

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, February 22, 1999
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:30PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Charles D. Grasse, Supervisor
Bruce G. Horrocks, Township Manager
George C. Egly, Jr., Chief of Police
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY:

1. Supervisor Grasse read the following prepared statement:

"I would like to set the record straight so that there are no further rumors, allegations or miscommunication about me personally. A developer, the Elliott Group, has filed a sketch plan with the Hilltown Township Planning Commission for a tract of land which my wife and I previously owned. There appear to be rumors about my involvement with this property, the proposed plan and other things I probably do not even know about yet.

The Grasse family had its family roots in Hilltown Township for many years. My family has been involved in community and charitable service, both in Hilltown Township and Montgomery County, and we believe that we should ultimately share our good fortune with worthwhile charitable causes. For this reason, in 1996 my wife and I met with the Mennonite Foundation to discuss our Estate planning. My wife and I wanted to do something with our Estate that would assist and help various charitable causes after we were gone. With this in mind, we entered into an irrevocable charitable trust with the Mennonite Foundation, which provides that our Estate will go to charity. In meeting with the Mennonite Foundation, as well as with our own personal attorney, documents were prepared so that our Telegraph Road land was donated to the Mennonite Foundation. This land transfer occurred in March of 1997 when we signed a Deed and conveyed 52 ½ acres of vacant ground to the Mennonite Foundation.

There are several points that I could like to state for the record:

First, if my wife and I had wanted to develop this 52-acre tract of property, we had that opportunity to do so many times throughout the years when we were approached to sell this property. We did not sell the land to a developer. We continued to farm the property up to the time when we donated it to the Mennonite Foundation.

Secondly, my wife and I have no control over this land; and have not since we gave the land to the Mennonite Foundation in March of 1997. We have no control over the Mennonite Foundation or its decisions. We do not control what assets are kept or sold by the Foundation. The Foundation, in its sole discretion, makes those decisions. We cannot terminate the trust and we cannot change its terms. This situation is much like any other in which the purchaser, of perhaps your property, in turn sells it to someone else. I learned that a sketch plan had been filed with the Township by this potential developer after it appeared before the Planning Board on January 18, 1999. I have never reviewed or have I seen this sketch plan.

Third, since the Elliot plan is only a sketch plan, there is nothing for me or my fellow Supervisors to vote upon or to decide. At the last worksession meeting, several people wanted to know who presently owns the Telegraph Road property. At that time and as far as I still know, the Mennonite Foundation is the owner of the 52-½ acre tract of land.

Fourth, I disclosed my relationship with the Mennonite Foundation to my fellow Supervisors many, many months ago. I reported to them that if any specific issue should come before the Board of Supervisors regarding this particular piece of property that I would disqualify myself from participating in any discussion or in any voting concerning it. I have discussed this matter with my personal attorney who has advised me that since my wife and I do receive an annual annuity payment from the Mennonite Foundation, I am correct in my decision not to participate in any action regarding this property. Since the rumor concerning my relationship has been brought to the public forefront before any development plan has formally come before us, I want to announce tonight, publicly, that I have no intention of being involved in the decision making process regarding the property that my wife and I conveyed to the Mennonite Foundation in 1997.

Final point, I also want to state my opinion of what my role is as a Supervisor. In discussing this issue with my fellow Supervisors, I firmly believe that I have the right and duty as a Township Supervisor to vote on issues that affect Hilltown Township in general. There are decisions made on a monthly basis in Hilltown Township which can affect each one of us in one way or another. I am sure that there will be many hard and controversial issues that the Board of Supervisors will be called upon to deal with during our terms of office. While I do not intend to avoid my responsibility as a Supervisor, I am certainly not going to do anything that may be a conflict of interest, be unethical or even have the appearance of being a conflict of interest. To those of you who are concerned about my role or relationship in this particular matter or in any other matter, feel free to call me directly and simply ask me.

I stand on my 11 ½ years of service to this Township. I am not here to represent Charlie Grasse or the Grasse family. I am here to represent all of the people of the Township and to do what is right for Hilltown Township. Thank you."

