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**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED PUBLIC MEETING  
Monday, October 28, 1991  
7:30PM**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman William H. Bennett, Jr. at 7:38PM and opened with the Pledge of Allegiance.

Also present were: Betty J. Kelly, Vice-Chairperson  
Kenneth B. Bennington, Supervisor  
Bruce Horrocks, Township Manager  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer  
George Egly, Chief of Police  
Lynda Seimes, Assistant Township Secretary

Due to the large crowd this evening, Chairman Bennett introduced those seated at the dias.

Chairman Bennett announced this regularly scheduled Board of Supervisor's meeting will adjourn at 8:15PM for the advertised hearing of the proposed Comprehensive Plan. The Board of Supervisors will not vote this evening on the proposed Comprehensive Plan, primarily because recommendations have not yet been received from the Bucks County Planning Commission, or the Hilltown Township Planning Commission. Those who wish to comment on the proposed Comprehensive Plan will be limited to 3 minutes each.

A. APPROVAL OF MINUTES:

Action on the minutes of September 23, 1991 Board of Supervisors meeting:

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to approve the minutes of the September 23, 1991 Board of Supervisors meeting as written.

B. APPROVAL OF CURRENT BILLING:

Chairman Bennett mentioned there are two bills list for approval this evening. The first bills list is dated October 2, 1991, and totals \$27,158.22.

Supervisor Bennington questioned the bill in the amount of \$2,743.46, from Carter Van Dyke for a Feasibility Study. Mr. Horrocks believes this bill is for the construction documents for the former Civic Field, however he would check on this.

Chairman Bennett commented the Township was paying approximately \$8,500.00 for Independence Blue Cross, however he noted a payment of \$9,332.26 and asked if this had become the new monthly payment for insurance coverage. Mr. Horrocks was aware that Blue Shield increased their rates this month, and also, one employee's rate increased due to a change in marital status. Mr. Horrocks will look into this matter.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to pay all bills when due.

The second bills list is due October 16, 1991 and totals \$16,627.34.

Regarding the Workman's Compensation and Insurance Property bills listed on the first page, Chairman Bennett asked if there were any increases in these fees from previous payments. Mr. Horrocks was not sure, but would research this issue further.

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to pay all bills when due.

Supervisor Bennington mentioned that several meetings ago, the Board of Supervisors had increased the Auditor's payment rate to \$1,200.00 per year and requested an itemized billing from the Board of Auditors. The itemized bill has been received, and Supervisor Bennington wondered whether the Board should process the check payment approval at this time.

Based upon receipt of an itemized bill from the Board of Auditors, motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to pay that bill, which had been held for two months.

C. TREASURER'S REPORT:

Chairman Bennett presented the Treasurer's Report as of October 24, 1991:

General Fund Checking Account  
End of Month Balance - \$298,953.25

Payroll Checking Account  
End of Month Balance - \$38.78

Fire Fund Checking Account  
End of Month Balance - \$74,562.53

Debt Service Investment/Checking Account  
End of Month Balance - \$111,438.25

State Highway Aid Checking Account  
End of Month Balance - \$69,068.87

Escrow Fund Checking Account  
End of Month Balance - \$93,929.14

Motion was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to accept the Treasurer's Report as read, subject to audit.

D. RESIDENT'S COMMENTS ON AGENDA ITEMS ONLY: None.

E. CONFIRMED APPOINTMENTS:

1. Mr. Samuel Pierce - Mr. Pierce was not present at this time.

2. Mrs. Anna Almodovar - Regarding Building Inspector rejecting windows on property - Ms. Adele Stevens, daughter of Mr. and Mrs. Almodovar, was in attendance to speak for her parents this evening. Ms. Stevens explained that her parents own a property on Callowhill Road, which was inspected by Mr. Applegate, Building Inspector/Zoning Officer, on October 9, 1991, in hopes of securing an Occupancy permit. Mr. Applegate had made a list of seventeen problem items which must be corrected before an Occupancy Permit could be issued. Mr. Applegate had advised the applicant that the bedroom windows do not meet the egress requirement, which is 20 inches. The current windows are 18 inches.

Ms. Stevens advised the house was previously inspected by the Township's former Building Inspection firm and had been approved. Mr. Applegate felt there was a safety hazard involved since the windows are two inches shorter than the BOCA Code indicates. According to Ms. Stevens, tile has been installed in front of all the bedroom doors, and there is a smoke alarm system connected to the security system, with a battery back-up. The lower window sills are only 16 inches from the floor of the bedroom, therefore it would not be difficult to exit the home through the windows in an emergency situation.

Ms. Stevens felt there was a great hardship involved for her father, who has been building this home over a long period of time. The home has been fully completed, with stonework installed around the outside of the windows, and drywall installed around the windows, inside the home. To remove windows, chip away stone work, and attempt to reconstruct the entire window base would be very costly and time consuming for the applicant.

Ms. Stevens stated the windows are 20 inches wide, except when they are open, which is where the problem lies according to Mr. Applegate.

Ms. Stevens presented photos of the windows and the area surrounding the windows. The home is a single story contemporary ranch house and Ms. Stevens did not feel the window dimensions would affect the safety of exiting the home in the event of an emergency, since there are plenty of windows and doors for access in the home. Ms. Stevens is asking the Board to waive the window egress requirements.

Chairman Bennett asked how many windows were in violation. Ms. Stevens replied there are three windows involved. Chairman Bennett felt there would be problems involved with making an exception in this instance, as it would create problems with future home owners requesting exceptions. Ms. Stevens understood this, however, the home had previously been inspected and passed by the former Township Building Inspector. Chairman Bennett asked how long ago the home had been inspected and passed by the previous building inspector. Ms. Stevens believed it to be approximately three years ago, when the construction was going into rough framing and the windows had been installed. Chairman Bennett commented the Township must worry about liability in a case like this, yet he did not feel the issue was quite so serious since the home is a one story dwelling.

Supervisor Bennington discussed the issue with the Township Solicitor. Solicitor Grabowski suggested to Supervisor Bennington that since these are first floor windows which were previously approved by a Township Building Inspector at that time, and in effect, the Township had approved those windows, Solicitor Grabowski felt the Board should waive the improper egress, on a no precedent basis, and also asked the Almodovar's to present a waiver relieving the Township of all liability in the event of an emergency or injury due to the improper windows. Ms. Stevens was agreeable to this suggestion.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to waive the window egress requirements for the Almodovar home, in a non-precedent setting situation, and also requested the Almodovars present a waiver relieving the Township of all liability involved in the event of emergency and/or injury due to the improper windows.

3. Ms. Diane Whitney - Sewer Line Extension - Ms. Whitney is requesting the Board extend the sewer lines down Clearview Road to encompass her property. Ms. Whitney moved into her home on August 9, 1991, and on August 21, 1991, her septic system failed. Ms. Whitney must have her septic tank pumped every two weeks and was told by the Board of Health that her two acre property is "ponded". The only site to place a gravel pit would be in the front yard, near the street. No section of the two acre property tested or perked. The water table is too high on the site.

Ms. Whitney presented a letter she received from Ms. Cathy Sorace of the Bucks County Department of Health advising the sewer line is being extended down Clearview Road to St. Philip's Church, and since Ms. Whitney's property is one lot away from where the sewer line ends, Ms. Sorace suggested Ms. Whitney request a sewer line extension. Ms. Whitney advised her septic tank is too small, and the entire system is very old. The drain fields on the property are full.

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Ms. Whitney appeared before the Hilltown Township Water and Sewer Authority, who directed her to appeal to the Board of Supervisors. Ms. Whitney has contacted Strothers Associates, an engineering firm, who are awaiting the Board's decision to either construct a gravel pit in the front yard or to coordinate with the sewer line extension. Strothers Associates advised Ms. Whitney that the gravel pit solution may be only temporary, at best.

Mr. C. Robert Wynn, Township Engineer, stated an Act 537 revision is required for extension of a public sewer line. Mr. Wynn commented the Bucks County Board of Health can approve the connection of a single family home to an existing public sewer without an Act 537, as a repair to a failed system, though this is not the circumstance with Ms. Whitney. Ms. Whitney advised Ms. Sorace has listed her septic system as "malfunctioning, ponded, and failed."

