

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Wednesday, April 30, 1997
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:35PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
Jack C. Fox, Supervisor
Bruce G. Horrocks, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
George C. Egly, Chief of Police
Lynda Seimes, Township Secretary

Chairman Bennett announced the Board met in Executive Session prior to this meeting in order to discuss contract negotiations and personnel matters.

A. APPROVAL OF MINUTES:

Action on the minutes of the March 24, 1997 Board of Supervisors Meeting - Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the March 24, 1997 Board of Supervisors meeting, as written.

Action on the minutes of the April 14, 1997 Board of Supervisors Worksession Meeting - Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the April 14, 1997 Board of Supervisors Worksession meeting, as written.

B. APPROVAL OF CURRENT BILLING:

Chairman Bennett presented the Bills List dated May 1, 1997 with General Fund payments in the amount of \$32,666.52 and State Highway Aid payments in the amount of \$3,881.05, for a grand total of all funds in the amount of \$36,547.57.

Motion was made by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated May 1, 1997, subject to audit.

C. CONFIRMED APPOINTMENTS:

1. Mr. Dean Garges - Garges Subdivision - Mr. Dean Garges of 1829 Mill Road explained that there is a lot next to his dwelling which was subdivided several years

ago. There is a note on the original subdivision plan which states that this particular lot is not to be used as a building lot at this time. Mr. Garges is seeking Board approval to waive the note on the plan. Supervisor Fox asked the size of the lot. Mr. Garges replied the lot is approximately 2 acres in size. Supervisor Fox noted the lot has only 145 ft. of frontage, however 150 ft. of frontage is required. Discussion took place. Supervisor Fox recommended the applicant obtain an opinion from the Zoning Officer as to whether or not the lot is considered a legal buildable lot. Solicitor Grabowski asked how many lots were created by the original subdivision. Mr. Garges is not certain how many lots were involved. Solicitor Grabowski reminded the Board that there was a similar situation a few years ago on South Perkaskie Road with the Pellow property. Solicitor Grabowski had researched that matter at the time and determined that if the Township received the consent of the other owners of the lots created under the same subdivision, the plan restriction could be removed, with Township approval and consent. The Board directed Mr. Garges to contact the Zoning Officer concerning this matter.

2. Mr. John Lutz - Green Meadows Juvenile Crime - Mr. Lutz of 1232 Diamond Street owns property in the Green Meadows Development and is present to inform the community about the juvenile crime which takes place there. Mr. Lutz noted there are more police calls in Green Meadows in one week than most neighborhoods experience in a year. Mr. Lutz advised that 80% of police calls last year in Hilltown Township occurred in this portion of the Township. Mr. Lutz commented there are vehicles being vandalized, stereos blaring at all hours of the day and night, walkway lights being smashed, and parties being held constantly in Green Meadows. One home has a board nailed up in place of a window, and late at night, juveniles have been seen entering this home. Mr. Lutz stated this area of the Township is a dangerous place and feels something must be done now to prevent even more serious crime. Mr. Lutz wondered why Green Meadows must wait until someone is seriously hurt or even killed before the area receives more attention. Last year, homeowners in the Green Meadows community spent \$600.00 per month to repair acts of vandalism. Green Meadows Homeowner's Association members pay \$60.00 per month for the upkeep of grounds, and trash and snow removal, yet they fail to do anything about the juveniles who are breaking the law on a daily basis. For eight months, the home next to Mr. Lutz's property had a board over its window and trash all over the property. Mr. Lutz presented photographs for the Board's review. For the past five years, juveniles are constantly harassing the residents of Green Meadows. Mr. and Mrs. Lutz have tried every method available to bring the juveniles before the Police Department to be responsible for all the damage they have done. Mr. Lutz suggested that police patrols in the Green Meadows development be increased. Mr. Lutz advised police response to past problems in the development have been very professional and helpful, however they can only do so much. Mr. Lutz feels the vandals responsible should be

dealt with more seriously, with harsher penalties. Mr. Lutz implored the Board to help the residents of Green Meadows get their community back.