B. APPROVAL OF MINUTES – Action on the minutes of the February 8, 1999 Worksession Meeting – Supervisor Bennington noted corrections to pages 8 and 9, under “Public Comment. The speaker’s name should be spelled “**Mr. Bencker.**”

Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the February 8, 1999 worksession meeting, as corrected. There was no public comment.

C. APPROVAL OF CURRENT BILLING: Chairman Bennett presented the Bills List dated February 22, 1999, with General Fund payments in the amount of \$66,972.28.

Motion was made by Supervisor Grasse, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated February 22, 1999. There was no public comment.

D. MANAGER’S REPORT – Mr. Bruce G. Horrocks, Township Manager –

1. Mr. Horrocks presented the Hilltown Water and Sewer Authority’s request to appoint Mr. Melvin J. Wright to fill the unexpired term vacated by Mr. Scott Tagg on the Authority Board.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to appoint Mr. Melvin J. Wright to the unexpired term formerly held by Mr. Scott Tagg on the Hilltown Township Water and Sewer Authority Board. There was no public comment.

2. At their last meeting, the Open Space Committee made recommendations for the Board’s consideration, as follows:

- Make the Open Space Committee a standing committee, as opposed to an ad-hoc committee, which it currently is.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to change the structure of the Hilltown Township Open Space Committee to a standing committee, with rotating terms to be determined by the Board of Supervisors. There was no public comment.

- There is a possibility that Dublin Borough may be providing their Bucks County Open Space Funds to both Bedminster and Hilltown Townships in a nearby neighborhood relative function. Obviously, this proposal must be presented to the Bucks County Planning Commission because the format has not yet been established as to whether or not Dublin Borough would take the lead, with the other two municipalities

being named as co-sponsors. The Open Space Committee recommends the Supervisors publicly state their interest in potentially accepting 50% of Dublin Borough's open space funds.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to state Hilltown Township's interest in potentially accepting 50% of Dublin Borough's open space funds, as stated above. There was no public comment.

E. CORRESPONDENCE:

1. The Township received written response from Mr. Barry Parnly, the manager of outside plant operations for Bell Atlantic of Pennsylvania. A copy will be forwarded to Mr. John Snyder, who originally brought this matter to the Board's attention.

2. Correspondence has been received from the Silverdale Volunteer Fire Company requesting authorization to use the property the Township is in the process of acquiring at Rt. 152 and Fairhill Road for fire and rescue training, prior to the demolition of the existing building on the site. An insurance certificate will be provided by the Fire Company.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously that once the Township takes ownership of the property located at the corner of Rt. 152 and Fairhill Road, the Silverdale Volunteer Fire Company be authorized to use the property for fire and rescue training, as noted above. There was no public comment.

3. The Bucks County Seeing Eye Puppy Club had been utilizing the former Township building, however they have outgrown that facility and will no longer be using it. As an expression of gratitude, the Club has donated \$200.00 to the Township.

Since the Seeing Eye Puppy Club is a non-profit organization, Supervisor Bennington does not feel it would be appropriate to accept that donation. Supervisor Grasse feels the donation should be accepted and utilized by the Open Space Committee. Discussion took place and a final decision will be rendered at the March worksession meeting.

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

1. Solicitor Grahowski explained settlement for the purchase of the Seidel property, located at the corner of Rt. 152 and Fairhill Road, was originally scheduled for this past Friday, however the title company was experiencing some difficulties obtaining all the necessary documents because the property is owned by five separate individuals.

Solicitor Grabowski hopes that the appropriate paperwork will be executed by this Friday, February 26, 1999, which is when settlement is scheduled for.