Solicitor Grabowski had attended the same Water and Sewer Authority meeting that Ms. Whitney had attended. The Authority had suggested Ms. Whitney contact a private engineer to discuss this matter with the Township. Ms. Whitney's property is located approximately 200 to 300 feet east of the current sewer line extension. Ms. Whitney's property is located one lot away from the two lots being developed by St. Philip's Church, where the sewer line extends to. Ms. Whitney explained the previous homeowner had separated the water. The sump pump, the shower and the dishwasher water runs out the front of the house through a pipe, onto the street. This situation must also be rectified.

Typically, Mr. Wynn advised, an Act 537 revision is reviewed by the Planning Commission and their recommendations are then presented to the Board of Supervisors. Supervisor Bennington suggested Ms. Whitney present an Act 537 Revision Planning Module request to the Planning Commission at their November 18, 1991 meeting for their review and recommendations. The Board of Supervisors would not vote on this issue until their November 25, 1991 meeting. Ms. Whitney was concerned about the time period involved and the winter months approaching. Mr. Wynn commented the DER approval process would most likely go into the winter months. There are several other outside agency approvals which are also required, and this could take quite some time.

Solicitor Grabowski recommended Ms. Whitney's engineer also attend the Planning Commission meeting in order to answer any questions of a technical nature, as well as a sketch showing details and possible impact of her request.

F. MANAGER'S REPORT:

1. In a re-structuring of the Administrative personnel, Mr. Horrocks was pleased to offer the position of Township Secretary to Lynda Seimes. Lynda has been Assistant Township Secretary since July of 1990.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to appoint Lynda Seimes as Township Secretary of Hilltown Township, effective immediately.

2. Mr. Horrocks presented a press release regarding the change of polling place to those members of the press who were in attendance. The polling place for the Blooming Glen Voting District has been changed from the former Municipal building, to the present Municipal building.

3. Regarding the Agricultural Security District, an additional applicant, Mr. Mark Dornsteich of 1501 Branch Road in Perkasio, had applied during the 15 day time period for advertising of the first applicant, Mr. Richard Moyer. Mr. Dornsteich's addition of 21.288 acres will be added to the process, which will go before an advisory committee and the Planning Commission for their review. Mr. Horrocks will forward both applications to the Planning Commission. The Board of Supervisors must appoint an advisory committee for review of Agricultural Security District applicants.

4. Mr. Horrocks presented eighteen Escrow Releases for approval this evening, six of which consist of funds held by the Township. Chairman Bennett advised the cash escrows total \$3,290.69, to be paid from the Township Escrow Fund. Mr. Horrocks commented two of those accounts will zero out with this cash withdrawal.

Grass (Cash)	Voucher #7	\$ 54.45
Grass (Cash)	Voucher #8	\$ 401.46
Stoneycrest	Voucher #1	\$ 500.14
Spring Hill Realty	Voucher #1	\$ 1,182.93
Browning-Ferris Ind.	Voucher #4	\$ 381.58
Freed (Cash)	Voucher #1	\$ 91.32
Freed (Cash)	Voucher #2	\$ 2,158.68
Newman (Cash)	Voucher #3	\$ 117.00
Newman (Cash)	Voucher #4	\$ 467.78
Hilltown Ind. Park	Voucher #12	\$ 121.41
Hilltown Ind. Park	Voucher #13	\$ 3,848.59
Lotier Land Devel.	Voucher #8	\$ 192.21
Lotier Land Devel.	Voucher #9	\$ 4,589.94
Richter Drafting	Voucher #1	\$ 43,583.20
Bridle Run	Voucher #13	\$ 1,461.31
St. Philip's Church	Voucher #4	\$ 16,219.12
St. Philip's Church	Voucher #5	\$ 174.18
Orchard Station	Voucher #17	\$ 249.96

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to release the eighteen Escrows listed above.

5. Mr. Horrocks announced the Park and Recreation Board will be making an inspection of all open space areas within Hilltown Township on Saturday, November 16, 1991 at 8:15AM.

6. Mr. Horrocks presented a request from Nevin and Louise Moyer to allow burning of a pile of wood debris, which would allow them to come into compliance with violations previously cited by Mr. Applegate, Building Inspector/Zoning Officer. If this is permissible, Mr. and Mrs. Moyer have agreed to notify Dublin Fire Company of their intention. Supervisor Bennington asked what type of violation had been served upon Mr. and Mrs. Moyer. Mr. Horrocks replied Mr. and Mrs. Moyer had been cited

for a "junkyard" violation. Supervisor Bennington advised correspondence has been received from Mr. Bob Grunmeier, II concerning "open burning".

Supervisor Bennington made a motion to allow burning at the Moyer property in an attempt to come into compliance with the violation, conditional upon the following items: the burning be limited to between the hours of sunrise and sunset, that the burn itself be controlled and supervised by someone from the Dublin Fire Company, the applicant insure that only non-hazardous, non-combustible materials are burned, and to schedule the burn when weather conditions are acceptable for burning without excessive winds. Supervisor Kelly seconded the motion and it passed unanimously.

7. The proposed Zoning Ordinance has been sent to the Bucks County Planning Commission for their review.

G. CORRESPONDENCE:

1. Approximately 200 pamphlets have been received from Waste Management of Indian Valley regarding Household Hazardous Waste. These pamphlets are available at the Administrative office counter.

2. A request has been received from Plumstead Township for copies of the 1991 expenditures, receipts and budget, for their reference in regards to their 1992 budget preparation.

3. On October 23, 1991, the Bucks County Commissioners revised their Solid Waste Ordinance, and therefore, a revision or amendment to Hilltown Township's Ordinance may be required to comply. Mr. Horrocks believes the change will be nothing more than removing the list of specific drop off sites for recycled waste.

Solicitor Grabowski commented there had been some question concerning the County's existing Ordinance, in terms of restricting the drop off of recyclable materials to certain locations. Solicitor Grabowski suggested the Board review the "model" Ordinance being distributed by the County at the next Work Session, for consideration of a public hearing at a future meeting.

4. Correspondence was received from the Township of Franconia who has sent Hilltown Township their Recreation and Open Space Plan for review and comment. Mr. Horrocks will forward copies to the Hilltown Township Park and Recreation Board.

5. Chairman Bennett announced confirmation has been received today advising that Mrs. Florence Simons, Hilltown Township Tax Collector for the past six years, will be resigning effective December 31, 1991. No action will be taken this evening, however at the November 25, 1991 Board of Supervisor's meeting, the Board will be appointing a new Tax Collector to the unexpired term of two years. Anyone interested in applying for this position, should direct their resume' to the attention of Mr. Bruce Horrocks, Township Manager, at the Township address.

\*8:20PM - Chairman Bennett called for a five minute recess before beginning the advertised hearing for the proposed Comprehensive Plan.

H. 8:25PM - ADVERTISED HEARING FOR THE PROPOSED COMPREHENSIVE PLAN:

Supervisor Bennington asked Mr. Jack Fox, Planning Commission Chairman, for the Planning Commission's comments on the proposed Comprehensive Plan.

1. Mr. Fox stated the Planning Commission is waiting for reviews from the Bucks County Planning Commission, the school district, and neighboring municipalities, before giving their recommendations to the Board of Supervisors. Mr. Fox introduced Mr. Dave Johnson, head of the Department of Transportation at the Bucks County Planning Commission, to answer any questions.

Chairman Bennett commented the major issues in the proposed Comprehensive Plan includes a change in zoning in the Rural Residential area to three acres, though he believes most of the residents in attendance this evening are here to discuss the proposed Rt. 113 bypass around Silverdale and Blooming Glen, and also the proposed Rt. 313 bypass around Dublin Borough.

Mr. Fox thought he made it perfectly clear at last week's Planning Commission meeting that the proposed Rt. 113 bypass would be discarded and removed from the map.

Chairman Bennett clarified that the Planning Commission will not propose the Rt. 113 bypass to the Supervisors in their recommendation of the proposed Comprehensive Plan. Supervisor Bennington would like both of the proposed bypass lines removed from the maps.

2. Mr. David G. Tauras, 913 Quarry Road - Mr. Tauras read sections of a prepared statement regarding the proposed Rt. 113 and Rt. 313 bypasses, a copy of which is attached to these minutes.