Supervisor Bennington reminded Mr. Lutz that only the court system can deal with the juveniles involved, the Supervisors can not. The Township can not force the judge to impose harsher penalties on the juveniles. Solicitor Grabowski advised the Township can enact civil types of laws, dealing with zoning and subdivision, etc., however they can not enact criminal violation laws. The Pennsylvania Crimes Code is very specific, and is passed through the State Legislature, and then through the Police Department and the District Attorney's office for enforcement. Mr. Lutz asked if some sort of curfew could be imposed because the crime rate is so high. Solicitor Grabowski explained the municipality does have the ability to enact curfews, however they must be uniform throughout the entire Township. Chief Egly does not feel an imposed curfew would be fair to the residents of other areas of Hilltown Township.

Chief Egly agreed with Mr. Lutz that these juvenile criminals should be forced to do community work within their own community as punishment, however the judge makes his own decisions. Solicitor Grabowski suggested an active Town Watch committee be formed to patrol that area of the Township. Chairman Bennett has been aware of the situation in that area for several years, and feels the crime is a disgrace to the Hilltown community. Approximately 15% to 18% of Hilltown Township's population lives in one half square mile of area, and the Police Department spends 87% of their time in that area. In Chairman Bennett's opinion, there is nothing the Board of Supervisors can legally do about the situation. Chief Egly suggested Judge Gaffney be invited to attend the next meeting of the Green Meadows Homeowner's Association to view the situation for himself. Supervisor Fox felt consideration should be given to establishing a Town Watch organization in that area of the Township and the Board agreed. Mr. Stu Sklaro asked if the Township has funds budgeted for use by Town Watch, and if so, suggested funds be budgeted to station a police officer within the Green Meadows development during high crime hours on a regular basis. Chief Egly advised the Town Watch organization solicited their own funds through donations from area businesses. Chief Egly explained that until the end of March, 1997, the Police Department was operating with an overtime grant from the Federal government to provide a police officer in Green Meadows for four hours every day during different time periods.

3. Mr. Al Richter - Land Development Waiver - This is a proposed addition to the Richter Drafting building located on Rt. 113 in the Planned Commercial I Zoning District. Mr. Richter is requesting Board approval for a land development waiver. The site previously went through the land development process which included construction of the entrance, parking lot, underground detention basin, and other improvements. Mr. Richter is proposing an expansion of approximately 3,000 sq. ft.

in the rear of the existing building to be used for storage. Mr. Wynn noted the Planning Commission expressed concern about parking on the site. Although the proposed warehouse space will not increase parking demands for employees or customers, there is presently inadequate parking on the site. At the Planning Commission meeting, Mr. Richter indicated that he had authorization to use the Souderton Shopping Center for employee parking, however Mr. Wynn understands that when the applicant attempted to formalize that by way of a written agreement, the owners of the shopping center were not receptive. Mr. Richter explained the owners of the shopping center advised they may be selling their property and did not wish to formalize a parking agreement in writing, though he is permitted to continue with employee parking on the site. Mr. Richter was then approached by Bill and Millie Fretz, owners of a small single family dwelling next to the shopping center. Mr. Richter purchased the Fretz property which will provide more parking for Richter Drafting. Mr. Wynn advised the site is six parking spaces short of the required amount. Mr. Richter stated six parking spaces will be provided on the former Fretz property. Mr. Wynn commented there was a condition of approval that the neighboring shoe store provide verification that they are aware of the storm drainage improvements being completed on the property. Correspondence was received from the owner of the shoe store dated April 4, 1997, indicating they were in agreement with the site drawings and the proposed stormsewer.

The Planning Commission unanimously recommended a waiver of land development submission to Richter Drafting, conditioned upon buffer plantings to be installed along the western side of the property boundary, Bucks County Conservation District approval (which has been received), submission of an as-built plan prior to the issuance of a Use and Occupancy Permit, and the stipulation that all costs associated with the plan review be paid by the applicant prior to the issuance of a building permit.

In the event Mr. Richter should ever sell the former Fretz property, Solicitor Grabowski felt that a written agreement acknowledging that parking is permitted on that property should be executed. Mr. Richter was agreeable.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant waiver of land development submission to Richter Drafting with the conditions as specified above.

D. MANAGER'S REPORT - Mr. Bruce G. Horrocks, Township Manager -

1. Mr. Horrocks presented four escrow releases for Board's authorization, all of which are bank held letters of credit:

| | | | |
|---------------------------|--------------|----|--------|
| Bricks Villa Phase II | Voucher # 12 | \$ | 359.33 |
| Hilltown Hunt Subdivision | Voucher # 25 | \$ | 505.26 |

| | | |
|--------------------------|--------------|--------------|
| Orchard Glen Subdivision | Voucher # 08 | \$ 24,076.80 |
| Orchard Glen Subdivision | Voucher # 09 | \$ 3,217.95 |

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to release the four escrows as noted above.

