Resolution #2000-32, a Declaration of Easement for road frontage from the Alderfer family for the Cope/Landis/Alderfer Lot Line Adjustment.** There was no public comment.

5. The Director of Public Works is interested in the Township considering the adoption of a Snow Emergency Ordinance. Solicitor Grabowski presented a draft Ordinance for the Board's consideration and is seeking authorization to advertise the proposed Ordinance for possible adoption at the October 30, 2000 meeting. This

Ordinance allows for snow emergency declaration for all Township roadways so that the Public Works Department can plow roads more efficiently and quickly. The Ordinance would also provide for shoveling of sidewalks. Many municipalities, especially the smaller boroughs, have a very limited period of time in which residents must clear their sidewalks of snow. The staff has suggested a 24-hour time period for the clearing of sidewalks in Hilltown Township. Another additional requirement suggested by the staff was to require all-weather tires, snow tires and/or chains on vehicles. Supervisor Parks agreed, and suggested that the concept of four-wheel drive vehicles be added, as well. There is also a requirement in the Ordinance to remove snow from roofs where it may have the potential to fall onto a public sidewalk. Discussion took place concerning the issues of clearing sidewalks, notifying the public of a snow emergency, and clearing snow around fire hydrants.

Public Comment:

1. Mr. Harry Mason of Morgan Lane advised that the sidewalks across the street from his home are a part of the Township's walking trail, and wondered who would be responsible for clearing that sidewalk.

Solicitor Grabowski advised that the snow emergency portion of the proposed Ordinance is of great concern to the Public Works Department. If this Ordinance were to be tabled at the October 30, 2000 meeting as a result of the sidewalk issue, it would also obviously table the discussion concerning the snow emergency issue. Chairperson Bennington suggested that the sidewalk clearing requirement portion of the proposed Ordinance be removed, and that the Supervisors move forward with advertising the Ordinance with regard to declaring a snow emergency only. Supervisor Parks felt that all these issues should be incorporated into one Ordinance. Discussion took place.

Motion was made by Supervisor Bender, and seconded by Chairperson Bennington to authorize the preparation of an Ordinance dealing with the declaration of snow emergencies on Township roads. Supervisor Parks was opposed. Motion passed: 2:1.

***8:00PM – PUBLIC HEARINGS** – Chairperson Bennington adjourned the regularly scheduled meeting of September 25, 2000 at 8:00PM in order to enter into a two Public Hearings.

PUBLIC HEARING #1 -Community Development Block Grant Funding – Every three years, there is a Community Development Block Grant available for municipalities to provide funding for low-income area improvements and/or renovation of historical areas. The first Public Hearing for C.D.B.G. funding was held on August 28, 2000, when three proposals were presented for the Board's consideration. The first proposal was a request for a study of the former Municipal Building/former Hilltown High School in Blooming

Glen to determine its historic value. The cost is approximately \$2,500.00. Once the site is deemed historical, future C.D.B.G. funding could be used to refurbish the building. The second proposal was an application for paving of three roads – Central Avenue in the amount of \$29,770.00, Maron Road in the amount of \$30,400.00, and Fairhill School Road in the amount of \$41,740.00. The third proposal was from the Hilltown Historical Society for continued restoration of the Hartzel Strassburger Homestead in order to complete brickwork repair and make much needed roof repairs, with no specific dollar amount given. At the August 28th meeting, the Supervisors agreed to continue this Public Hearing to tonight's meeting to further consider these proposals, and requested that the Historical Society provide a master plan for their overall restoration budget along with the specific amount of funding requested.

Mr. John Gras, corresponding secretary of the Hilltown Historical Society, advised that the Supervisors are in receipt of the September 20, 2000 correspondence from the president of the Historical Society, Mr. Jack Fox. Mr. Fox's correspondence outlines costs associated with some of the proposed repairs, specifically the roof and brick corrective work. The Historical Society's main priority is the roof repair to prevent further damage to the interior. Mr. Gras noted that although only one roof repair estimate was provided, it was not through lack of trying. Mr. Fox contacted 16 roofing contractors, 10 of which never responded, 4 of which were "too busy," and 1 who promised an estimate, yet never forwarded it to the Society. The estimate is in the amount of \$47,880.00, which was based upon a cursory review of the work to be completed and includes 15%-20% for unexpected contingencies. The Historical Society suggests that approximately \$50,000.00 is needed in order to repair the roof of the main house, the 1810 addition, and the front porch.