2. At previous Township meetings, discussions took place with the developer of the Hilltown Woods Subdivision (the former Bricks Villa Subdivision). The developer requested that the Township consider accepting dedication of the roads and other required improvements, and to enter into the maintenance phase of the original development agreements. The punchlist of items prepared by the Township Engineer's office has been resolved. One item somewhat unique to this particular development was the issue of wetland mitigation. There was a certain amount of disturbed wetlands that had to be replaced by the developer. The developer appeared before the Supervisors approximately one month ago, explaining that he has not received approval of the work accomplished by the U.S. Army Corp. of Engineers. At the time, Mr. Wynn advised that approval must be obtained. Solicitor Grabowski had suggested that the amount of money originally used to resolve the wetland mitigation be placed in escrow with the Township, and that a five-year time period be established, during which the developer had the liberty of obtaining the approval from the Army Corp. of Engineers. The developer has agreed to this suggestion, and with that in mind, there is \$7,500.00 to be placed in escrow to either accomplish and gain approval of the wetland mitigation; or in the event it is not approved, the Township will have the privilege of retaining those funds as liquidated damages. The developer had a maintenance/performance bond issued for the retainage portion of that in the amount of \$181,702.32, issued through the Utica Mutual Insurance Company. In addition, a \$5,000.00 cash escrow has also been established with the Township, relating to the "soft costs" under the retainage.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to accept the agreement of modification to the original June 26, 1995 Development Agreement for Phase I of the Hilltown Woods Subdivision, and to accept a modification to the July 17, 1996 Development Agreement for Phase II of the Hilltown Woods Subdivision. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to **adopt Resolution #99-11 to accept the internal roads of the Hilltown Woods Subdivision**, and to **adopt Resolution #99-12 to declare the public purpose for accepting the dedication of the Hilltown Woods Subdivision**. There was no public comment.

At this point, Mr. Wynn will prepare escrow releases to reimburse the Township for all administrative costs, and also to disburse the balance of escrow to the developer.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the escrow release to reimburse the Township for all

administrative costs, and also to disburse the balance of the escrow to the developer of the Hilltown Woods Subdivision. There was no public comment.

3. With regard to the Country Roads Subdivision, the Township has also had a request from the developer to accept dedication of the required improvements within Phases II, III, and IV of that subdivision. The Township Engineer advised Solicitor Grabowski that the outstanding items on the developer's punch list have been resolved to the extent that dedication may be accepted. The two-page letter of the Township Engineer's office has been incorporated into the actual Modification Agreement and has been accepted, word for word, by the developer. There is now an Agreement of Modification providing for the retainage to be guaranteed by way of a Letter of Credit issued by First Union Bank in the amount of \$132,357.61.

Supervisor Bennington asked if the entire punchlist provided to the developer has been accomplished. With the exception of those items remaining on the two-page letter incorporated into the Modification Agreement, Mr. Wynn replied that all outstanding items have been accomplished. The remaining items noted in Mr. Wynn's two-page letter have been guaranteed to be accomplished by the developer by June 1, 1999. Those items include the areas within the right-of-way and the basin, which has been seeded but the grass has not yet grown due to the time of the year. There are also three dead trees that the developer had replaced and will again replace in the spring. These items have been incorporated into the Maintenance Agreement with a deadline of June 1, 1999.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to accept the Agreement of Modification to the Country Roads Subdivision, as noted above. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to **adopt Resolution #99-13 to accept the internal road system within Phase II, III and IV of the Country Roads Subdivision;** and to **adopt Resolution #99-14 to declare public purpose for accepting dedication of the Country Roads Subdivision.** There was no public comment.

4. Concerning the Hilltown Plaza Shopping Center, the Township has reached an agreement with the developer by which the Township will take dedication of road frontage along the property instead of an easement. The developer will provide for the 18-month maintenance period for the traffic signalization approved by PennDot. In addition, the developer has now offered to make a capital contribution to the Township in the amount of \$5,000.00 in conjunction with the executed agreements. The agreements have been forwarded to the developer, however executed copies have not yet been returned to Solicitor Grabowski.

5. Mr. Horrocks announced he met with the Board of Supervisors, Township Solicitor, and Township Engineer in Executive Session prior to this meeting in order to discuss legal matters. There will be another Executive Session following this meeting in order to discuss personnel matters.