Mr. Tauras felt the plan for the bypasses has no basis, is in conflict with other parts of the Comprehensive Plan, violates some security zones and conservation easements, and if approved without any detail supporting studies, will subject the Township to significant litigation. Based on these points, Mr. Tauras recommends very strongly that all maps be deleted and removed from the proposed Comprehensive Plan relating to the Rt. 113 and Rt. 313 bypasses, and the three text paragraphs on page 55 of the plan, which describes the proposed bypasses, also be removed from the Plan.

3. Mr. John Bender - 914 Quarry Road - Mr. Bender had attended the Planning Commission's advertised hearing for the proposed Comprehensive Plan last week, specifically addressing the transportation matter and the regard which was shown to the trees in the "quaint community of Dublin".



At that time, Mr. Bender had outlined the impact on the residences and the farms, some of which are protected under the Agricultural Security District, and the impact on the environment. Mr. Bender conducted further research since last Monday and has gotten more specific regarding Hilltown residents who have been upset and who have lost peace of mind. Mr. Bender obtained a tax parcel map, and followed the path of the dotted line of the proposed Rt. 313 bypass on the parcel map. After researching the issue further, Mr. Bender found thirty Hilltown Township properties, consisting of approximately 300 acres, would be destroyed and condemned for the purpose of the proposed bypass. There are many more properties along the route the bypass would not necessarily go through, however it would cause those property owners to suffer economically. Mr. Bender presented a list of those property owners, as well. The proposed Rt. 313 bypass would cause the destruction of six to ten Hilltown Township homes between Quarry Road, Rickert Road, Frontier Road and Shelfied Road. Mr. Bender stated as a Hilltown Township resident, and speaking for many others, he would like the Rt. 313 bypass removed from the map.

2. Mr. Jim Neil - Mr. Neil, an attorney, was in attendance representing Mr. Bender and other property owners in the area. Mr. Neil spoke about the framework of the Municipality Planning Code, as it relates to completing work on the Comprehensive Plan.

One of the fundamental factors is that the Municipality Planning Code requires the Planning Commission complete detailed studies and analysis as part of it's work. The reaction Mr. Neil has received concerning the proposal at this point is that "the cart has come before the horse", as there is already a committment to a particular route around Dublin as a way to handle the perceived congestion problems in the draft Comprehensive Plan. Mr. Neil felt it was too early to be adding a proposed bypass to a map when there has not been a sufficient study done on the congestion problem or to seek other avenues to solve this very real problem.

From a legal standpoint, Mr. Neil stated the way the Municipality Planning Code is written now, once the Township delineates a specific bypass route on an official map, anyone who owns land within that designated strip is prohibited from building, using their land for subdivision, etc., just by virtue of the placement of that bypass route line. A Special Encroachment permit from the Township would be required to do any kind of work in that area. If the Township were to adopt this plan without completing the required studies, Mr. Neil stated it would be imposing the burden on the residents.

From a regional planning standpoint, Mr. Neil advised the Township is currently on the edge of a major development quarter which links Philadelphia with the Lehigh Valley along Rt. 309 and the Northeast Extension. The Hatfield/Lansdale area, as well as Hilltown Township, has seen tremendous growth within the last ten years, because of it's connection with the roadway system and highways. The Dublin end of the Township is designated more rural. The same Comprehensive Plan that would include the Rt.

313 bypass around Dublin, also tries to make zoning less intense in that area. Mr. Neil felt it was contradictory to drive a highway through that same district since it is almost inevitable that more intense development comes with highways. As Mr. Taurus and Mr. Bender have previously described, the Township, in it's zoning and planning, is committed to keeping this area around Dublin as a low density development area.

Mr. Neil felt much of the bypass planning is a result of the Quakertown generated Rt. 663/Rt. 313 study, which envisions a more intensive link up between Doylestown and the Northeast Extension along Rt. 313. Mr. Neil felt it was important for Hilltown Township to remain involved in that planning process, but would be appropriate for the Township to back away from committing themselves to a highway bypass through our Township.

As far as Bucks County is concerned, Chairman Bennett commented they have been talking about a through corridor from the Quakertown area, through Doylestown to lower Bucks County, for many years. Since Hilltown Township has not seen the Bucks County Planning Commission's reviews or recommendations, the Board does not yet know their feelings on the matter. If, in fact, Bucks County and PennDot would decide to construct a bypass around Dublin, either through Hilltown or Bedminister, Chairman Bennett asked what course of action the municipality would have to fight that proposal. Mr. Neil suggested the Township Solicitor could offer guidance on that, however, his reading of the Municipal Planning Code in relation to the Comprehensive Plan is that it does not establish that the County or the State's wishes would come first. Mr. Neil felt the Township would be in a good position by staying involved in the planning process to tell PennDot and the County what it would like to see happen. Mr. Neil cited instances in the Quakertown area where resident's negative reaction to a proposed bypass in that area brought about quick and favorable results.

Mr. Johnson of the Bucks County Planning Commission stated the County has been working with the Rt. 663/Rt. 313 Task Force all along. Bucks County Planning Commission is looking at this issue during a 20 year time frame, although they do feel a bypass is inevitable. Discussion took place between Mr. Johnson and Mr. Neil regarding the proposed Rt. 313 bypass.

Mr. Neil appealed to the Supervisors to view the full range of options for dealing with the traffic problems on Rt. 313 and make a decision accordingly.

3. Mr. Ron Theis - 4 Florence Circle - Mr. Theis quoted the Municipal Planning Code where it states "The Planning Agency must do studies", and asked who is the "Planning Agency" the Code speaks of. Chairman Bennett felt when looking at our own Comprehensive Plan, the Municipal Planning Code is speaking of Hilltown Township Planning Commission. Solicitor Grabowski did not feel that it was entirely comprehensive to suggest that the the municipality's Planning Commission is the sole Commission involved in that statement. Solicitor Grabowski felt the Hilltown Township Planning Commission, with the assistance of the Bucks

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County Planning Commission, the experts at PennDot, and the Delaware Valley Planning Commission would coordinate a review in that instance. The reason Mr. Theis asked that question was because on page 15 of the proposed Comprehensive Plan, it states "An in-depth study of the individual cultural and historical resources of the Township has not yet been undertaken". Mr. Theis felt this was a key point to bring to light, as far as what has been looked at within Hilltown Township for planning. Mr. Theis asked who has completed any studies in Hilltown Township and who has actually placed the lines showing the proposed bypasses on Hilltown Township's proposed Comprehensive Plan map. Mr. Jack Fox replied the Hilltown Township Planning Commission's recommendation was for a two lane roadway, using existing streets, as a bypass around Dublin Borough. The special consultant for Hilltown Township, Carter Van Dyke Associates, was in agreement with the Hilltown Township Planning Commission regarding the proposed Rt. 313 bypass, and was the firm who designed the proposed Rt. 113 bypass. Mr. Theis was not able to find any studies completed in Hilltown Township concerning easement maps, research of historical properties, agricultural zoning, etc., and did not see how these proposed bypasses were feasible without them. Supervisor Bennington reminded Mr. Theis that the Planning Commission is a recommending authority, and that the Board of Supervisors has final authority on the proposed Comprehensive Plan. Supervisor Bennington felt Dublin Borough should be responsible for their traffic problems, whether it be lane widening or left turn lane lights.

Mr. Theis read from the proposed Comprehensive Plan, page 35, titled "Quality of Life" which states "the objective is to promote a quality environment by preserving and enhancing the Township's charm and appearance to protect it's unique natural features, it's historic and scenic values, and it's rural setting, by permitting developments which provide quality neighborhoods."

4. Mr. Nevin Moyer - 808 Quarry Road - Mr. Moyer stated he is presently farming a parcel of land that the Rt. 313 bypass is proposed to go through. Mr. Moyer is the eighth generation on the farm. Most of Mr. Moyer's neighbors are elderly people who would be forced to leave their life long homes should the bypass be approved. Mr. Moyer appealed to the Board of Supervisors to remove the proposed Rt. 313 bypass from the Comprehensive Plan map.

5. Mrs. Lorraine Bender - 914 Quarry Road - Mrs. Bender commented the proposed Rt. 313 bypass directly impacts her property and those of her neighbors. As she had heard at the October 21, 1991 Planning Commission meeting, the Comprehensive Plan showing the proposed Rt. 313 bypass was drafted on information which was atleast five years old. This information did not show current residences, conservancy easements, Hilltown historical sites and trees, or secured Agricultural areas, yet a line was drawn through these areas designating the proposed Rt. 313 bypass, with a statement in the plan advising this bypass will serve to maintain the historic character and trees within Dublin Borough, while providing an unobstructed route through this regional arterial. Mrs. Bender asked how a Comprehensive Plan can be drafted or important decisions made to destroy Hilltown residences

and properties with such outdated sources of information. Mrs. Bender wondered where it states in the Plan that other alternatives were researched, for instance, widening the road for a turning lane, timing traffic lights, closing off town access routes during peak traffic hours, or using existing roads for a bypass.