It appears to Supervisor Parks that the entire site is in need of extensive repairs, most of which was earmarked to be completed in 1986. All of those items on the list provided by the Historical Society, were accomplished by the contractor who did not do the work correctly, and subsequently, declared bankruptcy. Mr. Gras disagreed, and explained that the items on the 1986 list were accomplished through funds of the Historical Society or Community Development Block Grant funds that were previously granted, along with labor and donated materials from members of the Society. Mr. Gras explained that the roof is a problem that has developed since the substandard brickwork was done by Brite Maintenance, and subsequently repaired by the Masonry Preservation Group. The only remaining brick work consists of two gable ends of the original house, and 1/3 of one portion of the 1810 addition, as noted in Mr. Fox's correspondence. The main priority is to repair the roof on the front porch, the main house, and the 1810 building, with an estimate for this repair in the amount of \$47,880.00. Mr. Gras presented a master plan for repairs that are required on these historic buildings through mid-2002.

Besides membership fees, Supervisor Bender asked what funding the Historical Society generates from the general public. Mr. Gras replied that at one point, there was a significant amount of money raised through the recycling program, however that has since been disbanded. There is also a program in place through some of the area grocery stores that will contribute to the Historical Society if residents provide their sales slips, however none of these fund raising efforts produces the kind of money needed for roof and brickwork repair. In addition, there is a great deal of volunteer labor provided by members of the Society or donations in kind by private citizens.

Chairperson Bennington suggested that perhaps the cost of repaving Central Avenue (\$29,770.00) could be removed from the C.D.B.G. funding application, since there is likely to be a land development application submitted for a Home Depot in that area, in which case, the Ordinance would require the developer to pave the entire length of Central Avenue. The Supervisors were not confident that the proposed paving of Fairhill School Road would be accepted for use of grant funding due to its location. Discussion took place.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to allocate \$2,500.00 for the historical designation study of the former Municipal Building/Hilltown High School in Blooming Glen; \$31,000.00 for the paving of Maron Road; and \$50,300.00 to the Hilltown Historical Society for repair of roofs through Community Development Block Grant funding. There was no public comment.

PUBLIC HEARING #2 - Subdivision/Land Development Ordinance – Section 301.5.C regarding official filing date deadline – Solicitor Grabowski explained that the existing Subdivision/Land Development Ordinance requires that applications for subdivision or land development be filed 14 days prior to the Planning Commission meeting when a plan would be considered for review. The Planning Commission and staff discovered that 14 days was not sufficient time for review. The proposed amendment requires that applications for subdivision or land development be submitted 21 days prior to the Planning Commission meeting, which is held on the third Monday of every month. The Bucks County Planning Commission reviewed the proposed amendment and recommended adoption, as did the Hilltown Township Planning Commission. The amendment has been properly advertised in the Doylestown Intelligencer, and has been filed with the Bucks County Law Library.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Ordinance #2000-8, amending the Subdivision/Land Development Ordinance relative to Section 301.5.C regarding official filing date deadline from 14 days to 21 days prior to the regular Planning Commission meeting.** There was no public comment.

***8:15PM – Chairperson Bennington adjourned the two Public Hearings, and reconvened the regularly scheduled Board of Supervisors meeting of September 25, 2000.**

Chairperson Bennington asked Mr. Wynn the status of his firm's visit to the Bureau of Mines concerning the H & K Quarry, which was mentioned by a resident at the last meeting. Mr. Wynn explained that one of his employees is scheduled to visit the Bureau of Mining tomorrow.