2. A schedule of public meetings dealing with the Open Space Referendum which will be on the May 20, 1997 ballot was received. The meetings for the upper Bucks County area will be held on Wednesday, May 7, 1997 at the Springfield Township building and on Thursday, May 8, 1997 at the Plumsteadville Township building.

E. CORRESPONDENCE -

1. Correspondence was received from Bunny's Animal Shelter advising there are 125 dogs remaining at the shelter as of March 31, 1997.

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

1. Solicitor Grabowski presented Resolution #97-12 for Board consideration concerning the Declaration of Easement for the PECO Subdivision located on Rt. 152, south of Hilltown Pike.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox and carried unanimously to **adopt Resolution #97-12 to accept the Declaration of Easement for the PECO Subdivision.**

2. In the recent past, the Township required a traffic light installation easement from the Frederick's Flowers property located on the southeast corner of Rt. 113 and Bethlehem Pike. Solicitor Grabowski presented this document for official acceptance and recordation.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #97-13 to accept the traffic signal installation easement agreement between Del Ron Enterprises (a.k.a. - Frederick's Flowers) and Hilltown Township for the intersection of Rt. 113 and Bethlehem Pike.**

3. Solicitor Grabowski presented a Declaration of Easement for road frontage of Bypass Road for the Phinney Subdivision. Additionally, there is a direct deposit escrow agreement in the amount of \$931.50 to secure the maintenance period for certain improvements required of the project.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the escrow agreement in the amount of \$931.50 for the Phinney Subdivision and to **adopt Resolution #97-14 to accept the Declaration of Easement for Bypass Road for the Phinney Subdivision.**

4. Solicitor Grabowski explained the Beer Subdivision required a Sewage Treatment and Maintenance Agreement for a stream discharge system package plant on one of the lots. A maintenance agreement and escrow is required by Hilltown Township as well as by the Department of Environmental Protection, which has been accomplished by the applicant.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to accept the Sewage Treatment and Maintenance Agreement for a stream discharge package plant for the Beer Subdivision, and to authorize the execution of same.

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

1. Pileggi Subdivision (Final) - Mr. Wynn advised this minor subdivision is located on the corner of Rt. 113 and Rt. 313 (WaWa site) and was recommended for final approval by the Planning Commission, subject to resolution of the ultimate right-of-way area along Routes 113 and 313. Specifically, Township records indicate that the ultimate right-of-way identified as an easement on the plan was dedicated fee simple to Hilltown Township on July 14, 1988. Pursuant to the request of the applicant and preliminary plan approval, the Township will execute appropriate legal documents to void the prior fee simple dedication and establish this area as an easement to the benefit of Hilltown Township for roadway improvements, storm sewer, sanitary sewer, and other utilities. All costs associated with the necessary legal documents to facilitate the above are the responsibility of the applicant.

Mr. Scott Semish, legal counsel for Mr. Pileggi, was in attendance to discuss the plan. Mr. Semish advised there are presently signs located on the property within the ultimate right-of-way and the applicant wishes to insure that until the Township uses the easement, the signs can remain. If the signs have valid permits through the Township, Solicitor Grabowski advised they may remain. Mr. Wynn believes those signs are located behind the ultimate right-of-way.

Mr. Semish is also requesting the removal of two paragraphs within the easement agreement with regard to leases on the property and agreements of sale of the properties. Solicitor Grabowski agreed to meet with Mr. Semish in order to discuss the two paragraphs in question. Solicitor Grabowski suggested the Board approve the Pileggi

Subdivision plan conditioned upon the easement documents being executed. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant final approval to the Pileggi Subdivision, pending the execution of the easement agreements with the approval of the Township Solicitor, prior to release of liens for recordation.

2. Indian Valley Camping Center (Waiver) - Mr. Claire Keller attended the last Planning Commission meeting and requested a waiver from land development submission for a proposed 45 ft. by 80 ft. pole building to be constructed at the Indian Valley Camping Center located on Spur Road and Bethlehem Pike, within the Light Industrial Zoning District. Mr. Keller presented a site plan showing the property boundary and existing improvements on the site. The Planning Commission unanimously recommended a waiver of land development submission conditional upon the building being used for storage only. No occupancy or repair may be conducted within the building.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant a waiver of land development submission for Indian Valley Camping Center, with the conditions specified above.