Mrs. Bender drives Rt. 313 every day during rush hour and she did her own traffic delay study this past week through the town of Dublin. Mrs. Bender's findings are as follows: Tuesday, October 22, 1991 - waited one minute and thirty seconds for the light. Wednesday, October 23, 1991 - waited zero minutes for the light. Thursday, October 24, 1991 - waited one minute and five seconds at the light in the fog. Friday, October 25, 1991 - waited two minutes at the light. Monday, October 21, 1991 - waited one minute and thirty seconds at the light. Mrs. Bender explained this is an average of one minute and twelve seconds to wait for a traffic light. For perspective, Mrs. Bender stated she recently waited nine minutes at the Rt. 202/Rt. 152 intersection, and also, it took her sixteen minutes to go two miles in Maple Glen, a planned community in Montgomery County, during rush hour. Mrs. Bender does not feel one minute and twelve seconds to wait for a traffic light is excessive, certainly not enough to destroy Hilltown resident's homes and property. It would take longer than that to go around Dublin via a bypass.

Mrs. Bender is sorry that the Planning Commission spent so many long hours devising the proposed Rt. 313 bypass, however the hours that were spent cannot equate to the destruction that the plan recommends. Mrs. Bender does not believe the Board of Supervisors want to destroy homes, farmland and conservancy areas in the Township in which they and their neighbors live.

Mrs. Bender feels Hilltown Township residents have been crushed by the domineering forces of Doylestown and Quakertown, by the callous decisions of the Planning Commission and by the ineffectiveness of Dublin Borough to solve their own problems. In this day and age of mistrusting politicians, Mrs. Bender commented it is not hard to understand why people feel helpless and feel they cannot "fight city hall". Mrs. Bender stated residents need only fight politicians who are unreasonable and do not have their own constituent's best interests in mind. It is Mrs. Bender's hope that those persons elected to the Board of Supervisors are not of that caliber.

Mrs. Bender cited Supervisor Bennington's awareness of the predicament those along the bypass routes are facing. Supervisor Bennington seems to understand the implications a line on a map has on property value, and property enhancements. Supervisor Bennington has previously voiced the opinion of many Hilltown Township residents when asking for a feasibility study and alternatives to this destruction.

Mrs. Bender is requesting the Board of Supervisors remove the current bypass lines from the map, as well as the text referring to the bypasses. Mrs. Bender trusts the Board of Supervisors will do all things possible to help and protect Hilltown Township residents first.

6. Mr. Dave Johnson - Bucks County Planning Commission - Mr. Johnson submitted the Rt. 313/Rt.663 Task Force presentation to PennDot for highway improvements. Mr. Johnson stated the Task Force has taken a long range approach to the bypass alternatives, looking at a time horizon of 20 years. Realizing the growth that is occurring, what the Task Force is trying to achieve is to project the growth and recommend improvements. Mr. Johnson advised Rt. 313 through Dublin cannot be widened according to right-of-way maps, and other than minor turning lanes, etc., nothing can be done on a short term basis to allay the traffic problems. It appears that it is not feasible to construct a bypass through Bedminister.

Mr. Johnson commended the Hilltown Township Planning Commission for stipulating their development districts and for laying out transportation improvements and a proposed bypass. These additions should be completed at a Municipal level, and therefore the Task Force feels the proposed bypass is warranted.

7. Mr. Jack Fox - In Mr. Johnson's estimation, Mr. Fox asked how long before the State takes this bypass matter into their own hands. Mr. Johnson replied within the next 20 years, since growth will continue.

8. Mr. David Satelle - Mr. Satelle asked Mr. Johnson who he works for. Mr. Johnson replied the Bucks County Planning Commission. Mr. Satelle asked if every municipality in Bucks County submitted a proposed bypass route on their Comprehensive Plan. Mr. Johnson commented not all municipalities are undergoing a Comprehensive Plan update at this time. From a planning perspective and the growth projected, Mr. Johnson stated by taking the steps now, Hilltown Township is attempting to accomodate the impending growth.

9. Mr. Ron Theis - Mr. Theis commented Mr. Johnson had mentioned the plan for roads within the Township for developmental districts. Mr. Theis advised the developmental districts of Hilltown Township are located mostly south of Rt. 113 near Perkasio, and asked how a proposed bypass around Dublin would help the Hilltown resident's developmental districts. Mr. Theis stated Mr. Johnson had said it is not possible to widen the roadway through Dublin Borough and also stated it is not feasible to construct a Rt. 313 bypass through Bedminister. Mr. Theis would like to see a cost benefit study or any other study used to determine these points. Mr. Johnson replied the Bucks County Planning Commission does not build roadways. Mr. Theis felt the Bucks County Planning Commission and the Task Force is making an assumption, without completing studies, that Hilltown Township should have the proposed Rt. 313 bypass constructed through their municipality. Mr. Johnson stated PennDot must complete an Environmental Impact Study, which is not the job of the Bucks County Planning Commission.

Mr. Johnson asked for proof that property values in Hilltown Township would go down due to a Rt. 313 bypass. In every study he has seen, Mr. Johnson stated property values will increase because of easier transportation accessibility.

10. Mr. Jim Neil - Mr. Neil noted, in most cases, bypasses add traffic congestion, rather than take it away. Mr. Neil asked Mr. Johnson if he would expect traffic on nearby roads to lessen with the construction of a Rt. 313 bypass. Mr. Johnson replied if a bypass is a feasible alternative to going through the center of Dublin, than it would lessen traffic on nearby roads, due in part to the elimination of truck traffic through Dublin Borough.

11. Mr. David Tauras - Mr. Tauras asked Mr. Johnson's justification for the unfeasibility of constructing the proposed Rt. 313 bypass through Bedminister. Mr. Johnson replied if you look at the number of homes to be impacted, as well as the length you would have to go to provide a bypass to avoid major concentrations of dwelling units, it appears the Bedminister side of Rt. 313 would be the less viable alternative.

12. Mr. Frank Grabowski, Township Solicitor - Solicitor Grabowski explained sometimes a little knowledge is a dangerous thing. He has heard a term in previous meetings that he has not heard in this forum before, called "reverse frontage road". The Quakertown Rt. 663/Rt. 313 Task Force is advocating that Rt. 663 remain a two lane highway. In conjunction with Milford Township, what they are advocating is that in order to take some local traffic off Rt. 663, the Task Force is promoting a "Reverse Access Road", which is a road that is built in the back yard of the existing properties which front upon a roadway.

As Solicitor Grabowski drives through Dublin Borough, much of the local Dublin traffic is a result of businesses and structures located on Rt. 313. Solicitor Grabowski asked if any analysis or review was done concerning constructing a reverse access roadway on either side of Rt. 313, within the borough of Dublin, to regulate the traffic. Mr. Johnson replied this suggestion is one of the aspects the Task Force has and will continue to research. The Task Force is seriously trying to look at access management techniques, such as limiting the number of driveways on the proposed improvements, and the use of reverse frontage roadways.

Solicitor Grabowski's impression this evening is that there is a conception that it may be more convenient and more expedient to solve this problem by way of a proposed bypass through Hilltown Township, rather than looking at other alternatives. Part of the reason being not all of the other alternatives have been discussed or reviewed at this meeting.

13. Mr. Nevin Moyer - Mr. Moyer asked how the traffic from Rt. 313 will be detoured next year when Dublin Borough will be closed for improvements. Mr. Johnson advised that is a PennDot concern and they will devise their own detours.

14. Mr. Jack Fox - Mr. Fox was sympathetic to those residents who may lose their homes or property, and as a planner, this is Mr. Fox's biggest concern. Mr. Fox asked Mr. Johnson if the proposed Rt. 313 bypass was removed from the map and looked at again in five or ten years, what effect would it have on the roadway itself. Mr. Johnson explained the inclusion of a proposed

bypass by local municipalities, shows support and willingness to work with PennDot.