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

1. Longacre Tract Subdivision – This preliminary plan was reviewed for the first time by the Planning Commission and tabled. However, in accordance with Section 406.3 of the Subdivision Ordinance, a Traffic Impact Study shall be submitted for a subdivision of less than 75 dwelling units if the applicant is notified within sixty days following the Planning Commission's first meeting to consider the proposal. The Ordinance further requires that such a notification shall specify the reason for the requirement, citing the proposal's particular location, existing problems, or type of use.

The Planning Commission unanimously approved a motion to recommend the Board of Supervisors require submission of a Traffic Impact Study for this subdivision. The plan proposes 32 dwelling units on a P-loop street with a single access to Rt. 113. The proposed intersection with Rt. 113 is offset from the driveway entrance to Calvary Church on the opposite side of the roadway. Due to the offset intersection arrangement and traffic congestion created by Calvary Church, the Planning Commission requests that a Traffic Impact Study be required for this plan.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to require submission of a Traffic Impact Study for the Longacre Tract Subdivision. There was no public comment.

2. Reckner/Kramer Subdivision (Lot Line Adjustment) – This lot line adjustment subdivision located on Callowhill Road north of South Perkasio Road, was unanimously recommended for approval including all waivers requested by the applicant. The subdivision proposes conveyance of 108 sq. ft. of land area from one parcel to the adjacent parcel to resolve litigation over driveway encroachment. The Planning Commission's recommendation for preliminary/final plan approval contains no conditions.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to grant preliminary/final plan approval to the Reckner/Kramer Subdivision, including all waivers requested by the applicant. There was no public comment.

3. PECO/Seik Subdivision (Lot Line Adjustment) – This lot line adjustment subdivision located on Upper Church Road was unanimously recommended for conditional approval by the Planning Commission. The plan proposes to convey 7.9 acres of property owned by PECO to the adjoining parcel owned by Daniel Seik. The resulting lot will contain 21.4 acres. The balance of the tract (11.9 acres) will remain in ownership of PECO and contains overhead electrical lines. Conditions of preliminary/final approval are as follows:

- The ultimate right-of-way area of Upper Church Road along the frontage of TMP #15-35-67-1 must be dedicated to the Township as an easement.
- All uses on the property and within the various buildings located on the property must be clearly identified on the plan.
- Property monumentation as shown on the plan must be installed and be certified in writing by the responsible surveyor.
- Parcel #1 must be combined with TMP #15-34-132-1 into a common deed with a common outboundary description.

Mr. Ed Wild, the applicant's legal counsel, and Mr. Dan Seik, the applicant, were in attendance to present the plan. With regard to the condition concerning the uses of the various buildings on the property, Mr. Wild explained that the applicant will be happy to revise the plan to indicate the uses, however if the Township believes there is a use issue for zoning purposes, the applicant would be willing to address the matter with Mr. Lippincott. Mr. Wild noted there are several apartments located on the site, though they have been registered with the Township through the Tenant Identification Ordinance several years ago.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to grant conditional plan approval to the PECO/Seik Subdivision, pending satisfactory completion of the items as noted above. There was no public comment.

4. Papiernik Subdivision – Action on the Papiernik Subdivision waiver requests was tabled by the Board of Supervisors at their meeting of August 28, 2000. Mr. Bob Bender of Heritage Building Group was in attendance to present the list of waivers for the Papiernik Subdivision, as follows:

- Section 510.5 – A waiver is requested from the requirement that horizontal curves not be permitted on a proposed street within 50 ft. of the ultimate right-of-way of an existing or proposed street.

This design requirement could be met by revising the plan, however it would result in an unnecessarily sharper curve on Ridgeview Court. Accordingly, the Planning Commission unanimously recommended waiver of Section 510.5.

- Section 511.1.A – The proposed twin unit located at the western intersection of Hampshire Drive and Ridgeview Court has the driveway located approximately 50 ft. from the ultimate right-of-way of Ridgeview Court. Section 511.1.A requires a minimum separation of 60 ft. By a majority vote (5:1 with Mr. Kachline opposed) the Planning Commission recommended waiver of Section 511.1.A for this twin unit.
- Section 504.2.K – The Planning Commission unanimously recommended approval of a waiver of lot depth to width ratio requirements for all townhouse units. The 3 to 1 limit on lot depth to width ratio is a standard typically applied to single-family dwellings. A lot design strictly in accordance with minimum requirements of the Zoning Ordinance (with a minimum lot width of 22 ft. and minimum lot area of 2,200 sq. ft.) has a lot depth to width ratio of 4.5 to 1.