G. CONFIRMED APPOINTMENTS:

1. Mrs. Betsy Hesel – Bucks County Coalition – Mr. Horrocks spoke with Mrs. Hesel this afternoon, who advised she may not be present until approximately 9:30PM.

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

1. Pileggi Land Development – The preliminary plan for development of TMP #15-29-61-1 into a 12,000-sq. ft. Specialty Shopping Center located on Rt. 313 and owned by Joseph Pileggi is currently under review by the Planning Commission. Although the plan was submitted in October of 1998, at the request of the applicant, the proposal was first reviewed by the Planning Commission at their meeting of February 15, 1999. At that time, the Planning Commission unanimously approved a motion recommending that the Supervisors require the land development be accompanied by a traffic impact study as may be required by Section 506.3 of the Land Development Ordinance. The traffic study is necessary to review access to the site from Rt. 313, as well as internal circulation on the site.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to require a traffic impact study for the Pileggi Land Development, as recommended by the Planning Commission. There was no public comment.

2. Leonard Kunkin Associates Lot Line Adjustment – The Leonard Kunkin Associates Lot Line Adjustment Subdivision Plan was conditionally approved by the Board of Supervisors at their September 28, 1998 meeting. That plan proposed a consolidation of TMP #15-1-58-2 and #15-1-58-5 into a single parcel containing 11.3 acres (net). The properties located on Cherry Lane within the Light Industrial Zoning District contain existing industrial buildings. Subsequently, the Township received a revised final plan, sheet 1 of 1, dated July 23, 1998, latest revision date of January 20, 1999, prepared by Cowan Associates, Inc.. The revised plan includes consolidation of an additional adjoining parcel (TMP #15-1-57 and 62-2) also owned by Leonard Kunkin Associates, Inc.. The additional parcel located on the southwest side of the site contains a non-conforming residential dwelling and is a non-conforming lot containing a net area of 1.7 acres. With the consolidation of all three parcels, the resulting lot will contain an area of 12.98 acres (net). This consolidated parcel is the subject of a preliminary land

development plan submitted on February 1, 1999. On the land development plan, the non-conforming dwelling located on TMP #15-1-57 and 62-2 is proposed to be removed. The addition of a 40,000-sq. ft. industrial building is proposed. The Planning Commission recommended approval by a 5-0 vote, with Chairman Dan Paci abstaining due to potential conflict, subject to the following conditions:

- A portion of Cherry Lane and Clearview Road right-of-way along the frontage of TMP #15-1-57 and 62-2 has not been dedicated to the Township. In accordance with Note #9 on the plan and Section 506 of the Subdivision Ordinance, right-of-way area must be dedicated as an easement to the Township.
- An original and two copies of the legal description, signed and sealed by the responsible surveyor, consolidating all three parcels to be recorded at the Bucks County Courthouse upon recordation of the plan, must be submitted to the Township for our records.
- All engineering and legal costs associated with the review of revisions to the final plan are the responsibility of the applicant.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to grant approval to the revised final lot line adjustment for the Leonard Kunkin Associates Land Development, pending completion of the three outstanding items as noted above. There was no public comment.

3. Alff Subdivision – This minor subdivision of 10.43 acres located within the Rural Residential Zoning District on Minsi Trail was submitted on August 17, 1998. The same plan was originally submitted to the Township on December 20, 1996 and, following a six-month extension and inactivity by the applicant, the plan was denied by the Board of Supervisors at their August 25, 1997 meeting. Since the resubmission of the plan last summer, there has been no response from the applicant (other than an extension in the review period) and no submission of revised plans or documents by the applicant's surveyor. As the current extension is expiring, the Planning Commission recommended denial of the plan unless another extension is granted by the applicant. The denial is due to non-compliance with Subdivision and Zoning Ordinance requirements, as noted in the engineering review dated August 27, 1998 and lack of response from either the applicant or design engineer. At the time of granting of the last extension within correspondence dated December 10, 1998, Edward P. Alff indicated that revisions were delayed due to an illness.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to deny the Alff Subdivision, unless an extension is granted by March 10, 1999. There was no public comment.