Mr. Fox asked Solicitor Grabowski the Township's liability when in five or ten years, PennDot decides to approve a Rt. 313 bypass and constructs it basically in the area the Hilltown Township Planning Commission had originally proposed it to be. Solicitor Grabowski did not feel the Township would be responsible for any liability at all, and cited the situation involving the "Blue Route" in Delaware County.

15. Chief George Egly - Chief Egly disagreed with Mr. Johnson's last statement above. Chief Egly was born and raised in the lower end of Bucks County. At that time, the local Planning Commission had proposed a bypass far from the vicinity of Chief Egly's farm, however one day, construction of a highway began through his family's corn and soybean fields. PennDot did not listen to that Planning Commission's recommendation, nor does Chief Egly feel they will listen to Hilltown Township's Planning Commission's recommendation in the future.

16. Mr. Ron Theis - Mr. Theis asked if the Township is potentially adding more congestion to the Rt. 313 corridor by creating a Light Industrial District proposed to be located at Rt. 113 and Rt. 313.

Mr. Fox replied the Planning Commission has attempted to obtain more Industrial land in the Rt. 309 corridor. Approximately half of the land the Planning Commission recommended to be designated "Industrial" was not accepted for many reasons. Mr. Fox felt the problem lies with the fact that two corridors exist through Hilltown Township, consisting of the Rt. 309 and Rt. 313 corridor. If this proposed bypass ever goes through, that is the kind of corridor Hilltown Township needs to move heavy traffic. A Planned Commercial II area currently exists along the Rt. 313 corridor, therefore it was an ideal area to propose for a Light Industrial District.

17. Mr. Bob Bender - Mr. Bender asked the date of the hearing for adoption of the proposed Comprehensive Plan. Solicitor Grabowski replied Mr. Horrocks mailed the proposed Comprehensive Plan to neighboring municipalities, Bucks County Planning Commission, the Hilltown Township Planning Commission, and the Penridge School District on September 23, 1991, with responses due back by November 7, 1991. Solicitor Grabowski suspects the Board of Supervisors will advertise for a decision to be made on the matter at the November 25, 1991 Board of Supervisors meeting.

Mr. Theis asked if the Hilltown Township Planning Commission must hold another hearing for the proposed Comprehensive Plan since there are some substantial changes involved. Chairman Bennett replied that is a decision which must be made by the Planning Commission, however he did not feel it was the Planning Commission's intent to have another hearing. Mr. Fox explained another hearing is not needed as the Planning Commission fully understands the resident's feelings on the issue.

Solicitor Grabowski advised that Perkasio Borough has scheduled a special meeting on November 4, 1991 to review Hilltown Township's Proposed Comprehensive Plan and it's effect on Perkasio Borough.

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18. Mr. Taurus - Mr. Taurus finished reading his statement of earlier this evening, which follows: The high density development associated with Dublin Borough is concentrated more on the Bedminster side of Dublin, rather than on the Hilltown side. The Bedminster Township Comprehensive Plan identifies the area of Bedminster Township, immediately adjacent to Dublin, as a High Density Development area. This area is more likely to grow, since the area of Hilltown Township immediately adjacent to Dublin Borough, is designated as a Conservation Area and is zoned for low density housing. If studies indicated that a Dublin bypass was needed, logic would place the bypass on the Bedminster side, since it would serve more people in a more rapidly growing area. A bypass on the Hilltown side would not be accessible to the people on the Bedminster side and to the future growth population in that high density region. It would force these people to drive through Dublin and again cause traffic congestion. It therefore seems inevitable that a bypass through Bedminster Township will eventually be required, thus eliminating the need for and the utility of a Hilltown Township bypass. Therefore, proposing the Hilltown side bypass at this time is not supportable from a population center point of view and will result in a waste of money.

19. Mr. Nevin Moyer - Mr. Moyer asked if a property is condemned to construct a bypass, would the fair market property value be given from the State. Chairman Bennett did not feel Mr. Moyer needed to be concerned, however fair market value is normally given.

I. ADJOURNMENT OF THE PROPOSED COMPREHENSIVE PLAN HEARING  
- The advertised hearing for the proposed Comprehensive Plan was adjourned at 9:45PM. A 10 minute recess was called by Chairman William H. Bennett, Jr. before returning to the Regularly Scheduled Board of Supervisors meeting at 9:55PM.

J. CONFIRMED APPOINTMENTS - Continued

4. Mrs. Vi Seigfried - Lease for Friends of the Library  
- Mrs. Seigfried advised the Friends of the Library's lease runs on a one year basis, from November to November. Mrs. Seigfried inquired as to whether the Park and Recreation Board has any use for the library's section of the former Municipal Building for the next several years. As of this moment, Chairman Bennett replied they do not, however, he feels they would only be willing to agree to a one year lease extension at this point.

Mrs. Seigfried explained the Friends of the Library have raised approximately \$7,000.00 so far this year, all of which goes to the Library. There are 29 volunteers in the Friends of the Library who help with the Thrift Shop and with recycling. Because of the economic situation, Mrs. Seigfried would like to request a two or three year lease for Friends of the Library to continue their worthwhile work to support the Pierce Library.



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Chairman Bennett commented the Board of Supervisors do not want to overrule our own Park and Recreation Board's wishes. Mrs. Seigfried requested the Board of Supervisors ask the Park and Recreation Board to consider granting a two or three year lease of the former Municipal Building to the Friends of the Pierce Library.

Supervisor Bennington suggested the Board grant a one year lease immediately and ask the Park and Recreation Board if they would be amenable to Mrs. Seigfried's request of a two or three year lease.

Motion was made by Supervisor Kelly to grant the Friends of the Pierce Free Library a three year lease. Motion was not seconded.

Motion was made by Supervisor Bennington, and seconded by Chairman Bennett to grant the Friends of the Pierce Free Library a one year lease, pending approval by the Hilltown Township Park and Recreation Board to extend the lease to a two or three year lease. Supervisor Kelly abstained from the vote.

\*Chairman Bennett announced the Board of Supervisors and the Township Solicitor met in Executive Session prior to this meeting to discuss personnel matters.

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

1. Solicitor Grabowski mentioned a letter received from Attorney Carl Lindsay, who represents Mr. and Mrs. William Connors. Mr. and Mrs. Connors apparently had a zoning hearing with the Hilltown Township Zoning Hearing Board approximately one month ago, at which time they asked for a variance to construct a garage on their property. Attorney Lindsay is requesting the Board of Supervisors to overrule the decision of the Zoning Hearing Board and to instruct the Zoning Officer of Hilltown Township to grant the permit. Solicitor Grabowski advised the Board of Supervisors does not have the power or authority to overrule decisions of the Zoning Hearing Board. Solicitor Grabowski has not yet seen a copy of the Zoning Hearing Board decision to know the merits of the case.

2. At the last Board of Supervisors Work Session, there was a discussion concerning open burning in Hilltown Township, the provisions of the BOCA Building Code, and DER regulations. Solicitor Grabowski presented a copy of an Ordinance adopted by Milford Township last week for the Board's review, which addresses the question of open burning in a rural residential community. Milford Township is much like Hilltown Township in the rural nature of the community.

3. For action this evening, Solicitor Grabowski presented a proposed set of Resolutions to accept a Deed of Dedication for Richard E. and Carol A. Johnson. This Deed of Dedication involves road frontage on Reliance Road and is part of the BFI Land Development proposal, which was adopted some time ago by this Board.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Resolution #91-40 to accept the Deed of Dedication of Richard E. Johnson and Carol A. Johnson.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Resolution #91-41 to Declare Public Purpose for the Richard E. Johnson and Carol A. Johnson Property.

Mr. Wynn advised the storm sewer line which was needed for Deed of Dedication easement has already been installed, as represented by Mr. and Mrs. Johnson's attorney and BFI, and the documents have been signed.

L. PLANNING - Mr. C. Robert Wynn, Township Engineer:

1. St. Philip's Church Subdivision (Final) - This plan had previously received a preliminary plan approval from the Board of Supervisors and now has a recommendation by the Planning Commission for final plan approval, conditional upon a Planning Module being approved by DER, and an escrow agreement to guarantee installation of all public improvements, street improvements and buffer plantings. Installation of pins and monuments prior to plan recordation had also been required, and that was certified by the applicant's engineer and received by the Township Secretary the day following the Planning Commission meeting. Mr. Wynn stated this three lot subdivision is located on Clearview Road. Construction of the church will take place on Lot #1, with Lots #2 and #3 proposed as building lots.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant final plan approval to the St. Philip's Church Subdivision, with the conditions mentioned above.