A lengthy discussion took place concerning the above waiver request.

- Section 504.2.D – A waiver has been requested from the requirement that side lot lines intersecting street lines must be at substantially right angles or radial to street lines for certain townhouse units located on curved sections of the proposed streets. The Planning Commission unanimously recommended approval of the waiver request conditional upon the revised plan providing an enlarged detail of the proposed improvements along the frontage of the affected lots to ensure there are no encroachments of driveways onto adjoining properties.
- Section 511 – The Planning Commission unanimously recommended waiver of the requirements to install concrete monuments at every property corner within the development. Specifically, and as approved for the Orchard Hill Subdivision, the townhouse units will be concrete monumented at the end of each building with the internal property boundaries field marked with iron pins.
- Section 504.2.A – This section limits block length to 1,600 feet. Although the applicant disagrees with the interpretation of the

Ordinance, they have requested a waiver of block length for Hampshire Drive, which is approximately 2,800 feet from intersection to intersection with Ridgeview Court when measured along Hampshire Drive. The applicant believes the measurement should only be along Ridgeview Court where the intersection distance meets the requirements of the Ordinance. By a majority vote (4:2), the Planning Commission recommends approval of the waiver of Section 504.2.A. Mr. Kachline and Mrs. Snyder were opposed.

Mr. Bob Bender of Heritage Building Group noted that the Ordinance does not provide clear guidance of how block length should be measured. It is the applicant's contention that the definition of "block" is from one intersection to the next intersection, however Mr. Wynn disagrees with that interpretation. Rather than get caught up in challenging the definition, the applicant chose to request a waiver of Section 504.2.A. The developer did consider the Planning Commission's suggestion of constructing a street through the middle of the open space area. Mr. Bob Bender noted that there would be no lots lost in doing so, however the subdivision would be reconfigured where there would be units backing up to each other. Heritage would rather have the open space area accessible to all of the residents of that development. Further, if this scenario was pursued, there would be two new intersections as well as another street that pedestrians would have to cross to access the open space. It would not provide a reduction in density, however it would provide a slight increase in impervious surface. Mr. Bob Bender does not feel it would do anything more than satisfy a section of the Ordinance that he believes deserves some additional definition.

Quite frankly, Mr. Wynn agrees with Mr. Bob Bender, and noted that this requirement was most likely initially included in the Ordinance when blocks were typical, city rectangular blocks, which are not seen very often anymore. This particular requirement goes back to the initial Subdivision Ordinance of the Township, which was prepared by the Bucks County Planning Commission in the 1960's. The Ordinance states that block length shall not exceed 1,600 ft. in length and shall be measured along the centerline of the street, between centerlines of intersecting streets. In this case, the street exceeds the 1,600 ft. requirement. Discussion took place.

Mr. Bob Bender presented an alternative design sketch plan showing a new street cutting through the open space, which would meet the block length requirement. In this design, the open space is no longer in the center of the townhouse units, but rather located in two separate sections away from the townhouse units. In this case, the open space is proposed to be owned by a homeowner's association and not necessarily available to all Township residents. If it were the latter, Mr. Wynn believes the alternative design would be desirable from an open space standpoint, if it were to be dedicated to the Township. Since the alternative design is to remain as homeowner's association open space, Mr.