3. Hilltown Township Water and Sewer Authority (Waiver) - The Planning Commission unanimously recommended a waiver of land development submission for the proposed water tank to be constructed on Hilltown Township land (TMP #15-28-136) adjacent to the Civic Field. During the meeting, it was represented that the Authority will address all stormwater management issues, update the Township Park Plan for the Civic Field (which includes this property), and secure all necessary permits from PennDot and the Bucks County Conservation District for the proposed construction activity.

Mr. Jim Groff, manager of the Hilltown Township Water and Sewer Authority, attended the last Planning Commission meeting to discuss the Authority's intent to construct a million gallon water storage tank. Under the F4 Use, Mr. Groff must appear before the Planning Commission to show intent via a zoning application, at which time he also requested a waiver of land development for the said project.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant a waiver of land development submission to the Hilltown Township Water and Sewer Authority for the proposed water tank to be constructed on Township land adjacent to the Civic Field Park.

4. Bayne Tract Subdivision (Preliminary) - Mr. Wynn advised this plan is on the agenda to address one issue which significantly impacts the proposed subdivision. Specifically, the plan was submitted as a seven lot subdivision with a permanent cul-de-sac street. Mr. Collie, on behalf of Heritage Building Group, has submitted a sketch of an alternate roadway design which would permit future extension of the cul-de-sac street into adjoining lands. The Planning Commission unanimously recommended that in view of good planning and the adjacent site which may be developed in the future, a permanent cul-de-sac is ill advised and not recommended to be allowed. The Planning Commission recommended the alternate sketch be the basis for the lot layout, and has denied the request of the applicant for a waiver of Section 507.1 of the Subdivision Ordinance, which states "Cul-de-sac streets shall not be permitted unless the applicant can demonstrate to the satisfaction of the Township that construction of a through street is not feasible." Because of the significance of the issue, the Planning Commission advised the applicant to proceed to the Board of Supervisors to discuss this matter before preparing further plan revisions.

Mr. George Collie of Heritage Building Group, was in attendance to present the plan. The site is located on Orchard Road to the west of Diamond Street, just before the Quiet Acres Mobile Home Park. The tract consists of 11.5 acres of wooded land and contains an existing dwelling. Mr. Collie noted the plan submitted proposes a cul-de-sac street which meets Ordinance requirements. In lieu of full roadway improvements to Orchard Road, the Director of Public Works had suggested that off-site stormwater work be completed.

Mr. Collie advised the property itself is very tight on tree clearance. There is a 20% tree removal allowance in the Ordinance. The proposal will meet the Ordinance requirements with 10,300 ft. of tree removal per lot, as well as the 50 ft. right-of-way clearance. One of the sketches presented to the Board shows clearance based on different concepts and ideas around the house envelope. The plan before the Board allows the applicant to construct a 40 ft. by 70 ft. building. The second sketch plan shows a proposed roadway cuts down the amount of building clearance to 7,700 ft. per lot which decreases the building envelope to 30 ft. by 50ft.. The third sketch plan shows four lots being cut into Orchard Road, with no cul-de-sac or stub streets. Mr. Collie did not feel the last option was good planning. Mr. Collie asked the Board to consider construction of a cul-de-sac street for this site versus a stub street. Mr. Collie explained he would have to count the area of the stub street as "cleared area" which would not allow adequate clearance area to complete the lots as requested. Mr. Collie reminded the Board that the cul-de-sac street as proposed does meet Hilltown Township Ordinance requirements.

Supervisor Fox suggested the applicant appear before the Zoning Hearing Board to request extra tree removal for the site. Supervisor Fox commented good planning would

require two accesses to any development for emergency and snow removal purposes. Mr. Collie explained there is no guarantee that the Zoning Hearing Board would grant a waiver of the 20% tree removal. Mr. Wynn advised the Planning Commission is basing their recommendation for denial of a cul-de-sac on Section 507.1, paragraph 1 which states "Cul-de-sac streets shall not be permitted unless the applicant can demonstrate to the satisfaction of the Township that construction of a through street is not feasible." Discussion took place. Mr. Collie stated he prefers construction of a cul-de-sac street because it is a better marketing tool and because the proposed cul-de-sac street is designed to meet Township Ordinances. Mr. Wynn read Section 507.2 of the Ordinance, which states "Cul-de-sac streets shall be designed to permit future extension into adjacent, undeveloped property." Mr. Wynn feels the burden is on the applicant to show that construction of a through street for this development is impractical or undesirable.