Concerning the same plan, Mr. Wynn advised in the beginning of October, the Township received Planning Modules for submission to DER for the public sewer connection of the two additional lots. As Planning Module approval is one of the conditions of the plan, a Resolution would be required to transmit the Planning Modules to DER.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to adopt Resolution #91-42 for the Planning Modules for St. Philip's Church Subdivision.

Father Black thanked the Board of Supervisors for the final plan approval of the St. Philip's Church Subdivision.

2. Moody Subdivision (Minor) - Mr. Wynn presented the Moody two lot subdivision located on Rt. 152. One lot contains the existing house that Mr. Moody discussed at a previous meeting, and the second lot is a proposed new building lot. The plan has received a recommendation for conditional approval by the Planning Commission, subject to the rear lot line of Lot #1 being revised so that it becomes a "squared off" lot. Mr. Wynn received a plan for review this evening from Mr. Moody which shows exactly that. The applicant has managed to turn the septic system in the opposite direction so that the lot line is square. That

proposed revision was conceptionally shown to the Planning Commission and endorsed by the Planning Commission.

Other items for completion include approval from the Bucks County Conservation District for Erosion and Sedimentation Control, installation of pins and monuments as shown on the plan, approval of Planning Modules by DER and installation of buffer plantings on Lot #1, as well as some minor outstanding drafting items. Mr. Wynn stated the buffer plantings are proposed only on Lot #1. There are a number of trees currently located along the frontage of Lot #2.

Supervisor Bennington asked if the subdivision approval has any bearing on the house itself, and Mr. Wynn replied that it does not, as the subdivision is a separate issue. Mr. Moody advised they have been working continually with Mr. Applegate, Building Inspector/Zoning Officer and are close to resolving the matter.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant final approval to the Moody Subdivision plan, with the stated conditions.

3. Crawford Subdivision (Minor) - Mr. Wynn explained this minor subdivision does not create any additional building lots and is located on Rt. 152. Proposed is an addition of approximately 10,000 square feet of land from the adjoining 63 acre parcel onto the existing property of Mr. Crawford. Mr. Crawford has requested waivers including survey of topography, street improvements, and Bucks County Conservation District submission. All of the requested waivers were recommended for approval by the Planning Commission, except for the dedication of right-of-way. The Planning Commission has recommended approval subject to dedication of the right-of-way across the Crawford property and adjoining tract of ground, which will be attached to the Crawford property, and installation of pins and monuments as shown on the plan, which is only on the Crawford portion of the tract.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant final plan approval to the Crawford Subdivision, pending completion of the outstanding items mentioned above.

4. Tollgate Village (Country Roads) Subdivision - Phase I (Final) - Mr. Wynn stated this plan is now before the Board as a final plan, for Phase I only, and the entire plan is proposed to be completed in four phases. Phase I consists of the twin homes and townhouse units located on the section of the development off Walnut Street. Open space has been revised to a homeowner's association, after being rejected by the Township at last month's meeting. This plan has a number of conditions for recommendation of final plan approval. The plan has been re-named "Country Roads".

According to Mr. Wynn, outstanding items include the approval from the Department of Environmental Resources with encroachment of the entrance road within the 100 year flood plain, as well as either a waiver or a permit for Field Stream Drive's

encroachment within the waters of the Commonwealth. Final approval is still required from the Hilltown Township Water and Sewer Authority for the proposed public water and sewer connections. Correspondence has been received from the Silverdale Fire Department indicating the proposed fire hydrant locations are acceptable. Planning Module approval has been received from the Department of Environmental Resources. Mr. Wynn advised for Phase I, there is a temporary construction easement required across the lands of Mr. and Mrs. Weikel at the entrance, which must be acquired by the applicant. The applicant has had preliminary discussions with the property owners and feels there will not be a problem obtaining that easement. Approval is still required from the Bucks County Conservation District for Erosion and Sedimentation Control, and from PennDot for a highway occupancy permit at Rt. 152. There has been an additional review by PennDot, however final approval has not yet been received. Dedication of the ultimate right-of-way of Walnut Street, South Perkasio Road and Telegraph Road, as shown on the plan, is also required. A legal description for the right-of-way dedication has been received. The Planning Commission also endorsed the future plans from the preliminary plan set which will show the limit of disturbance of the woodland. Property outboundary monumentation around the perimeter of the site must be installed prior to plan recordation and monumentation must be certified by the responsible surveyor. An Escrow Agreement is required to guarantee all public improvements. Concerning the open space area originally intended to be dedicated to the Township, after review by the Hilltown Township Park and Recreation Board and the Board of Supervisors, the Township did not accept the open space area. When the plan was resubmitted, the Planning Commission questioned what would now be done with the open space area. The Planning Commission has recommended that all open space area currently in "agricultural" be established as lawn, and that the open space include development of a wood chip walking trail. The applicant has indicated to the Planning Commission that this would be acceptable.

Supervisor Bennington was curious as to why the Planning Commission had voted 5:1, and questioned the rationale of the person who voted against the final plan. Mr. Wynn replied the dissenting individual did not comment as to why she was opposed.

The applicant has agreed to include the escrow of funds to guarantee the design and construction of the bridge for construction during Phase III, at the time of Phase I final plan approval. Supervisor Bennington asked if the bridge has yet been designed. Mr. Wynn replied that it has not. Supervisor Bennington asked how the Township knew what was being escrowed if the bridge has not yet been designed. Mr. Wynn explained the applicant's engineer has completed cost estimates, which happened to be very close to Mr. Wynn's own forecasted cost for the design and construction of the bridge.

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PennDot's initial review was to suggest the entrance onto Walnut Street should be removed and all access to the Country Roads subdivision should take place on Telegraph Road or South Perkaskie Road, which would place all of the development's traffic on Township roads instead of a State roadway. Solicitor Grabowski asked if there has been any discussion by PennDot as to proposed repairs to the Walnut Street bridge. Mr. Wynn replied upon PennDot's initial review there was, though it was dropped after further consideration. It was PennDot's concern that improvements might have to be made to the bridge to improve sight distance, which was the reason for their initial consideration.

Supervisor Bennington stated as long as all the money is in an escrow for the entire construction of the bridge, he would make a motion for final plan approval of Phase I of the Country Roads Subdivision, including the completion of the conditions listed above. Motion was seconded by Supervisor Kelly and carried unanimously.

5. Fretz Land Development (Preliminary) - Mr. Jack Hetherington advised the Planning Commission has recommended approval of this project. The applicant is waiting for correspondence from PennDot regarding the fact that roadway work will not be required on Old Bethlehem Pike.

Mr. Wynn stated the Planning Commission recommended preliminary plan approval with the outstanding items including the Bucks County Conservation District approval for Erosion and Sedimentation Control, verification of approval from PennDot for the driveway and temporary construction access, verification of all existing proposed property monumentation, and completion of some outstanding drafting items which were contained in Mr. Wynn's previous review dated October 15, 1991.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant preliminary plan approval to the Fretz Land Development plan with the stated conditions.

6. Carney Land Development (Preliminary) - This site is located on Rt. 309, just north of Line Lexington, and has received the Planning Commission's recommendation for preliminary plan approval, subject to conditions. Those conditions include approval of encroachment of the covered tee area that is found to be located within the side yard, or the approval of the Zoning Hearing Board to allow it to remain. Verification of approval from PennDot for the proposed access and improvements which include curbing and widening of the entire frontage of the site, and access for the new parking lot to service the site. Also included is the connection of a retention basin which is located in the northwest corner of the site and will discharge into an existing PennDot inlet on Rt. 309. Approval of the Bucks County Conservation District for Erosion and Sedimentation Control measures, installation of property monuments at the frontage of the site, and showing the location of any existing iron pins or other monuments on the balance of the tract is also required. The Planning Commission has recommended that the applicant not be required to install all pins and monuments, due to the size of the site and the fact that there is no proposed encroachment along the upper boundary of the site.

Mr. Carney has a written agreement with the owners of the Ice City property, as they would like to obtain a rear field belonging to Mr. Carney, in exchange for Mr. Carney making use of the access to Ice City's property at their proposed traffic light.