4. Zoning Ordinance Amendment – The Planning Commission approved a motion recommending the Board of Supervisors authorize preparation and advertisement of a Zoning Ordinance Amendment to Section 406.A2., Nursery. The amendment would delete the second sentence in the description of the use, specifically removing “A landscape business will be permitted as a secondary and incidental use to the nursery.”

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the preparation and advertisement of a proposed amendment of the Zoning Ordinance to Section 406.A2., Nursery, deleting the second sentence in the description of use, specifically removing “A landscape business will be permitted as a secondary and incidental use to the nursery,” and to forward this proposed amendment to the Bucks County Planning Commission for review. There was no public comment.

5. Subdivision Ordinance Amendment – The Planning Commission unanimously approved a motion recommending the Board of Supervisors advertise the proposed Subdivision Ordinance Amendment prepared last summer for adoption. Items for revision include:

- minor typographical errors
- procedural revisions to the submission process
- street name changes
- the addition of a provision in the General Standards concerning the name of a subdivision or land development
- a provision that a development name will remain the same during the construction period as that on the approved plan
- some stormwater management revisions
- detailed engineering changes to the stormwater management section of the Ordinance
- additions to define where spillways can be placed on stormwater basins, and how those spillways must be protected from erosion
- prohibiting stone gabion baskets being used in detention basins, retention walls or retaining walls with basins
- changes to recreational facility requirements
- requirements for closing trenches overnight
- addition of Article VIII – mandatory dedication of recreation land
- provisions for a “fee in lieu of dedication of recreation land”

Solicitor Grabowski suggested the Supervisors might consider authorizing the Township Manager and Township Engineer to review a proposed resolution in terms of what

amounts might be appropriate for the impact fees for both stormwater management provisions and recreation fees. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the advertisement of the proposed Subdivision Ordinance amendments as specified; and to authorize the preparation of proposed resolutions to review appropriate amounts for impact fees for stormwater management provisions and recreation fees. There was no public comment.

I. ENGINEERING -- Mr. C. Robert Wynn, Township Engineer --

1. Country Roads Development -- Mr. Wynn recommends the Board authorize the release of escrow funds for payment of all outstanding billing owed to the Township, and the release of the balance of funds to the developer.

Motion was made by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously to authorize the release of escrow funds of the Country Roads development for payment of all outstanding billing owed to the Township, and to release the balance of funds to the developer of the Country Roads development. There was no public comment.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Chief George Egly, Jr. read the following prepared statement:

"There has been speculation as to what I am going to do after I retire on March 31, 1999. There has been speculation that I will run for public office. I want to thank the number of people who have called my home and spoken to me directly about running for public office. Two public offices I have been approached about include a Supervisor position and the District Magistrate's position. After 44 years of public service and approximately 50 years in the volunteer fire service, my wife and I have discussed this matter very seriously, determining that we intend to travel and to take care of ourselves, since we both suffer from health problems. I have decided, on both issues, that I will not run for public office in the very near future. I would like to thank everyone who was willing to support and work for me. Thank you, but no thank you."

Supervisor Grasse thanked Chief Egly for the 44 years of public service. Chairman Bennett agreed, elaborating that Chief Egly has done a fine job serving as the leader of the Hilltown Township Police Department. Chairman Bennett feels Chief Egly, along with the Supervisors of the Township, have accomplished great things. In 1988, there

was a police force of eight individuals, and today there are 16 officers, with an office support staff of three women. When he reads about the difficulties experienced by surrounding police departments, in particular the City of Philadelphia, Chairman Bennett believes Chief Egly deserves a great deal of credit for the relative peace and quiet in this Township. Chairman Bennett thanked Chief Egly for his leadership and wished him well in his retirement.

2. Mr. Stefan Heilakka of Church Road invited residents of the community to ongoing meetings being held by several individuals who formed a group for those who love living in Hilltown Township. The group meets for the purpose of supporting the preservation of Hilltown Township. The next meeting will be held on Thursday, February 25, 1999 at 7:30PM at St. Peters Lutheran Church on Hilltown Pike.