Solicitor Grabowski suggested the applicant propose less lots for this development, which would negate the entire issue. Mr. Collie believes he is entitled to propose this amount of lots to meet Ordinance requirements. Solicitor Grabowski commented that the sole issue for Mr. Collie's reluctance to create a stub street is not tree clearing, rather it appears to involve how many lots can be proposed for this development. Mr. Collie asked if the Supervisors would support the granting of a waiver of the 20% tree removal requirement by the Zoning Hearing Board. With the recommendation of the Planning Commission and the Board of Supervisors, Chairman Bennett believes the Zoning Hearing Board would be agreeable to Mr. Collie's waiver request.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to deny the request for a cul-de-sac street for the Bayne Tract, and that a stub street be required for this site. In addition, the Township will not actively oppose a variance request to the Zoning Hearing Board by the applicant of the Bayne Tract for the 20% tree removal requirement to accommodate the stub street.

5. Longleaf Estates I (Preliminary) - This preliminary plan was unanimously recommended for approval by the Planning Commission subject to a lengthy list of conditions. The Planning Commission recommends that the Park and Recreation Board appoint a committee to review and assist in design of the recreation facilities proposed in the open space area. Mr. Wynn advised the plan proposes 52 single family dwellings on approximately 41 acres, with 19 acres of open space (of which 17.5 acres are unencumbered by detention basins). Approximately 5 acres of the open space is proposed recreational land and most of the open space is proposed to be dedicated to the Township, with the exception of detention basin A and the open space area behind what is Lots 31 through 36. There is also an open space area on the corner of Orchard Road and Diamond Street, and fronting Diamond Street. Internally, the area adjacent to the Orchard Station Subdivision and the Jager property is proposed to be dedicated to the Township as recreational land. The internal street

system is curbed with sidewalks. Mr. Wynn noted there are improvements proposed to Orchard Road including cartway widening, curb, and sidewalk. The site is proposed to be served by public water and sewer from the Hilltown Township Water and Sewer Authority.

Mr. Collie mentioned the stone wall on the Popiwyny property located within the Township right-of-way which the Planning Commission recommended be removed. Personally, Mr. Collie does not wish to be involved with the demolition of the wall. Mr. Wynn noted the wall is approximately 100 ft. in length, and is 5 to 6 ft. in height. Mr. Wynn has visited the site and done a full measurement of the road, determining that there is 3 feet from the widening proposed to the curb and the curb to the wall. Mr. Collie commented 3 feet does not quite meet sidewalk requirements in the Ordinance, and suggested that the 6 ½ or 7 ft. proposed to be added to the cartway be decreased by 1 ft., which would allow for an A.D.A. approved sidewalk from the development to the bridge. On the opposite side of the bridge, the 4 ft. wide sidewalk could then be continued. The applicant is willing to construct the sidewalk, however they do not wish to be responsible if the wall were to fall, since they have no knowledge of what type of underpinnings are in the wall. Mr. Wynn reminded the Board that the area in question includes the curb, so there still would not be 4 ft. of sidewalk, rather there would be 2 ft. 4 inches of sidewalk if the roadway was not narrowed. Mr. Wynn does not feel there would be a problem because the existing grades in the area are such that construction of the sidewalk would not require a deep excavation at the base of the wall. With the present height of the wall relative to the roadway, Mr. Wynn noted there will be an 8 inch rise based on the curb. It was Supervisor Bennington's opinion that a three ft. sidewalk abutting the existing wall would be preferable and Mr. Wynn agreed. Discussion took place concerning the width of the cartway. Mr. Wynn preferred the 14 ft. cartway in order to provide a full 12 ft. travel lane with 2 ft. extra for curbing. The cartway on the opposite side is rather narrow at 9 ft. and is not proposed to be widened. Supervisor Bennington asked how wide a wheelchair is. Mr. Collie believes it is less than 32 inches because the standard interior doorway of a dwelling is 32 inches. Mr. Wynn advised a 12 ft. travel lane is typical, except when curbing is added which makes it 2 ft. wider because of the physical obstruction along the edge of the roadway. Discussion took place.