Mr. Wynn commented a few engineering drafting details must be resolved on the final plan, and this would also include an Escrow, which would be a final plan item.

Chairman Bennett asked how required parking spaces were determined for the site. Mr. Wynn explained the parking calculations were based upon the uses proposed on the site. Discussion took place regarding access to the property.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to grant preliminary plan approval to the Carney Land Development pending completion of outstanding items as noted.

7. Souder Subdivision (Minor) - Mr. Wynn advised the Souder Subdivision consists of a lot line change and was unanimously recommended for approval by the Planning Commission, with no conditions. The site is located on Highland Park Road. The plan does not propose any additional lots, however a flag lot shaped parcel will be attached to the existing lands of Grace Gerber. Property pins and monuments have been installed at the site and certified by the responsible surveyor. There is an existing house on the property and a wooded area to the rear, as well as a tree row which will be consolidated to one parcel of approximately 6 acres. The rest of Lot #1 is proposed to remain as Agricultural. The right-of-way was dedicated under a previous subdivision.

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to approve the Souder Subdivision as stated.

8. BOCN Subdivision (Minor) - Mr. Wynn explained this is a minor subdivision before the Board for final approval. The plan was previously a preliminary plan due to allegations of buried oil drums on the site. The site is a former PennDot maintenance storage facility. This subdivision proposes one new building lot. Lot #1 is a 50,000 square ft. lot to be served by on-site sewage. Lot #2 has had perk tests completed, as required by the Bucks County Department of Health Planning Module procedure and is not proposed to be further subdivided at this time, although it could.

Mr. Wynn had sent a letter to DER requesting their input after they had visited the site in February or March of this year. Mr. Wynn had presented a copy of correspondence to DER for the Board's review, where DER indicated they had completed no tests on the site. Chairman Bennett was surprised at this statement, as he had been there, and tests were definitely taken.

When the Planning Commission had recommended approval of the plan at their August meeting, the outstanding items were the installation of pins and monuments, approval of Planning Modules

11/1/91

by DER, dedication of Hilltown Pike, and the ultimate right-of-way. The remaining item was following up with DER, which has been accomplished. Mr. Wynn advised action is required before the next Board of Supervisor's meeting.

Supervisor Bennington stated an unsubstantiated allegation exists, however it leaves future owners open to a bad situation if the Township does not alert them to the fact that the allegations of buried oil drums exist. Mr. Wynn commented the only information the Township has is information from a consultant hired by the property owner, who completed tests of water leeching from the bottom of the pile, indicating there were no contaminants.

Chairman Bennett explained the entire issue stemmed from allegations made by a former, disgruntled PennDot employee, who alerted the press and Hilltown Township. Mr. Wynn further commented DER did some preliminary investigations into the matter at that time. Supervisor Bennington asked if written correspondence exists to document that Hilltown Township "went the extra mile" to request that DER perform tests, and also to make DER aware that if at any time in the future someone should attempt to hold Hilltown Township liable, we would not accept that responsibility. Mr. Wynn replied the only information the Township has is the documented testing completed by the property owner's consultant, as well as Mr. Wynn's own correspondence to DER. Supervisor Bennington felt a response, in writing, from DER would be warranted. Chairman Bennett did not think DER would comply with that request.

Solicitor Grabowski suggested an additional note be attached to the plan, stating "Lot #2 was formerly used by the Pennsylvania Department of Transportation as a road material storage facility, and correspondence is on file with the Township concerning same." Solicitor Grabowski felt this statement did not suggest any impropriety that the Township can prove, though it would serve as a form of notice to future property owners.

When Chairman Bennett visited PennDot, they claimed they had abandoned the site in 1985 and the site has not been in use since that time. Solicitor Grabowski suggested Mr. Wynn and Mr. Horrocks meet with him tomorrow to draft some language that might be used as a note on the plan. Mr. Wynn informed the Board that there is not time for that, as a decision must be made this evening. Mr. Wynn suggested a note be added to the plan stating "To alert future property owners in a manner that is acceptable to the Solicitor".

Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to approve the final BOCN Subdivision plan with the conditions stated, with an additional condition (#17) language to be spelled out to prevent liability to the Township.

2. Mr. Bob Passale from Bob's Auto Body on County Line Road and Cherry Lane was in attendance to learn the proper procedure to become a part of the Township's towing operation. Chief Egly directed Mr. Passale to send him a written request and at that time, Chief Egly will advise of the requirements involved.

O. SUPERVISOR'S COMMENTS:

1. Motion was made by Supervisor Bennington, seconded by Supervisor Kelly and carried unanimously to authorize advertisement of bids for two 1992 dump trucks for the Public Works Department.

P. PRESS CONFERENCE: No members of the press were in attendance at this time.

Q. ADJOURNMENT: There being no further business, a motion for adjournment was made by Supervisor Kelly, seconded by Supervisor Bennington and carried unanimously to adjourn the October 28, 1991 Board of Supervisors meeting at 11:12PM.

Respectfully submitted,

*Lynda Seimes*

Lynda Seimes  
Township Secretary



# C. ROBERT WYNN ASSOCIATES, INC.

Consulting Engineering  
211 West Broad Street  
Quakertown, PA 18951

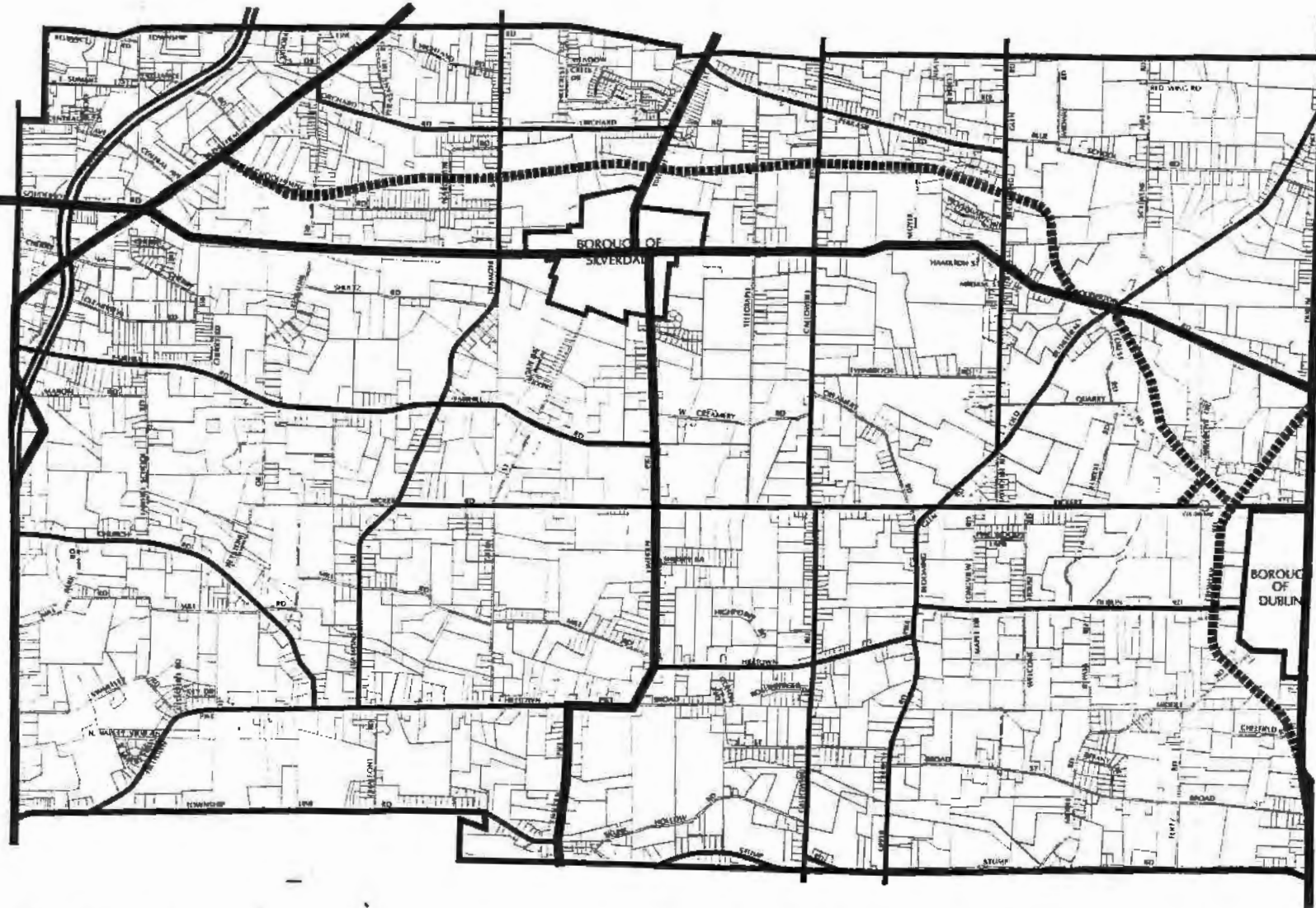
(215) 536-7547  
(215) 536-7336

Memo To: Hilltown Township  
From: C. Robert Wynn  
Subject: Escrow Release Summary  
Date: October 25, 1991