3. Mr. Chuck Stockert, Silverdale Fire Chief, thanked the Board of Supervisors for granting permission to the fire company to utilize the property at Rt. 152 and Fairhill Road for training purposes.

4. Mr. Mike Petteruti of Telegraph Road extended apologies to any of his neighbors who may have been offended by the notification from him concerning the proposal made by the Elliott Building Group. Further, Mr. Petteruti thanked Supervisor Grasse for the statement he made earlier in this meeting, stating it was the right thing to do.

Mr. Petteruti confessed to being quite naive about the workings of Township politics. He is very interested in becoming more aware of how local government works, so that he and other members of the frustrated public can comprehend what the options might be to do what is best for the community.

Chairman Bennett advised the best place to learn about the workings of local government is attendance at public meetings, including the Planning Commission, Park and Recreation Board, Open Space Committee, and Supervisor's meetings. Chairman Bennett explained that any new proposals by developers will first appear before the Planning Commission as either a sketch plan or a preliminary plan. Following review by the Township Engineer and recommendations by the Planning Commission, those plans eventually come before the Board of Supervisors. Discussion took place.

Supervisor Bennington advised the Zoning Ordinance, Subdivision/Land Development Ordinance, and Comprehensive Plan are available at the Township office for review or purchase. The agendas for public meetings are posted in the Township office. The Planning Commission meets the first Thursday of every month for their worksession meeting, and the third Monday of every month for their regular meeting. The Supervisors meet the second Monday of every month for their worksession meeting, and

the fourth Monday of every month for their regular meeting. All meetings begin at 7:30PM.

5. Mr. Greg Duffy of Beverly Road moved to Hilltown Township to escape over crowding and to find open space. Mr. Duffy is very concerned about the proposal for 55 homes being made by the Elliott Building Group for a property near his home. Mr. Duffy expects the Supervisors to act in the best interest of residents by keeping the beautiful surroundings of Hilltown Township in tact.

Some years ago, Chairman Bennett advised the Planning Commission prepared a Comprehensive Plan. At that time, the Township took into consideration all the various types of housing that must be provided for according to the Municipalities Planning Code. There are approximately ten different Zoning Districts, with Rural Residential being the largest. By State law, the Township must provide areas such as Planned Commercial, Light Industrial, Heavy Industrial, Mobile Home Parks, Country Residential, etc.. The Rural Residential Zoning District in Hilltown comprises approximately 66% of the total 27 square miles of the Township. There are certain restrictions and allowable uses in the RR District that must be adhered to. In Chairman Bennett's opinion, Hilltown Township has the best in engineering and planning in the Upper Bucks County area. Both the Township Engineer and the Township Solicitor are very sympathetic to the Township's overall needs to keep the municipality as rural as legally possible. Chairman Bennett commented the Supervisors can not stop development, they can merely slow it down. An Open Space Committee has been established to designate areas we hope to keep as open space.

Supervisor Grasse agreed that development can not be stopped. Business will die if there is not some growth. Long range planning is the key to preserving Hilltown Township.

Supervisor Bennington has been a member of the Board of Supervisors for nine years and prior to that, served on the Planning Commission for five years. It is Supervisor Bennington's opinion that no one in this Township has tried to control development more than he has. As a matter of fact, Supervisor Bennington lost his term on the Planning Commission because he and Jack Fox tried to control development during a previous Board's reign. Supervisor Bennington lives in the development district on Walnut Street. When he moved here 20 years ago, there were not 750 houses in his neighborhood that there are today. Unfortunately, even the Comprehensive Plan that is in place at present calls for additional expansion in the development district because we will be running out of it. Discussion took place.

6. Mrs. Alice Kachline, Tax Collector, urged the Planning Commission and Supervisors to consider the true definition of open space. Mrs. Kachline does not believe 50+ acres containing 55 dwellings with 60% open space meets the definition of open

space. Mrs. Kachline feels the lot sizes in the Rural Residential District should be much larger – one acre, three acres, or above. She is very concerned with the infringement into the Rural Residential Zoning District with the newly adopted Cluster Ordinance. Mrs. Kachline would like the Planning Commission and the Board of Supervisors to reconsider the Cluster Ordinance, which she feels could be the downfall of Hilltown Township.