Mr. Collie stated the Park and Recreation Board recommended that there be no sidewalk along the interior road of the development along the recreation area, rather they suggested a walking path be constructed to the proposed tot lot and gazebo, back to the Jager property. The Planning Commission disagreed, and recommended that the sidewalk be installed on the interior roadway along the recreation area.

Mr. Wynn has strongly recommended, and the Planning Commission agreed, that a pedestrian bridge be constructed across the stream. Mr. Collie is not willing to do that,

and stated that construction of a foot bridge is very expensive. Further, Mr. Collie commented no decision had been made concerning any improvements to Diamond Street. Supervisor Bennington stated improvements to Diamond Street are required. Mr. Collie had assumed that no improvements would be required to Diamond Street because none were required for the other properties previously developed in that area. Mr. Collie is aware that donations in lieu of improvements were accepted from the Jager property and the Hackett property. If the foot bridge were to be installed, Mr. Collie will seek relief from any improvements (or donations in lieu of) to Diamond Street and construction of the sidewalk. If a foot bridge is not constructed, Supervisor Bennington asked how pedestrians will travel from one subdivision to another. Mr. Collie replied they will walk along the road. Supervisor Bennington feels that would create an extremely dangerous situation. Mr. Collie is not convinced that many people will use the sidewalk in that area. Supervisor Bennington stated there is a bus stop at the intersection of Orchard and Diamond Street, and wondered how the children will reach that bus stop without walking in the road. With the proposal of a 52 lot subdivision, Mr. Collie believes the bus stop will be relocated to the entrance of the new subdivision. Supervisor Bennington strongly disagreed. Mr. Collie offered to install the foot bridge when the Jager Subdivision is constructed. The Board was not agreeable to Mr. Collie's offer. Mr. Wynn quoted Sections 513, paragraph 1, which states "Sidewalks are required along both sides of all existing streets unless waived by the Board of Supervisors." and paragraph 2, which states "Sidewalks shall be located within the public right-of-way, public easement, or common open space area. Any such system shall be interconnected and not disjointed." Discussion took place. Supervisor Bennington noted that the developer knew when they first presented this plan to the Township that improvements were required along Orchard Road and Diamond Street, unless waived by the Board of Supervisors. The entire Board of Supervisors agreed they would not be interested in waiving those requirements. Mr. Collie presented a written extension until May 30, 1997 for further review of the plan.

6. Beer-Twin Brook Subdivision - This minor subdivision is located on Twin Brook Road and was approved by the Board of Supervisors at their meeting held on December 23, 1996. The plan on the agenda at this time is a revision to that previously approved final plan due to further investigations which indicated that there are no wetlands present. Therefore, the plan has been revised to delete the wetland area identified on the prior approved plan. Additionally, Planning Modules for the on-lot sewage disposal system (small flow treatment facility) were presented for approval by resolution as required by the Department of Environmental Protection.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant revised conditional final plan approval to the Beer-Twin Brook Subdivision.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to **adopt Resolution #97-15 for a revision to Act 537 for construction of a stream discharge system for the Beer-Twin Brook Subdivision.**

7. Landis Subdivision - Mr. Wynn advised a 90 day extension has been received. No action required at this time.

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

1. Phinney Subdivision - Earlier this evening, the Supervisors accepted the right-of-way of Bypass Road and a cash escrow for the maintenance period for the detention basin and tree plantings for this subdivision. Work must be accomplished prior to release of linens for recordation.
2. Hilltown Hunt Subdivision - Correspondence has been received from the developer granting an extension for completion of public improvements until October 15, 1997. Mr. Wynn explained the remaining lots in this subdivision were sold by Realen Homes to W.B. Homes. Realen Homes has a development agreement with the Township and is responsible for completion of all public improvements. Realen Homes has provided for an expansion of the detention basin to improve stormwater run-off from the site. The original contractor quoted an extremely expensive price to expand the basin, however the developer expects to have a second proposal shortly for consideration. It is proposed that the basin will be enlarged beyond what the development required, and will provide adequate stormwater control for the site. Supervisor Bennington asked if the work previously done by the Mr. and Mrs. Christiansen on their site, as well as the work to be done on the detention basin, will prevent the excessive flooding of the Christiansen property in the future. Mr. Wynn does not believe it will, however it will depend on the storm. Mr. Wynn explained the flooding of the Christiansen property is a combination of run-off that flows from the detention basin, and the run-off that bypasses the detention basin along the northeast side, as well as the run-off that flows down Rt. 152 from above Rickert Road. The detention basin is not controlling all of those off-site flows, and those flows alone, according to Mr. Wynn's calculations, will overflow the banks in that stream during certain times. Further compounding this problem is the fact that the Christiansen home was originally constructed in the center of a drainage channel as shown on U.S.G.S. maps. Mr. Wynn believes the steps taken will improve and reduce the likelihood of flooding of the Christiansen property, however there is no guarantee, depending on the type, intensity, and duration of a storm. Supervisor Bennington reminded the Board that he had told Mr. and Mrs. Christiansen that the Township would do