Wynn commented the open space portion would require better access since the open space recreational facilities is entirely internal to the site. Chairperson Bennington is concerned that if the alternative design is used and an additional road is constructed, the density of the development would become much greater toward the existing residences in the Diamond Street area. Mr. Wynn advised that the alternative plan would create two roads parallel to one another, which will mean that townhouses will back up to twin homes. Without common easements, there is no way to get a lawnmower or harbeque grill, for example, into the back yard of a center unit without trespassing onto private property, unless it is carried through the house itself. This is a real problem that is being experienced at present by property owners in the Country Roads development. If an additional road through the open space were to be proposed, Supervisor John Bender asked the net effect on traffic flows. It is his opinion that if there is a longer stretch of road, speeds of motor vehicles would most likely increase. Mr. Wynn agreed that is probably true, however there may be the same length of road around the loop. The applicant has considered other methods of traffic calming at the behest of the Planning Commission, including narrowing the width of the roadway.

Since the Park and Recreation Board did not provide a recommendation for ownership of the open space in this subdivision, and the Planning Commission has not had the opportunity to review the alternative design sketch plan, Chairperson Bennington suggested that the developer meet with both those boards on Thursday, October 5, 2000, the date that each board has rescheduled their October meetings. The Supervisors could then consider the applicant's waiver requests at their October 9, 2000 Workscsion Meeting.

Mr. Bob Bender understands Chairperson Bennington's concern with regard to the issue of open space ownership, however he asked the Supervisors to consider the disadvantages to Township-owned open space in this development. Mr. Bob Bender commented that the primary users of open space in any community are normally the people who live in that particular development or immediately adjacent to it. He believes that people tend to use open space that they may drive to, walk to, or bike to that are more akin to being Township or County parks. Mr. Bob Bender stated that the disadvantage to the alternative sketch plan with the additional roadway through the open space is that the townhouses will be back-to-back and the access to the open space will be limited for most of the new development residents. He believes the applicant has presented a plan that provides good access to the common area for the people that are really going to use it, the residents of that new community. Secondly, Mr. Bob Bender noted that the additional roadway would provide another obstacle for children to cross to get to the open space. Chairperson Bennington commented that the Pleasant Meadows development, which is located very close to the Papiernik Tract does not provide any tot lots or playfields for its residents, and he believes they might make use of that open space. Supervisor John Bender agreed and noted that the Township's walking path will

be located directly across from this development. If the open space within the Papiernik Tract Subdivision is private, that walking path will go no further once it reaches that site. Mr. Bob Bender advised that the developer has offered a separate continuation of the Township's walking path through this development.

Mr. Bob Bender agreed that representatives of Heritage Building Group would meet with the Planning Commission and the Park and Recreation Board at their meetings of October 5, 2000 to discuss the issues as suggested by Chairperson Bennington.

The Supervisors tabled discussion on the Papiernik Tract waiver requests until their October 9, 2000 worksession, after review of the recommendations from the Park and Recreation Board and Planning Commission.

5. Seylar Elementary School Land Development – Mr. Wynn explained that the Seylar Elementary School latest 90-day extension expires on October 8, 2000. The Supervisors last addressed this land development plan with respect to the sewage treatment plant on August 9, 1999, but since that time, no plan revisions were submitted. Mr. Wynn spoke with representatives of the Penridge School District who advised that they may be changing some of their professional consultants. The Planning Commission recommended denial unless a written extension is received.

Chairperson Bennington wished to make it clear that the Board of Supervisors told the Penridge School District they would do everything possible to expedite and assist with the package treatment plant application. He does not want it misconstrued that Hilltown Township is delaying the Seylar School land development process, and he does not want the Township to be held accountable for what the delays being experienced by the School District.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to deny the Seylar Elementary School Land Development plan unless an extension is received by October 8, 2000. There was no public comment

H. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1. Country Roads Subdivision – Mr. Wynn presented a status report of the maintenance period punchlist items for the Country Roads Subdivision. The maintenance period for Country Roads Subdivision has actually lapsed, however the Township has received some additional extensions, with the latest until the end of October 2000 in which to complete the remaining items. Mr. Wynn believes that the remaining trees were replaced on Friday, September 22, 2000, however he is concerned because the developer has replaced 16 trees within the past seven weeks, most of which have either died or are dying. Typically, when developers replace trees at the end of their maintenance period, if

those trees die, the developer is then relieved of any responsibility for future replacement. Mr. Wynn recommended that the Supervisors authorize him to advise the developer that the Supervisors would consider the completion of the Country Roads maintenance period, provided there are sufficient additional maintenance funds escrowed to guarantee the 16 recently replaced trees, as well as receipt of funds for the invoice sent to the developer by the Township in July of this year for swale work; and reimbursement to the Township for any outstanding costs. The Supervisors directed Mr. Wynn to advise the developer of Country Roads that they must provide additional funding in the amount of \$2,500.00 for the 16 recently replaced trees in the event they do not survive.