7. Mrs. Marianne Duffy of 14 Beverly Road has attended the recent Planning Commission and Supervisors meetings. At a previous meeting, a resident expressed concern about the amount of increased traffic traveling Beverly Road if the proposed development is approved. Mrs. Duffy views Beverly Road as a relatively narrow street, with vehicles parked on both sides. This point was mentioned at a previous Planning Commission meeting, and the response from a Planning Commission member was that if the development is approved, parking may only be allowed on one side of the street or no parking on the street will be allowed at all. As a mother, Mrs. Duffy is very concerned about where the neighborhood children will ride their bicycles, roller skate, or walk. With increased development and increased traffic, Mrs. Duffy feels the family atmosphere of her neighborhood will soon disappear.

8. Mr. John Kachline, member of the Planning Commission, had serious reservations about the Cluster Ordinance when it was adopted last fall. Mr. Kachline believes the allowable lot sizes in this Ordinance is what concerns most of the residents present this evening. When the Planning Commission originally saw a presentation made by a representative of "Growing Greener", Mr. Kachline commented the lot sizes shown in the slide presentation were larger than 7,500 sq. ft. lots. At present, there is only one single-family home development in the Township, Deerfield, which has lots of 6,500 to 7,500 sq. ft. in size in the CR-1 Zoning District. With the approval of the Cluster Ordinance, 70% of the Township could now conceivably be developed with these size lots. Mr. Kachline intends to discuss the possible repeal of the Cluster Ordinance at the next Planning Commission meeting. Chairman Bennett reminded Mr. Kachline that the adoption of the Cluster Ordinance was recommended by a majority vote of the Planning Commission. Discussion took place.

9. It seems clear to Mr. Stefan Heilakka of Church Road that the community as a whole is just assuming that the Township will not fight developers and that we are going to accept the developer's way of planning. Mr. Heilakka suggested that all Township residents, not just the Supervisors and the Planning Commission, must become more educated about the various ways of looking at development.

10. Ms. Valerie Blaxall of Rickert Road has seen several development plans that have come before the various Township boards which are the most unimaginative, ugly proposals. Ms. Blaxall hopes that future developers could have more creative

vision, and that the Township Planning Commission and Supervisors could have the opportunity to say that a plan is unacceptable because it does not utilize the space in a very attractive or creative way. Supervisor Bennington hoped that would happen during the entire process from sketch plan to final plan approval, based upon the expertise of the Planning Commission members, Supervisors and Township Engineer. Ms. Blaxall wishes that Cluster development could look the way Ann Hutchinson made everyone believe that it would, however the more she learns about it, the more distraught she has become.

L. SUPERVISOR'S COMMENTS:

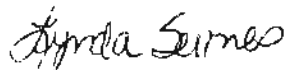
1. Supervisor Bennington reminded those in attendance that the proposal presented by the Elliott Building Group, which the Supervisors have not seen, was simply a sketch plan before the Planning Commission. Further, when the development presently located on Beverly Road was approved years ago, the cul-de-sac was intended as a stub street in the event that the property behind it was developed in the future. Supervisor Bennington assured the residents that by all means, the proposal by the Elliott Group is not a done deal at this point in time.

2. As more residents attend these meetings, following the progress of a developer from start to finish, Chairman Bennett believes they will understand that there are many hurdles for the developer to overcome. The Township does not welcome large developers, and has challenged them to conform to our Zoning and Subdivision Ordinance requirements for many, many years.

M. PRESS CONFERENCE: A conference was held to answer questions from those reporters present.

N. ADJOURNMENT – Upon motion by Supervisor Bennington, seconded by Supervisor Grasse, and carried unanimously, the February 22, 1999 Board of Supervisor's meeting adjourned at 8:55PM.

Respectfully submitted,



Lynda Seimes

Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mr. Bruce G. Horrocks, Township Manager).