everything possible to prevent any further flood damage to their property. Mr. Wynn assured the Board that it will done with the modification of the detention basin. The redesign of the basin will make for slightly less control of smaller storm run-off. Mr. Wynn explained the detention basin at Hilltown Hunt was designed without regard to the impact it would have along Rt. 152. The storm which causes the peak run-off from Rt. 152 is of a longer duration than that storm that causes maximum flooding at the detention basin. Potentially, what could happen is that the detention basin will control the run-off, releasing it slowly in order to allow that flow to hit immediately downstream at the same time as the peak flow from Rt. 152. The modification that has been proposed for the basin is to allow more of the water out of the basin earlier so that the peak flow is not increased. Solicitor Grabowski asked if Mr. and Mrs. Christiansen have taken care of any of the recommendations Mr. Wynn had given them several months ago to minimize the damage to their property. Mr. Wynn replied the Christiansen's installed a new pipe, however they never re-bermed the area in the frontage of their home, thereby increasing the capacity of the new culvert. Discussion took place. Mr. Wynn advised basin work will commence during late May or early June, 1997, once final approval of cost proposal is forwarded to the Board of Supervisors.

Motion was made by Supervisor Bennington, seconded by Supervisor Fox, and carried unanimously to grant the extension to Realen Homes to complete the public improvements for the Hilltown Hunt Subdivision until October 15, 1997, with the condition that the detention basin work be completed as soon as possible.

I. LINENS FOR SIGNATURE -

1. Pileggi Subdivision
2. Phinney Subdivision
3. Beer-Twinbrook Subdivision

J. PUBLIC COMMENT:

1. Chief Egly advised the Police Department has been experiencing some difficulties with the software company, StreetGuard Inc.. Chief Egly spoke to Chief Kirschner of Towamencin Township, who advised that StreetGuard has no intention of completing this program until sometime after January, 1998. Chief Egly contacted Mr. Rich of StreetGuard, Inc. last Thursday, who stated that Chief Kirschner's comment was incorrect. Chief Egly asked Mr. Rich for a breakdown, in writing, of when these programs will be installed and activated in Hilltown Township. If Chief Egly does not receive a written breakdown from Mr. Rich immediately, he intends to ask for a return of \$3,077.55 and will direct him to go no further on the programs. Chief Egly understands that many police departments throughout the state are dropping this program because the state had previously

paid StreetGuard, yet they continue to charge the municipalities as well. Chief Egly has discovered that other software companies are installing this program with no charge to the municipalities, other than their normal retainer fee. Chief Egly is very unhappy with StreetGuard, Inc. and the service provided to date.

2. Mr. John Gillespie, chief of the Silverdale Fire Company, advised that at the last Fire Prevention Bureau meeting discussion took place concerning a model sprinkler ordinance for the Board's consideration. Mr. Gillespie presented information he obtained from the Federal government with regarding to single family and multi-family dwellings. Mr. Gillespie has also contacted six similarly sized municipalities requesting copies of their model sprinkler ordinances. With the explosion of development in Hilltown Township, Mr. Gillespie feels serious consideration must be given to mandatory sprinkler systems in new dwellings. Sprinklers have been proven to be 97% effective. Discussion took place regarding the cost of sprinkler systems.

A. SUPERVISOR'S COMMENTS: None.

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

M. ADJOURNMENT: Upon motion by Supervisor Fox, seconded by Supervisor Bennington, and carried unanimously, the April 30, 1997 Board of Supervisors meeting was adjourned at 10:00PM.

Respectfully submitted,
Lynda Seimes *Lynda Seimes*
Township Secretary