I. MYLARS FOR SIGNATURE: None.

J. PUBLIC COMMENT:

1. Mrs. Joan Grasmeder of Beverly Road moved to Hilltown Township three years ago for the rural setting and the safety of her children. Unfortunately, in October of 1998, Ordinance #98-13 was passed, and subsequently revised. During the time that Ordinance #98-13 was in effect, several developers' submitted subdivision plans and development would now take place, particularly at the Hilltown Chase site located adjacent to her neighborhood. While Mrs. Grasmeder understands that development cannot be stopped, she noted that a great deal of other changes took place. She was hoping that these changes were for the good of the community. Mrs. Grasmeder stated that the major issue with the Hilltown Chase Subdivision was public sewer. It was her understanding that if the developer obtained approval for public sewer, the extension of Beverly Road would not be permitted due to safety reasons. Mrs. Grasmeder is devastated by the conclusion of the court settlement with regard to the Hilltown Chase Subdivision because she feels that the quality of life in Hilltown Township will certainly change. Mrs. Grasmeder is sad, disappointed, and angry about this decision, and feels that her voice does not count in Hilltown Township. She warned the Supervisors that they would have to deal with the consequences of their actions and decisions because she and her neighbors will be back to voice their opinions.

2. Mr. Bob Grasmeder of Beverly Road has personally spoken to and e-mailed the Board of Supervisors expressing his displeasure with the Hilltown Chase Subdivision. He became angry this evening after Supervisor Bender's comment concerning the Papiernik Subdivision that a longer stretch of roadway would encourage speeding motorists. Mr. Grasmeder advised that the Supervisors, by allowing the extension of the Beverly Road cul-de-sac street, have made Beverly Road longer and therefore, susceptible to increased speeds. It appears to Mr. Grasmeder that the Township has always supported the extension of Beverly Road, no matter what the residents wanted, because Township "experts" supported that decision. Mr. Grasmeder reminded the Supervisors that other "experts" also advised the Supervisors to adopt the Cluster

Ordinance, which was supposed to be a benefit to Hilltown Township. In reality, the adoption of the Cluster Ordinance was a horrible mistake and those so-called "experts" were wrong. He feels that the "experts" are wrong in the case of extending Beverly Road, as well. If the Supervisors will only listen to their experts, he wondered why there are public meetings and why public comment is permitted. Mr. Grasmeder echoed his wife's sentiments, stating that he feels that his voice and the others in the Township are not heard. He hopes that this decision does not hurt the Township since the Supervisors have opened up public water and sewer into the Residential area. Whether or not the courts gave their approval, Mr. Grasmeder noted that lawyers for both parties negotiated the Hilltown Chase settlement.

K. SUPERVISOR'S COMMENTS:

1. With the recent rash of incidents on the Blue Route, Chairperson Bennington asked Chief Trauger what advice he could provide to motorists who may be stopped by someone they believe is impersonating a police officer. Chief Trauger is not aware that anyone has proven that those reported incidents on the Blue Route actually happened, since there have been other incidents proven to be false claims. However, if a motorist questions whether or not they are being stopped by a legitimate police officer, Chief Trauger recommended that the motorist request that a second police vehicle be called to the scene. He also suggested that the motorist drive to a well-lit area with greater activity. An unidentified audience member asked if the motorist could request proper identification. Chief Trauger replied that police officers do not carry identification if they are in full uniform, including a badge, patch, and nametag.

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

M. ADJOURNMENT: Upon motion by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously, the September 25, 2000 Board of Supervisors meeting was adjourned at 9:38PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mrs. Lorraine Leslie, Township Treasurer).