- \*1. Grass - Voucher No. 7 dated October 8, 1991 in the amount of \$54.45 for const. obs./esc. admin. for period from 7/1/91 thru 10/8/91.
- \*2. Grass - Voucher No. 8 dated October 8, 1991 in the amount of \$401.46, releasing the balance of escrow funds.
- 3. Stoneycrest - Voucher No. 1 dated October 14, 1991 in the amount of \$500.14 for const. obs./esc. admin. for period from 8/1/91 thru 9/30/91.
- 4. Spring Hill Realty (Cefelli) - Voucher No. 1 dated October 14, 1991 in the amount of \$1,182.93 for const. obs./esc. admin. for period from 5/28/91 thru 9/30/91.
- 5. Browning-Ferris Industries - Voucher No. 4 dated October 15, 1991 in the amount of \$381.58 for const. obs./esc. admin. for period from 9/1/91 thru 9/30/91.
- \*6. Freed - Voucher No. 1 dated October 18, 1991 in the amount of \$91.32 for const. obs./esc. admin. for period thru 10/18/91.
- \*7. Freed - Voucher No. 2 dated October 18, 1991 in the amount of \$2,158.68 to reduce escrow fund to 10% retainage.
- \*8. Newman - Voucher No. 3 dated October 18, 1991 in the amount of \$117.00 for const. obs./esc. admin. for period from 4/16/91 thru 10/18/91.
- \*9. Newman - Voucher No. 4 dated October 18, 1991 in the amount of \$467.78, releasing balance of escrow funds.
- 10. Hilltown Industrial Park - Voucher No. 12 dated October 18, 1991 in the amount of \$121.41 for const. obs./esc. admin. for period thru 10/18/91.
- 11. Hilltown Industrial Park - Voucher No. 13 dated October 18, 1991 in the amount of \$3,848.59, releasing balance of escrow funds.
- 12. Lotier Land Development - Voucher No. 8 dated October 18, 1991 in the amount of \$192.21 for const. obs./esc. admin. for period from 7/1/91 thru 10/18/91.

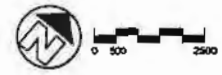
13. Lotier Land Development - Voucher No. 9 dated October 18, 1991 in the amount of \$4,589.94 to reduce escrow to 10% retainage.
14. Richter Drafting - Voucher No. 1 dated October 21, 1991 in the amount of \$43,583.20 for work completed to date.
15. Bridle Run - Voucher No. 13 dated October 24, 1991 in the amount of \$1,461.31 for reimbursement for const. obs./esc. admin. for period from 5/1/91 thru 8/31/91.
16. St. Philip's Church - Voucher No. 4 dated October 24, 1991 in the amount of \$16,219.12 for storm sewer, driveway paving, topsoil, fertilize, seed, mulch, trees and traffic protection.
17. St. Philip's Church - Voucher No. 5 dated October 24, 1991 in the amount of \$174.18 for const. obs./esc. admin. for period from 8/1/91 thru 10/24/91.
18. Orchard Station - Voucher No. 17 dated October 25, 1991 in the amount of \$249.96 for reimbursement for const. obs./esc. admin. for period from 6/1/91 thru 8/31/91.

\* FUNDS RETAINED BY THE TOWNSHIP



**Key**

- Expressway 
- Arterial 
- Proposed arterial 
- Collector 
- Local street 



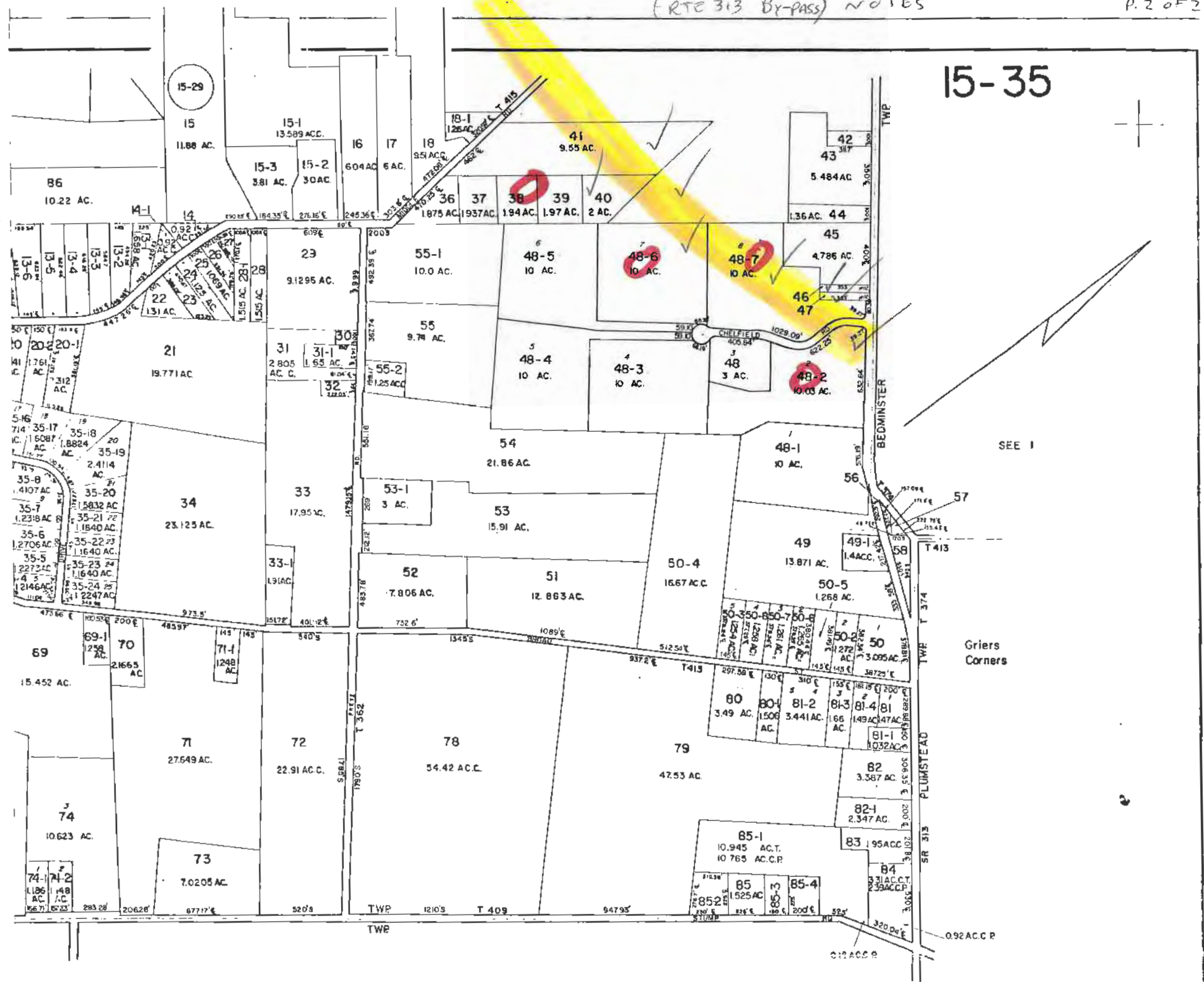
CARTER VAN DYKE  
ASSOCIATES  
*Planners/Landscape Architects*

**Hilltown Township**  
Bucks County, Pennsylvania

**Circulation Plan**

10501

# 15-35



1036E

SEE 26-4

- 32+ PROPERTIES AFFECTED
- 16+ HOMES IN PATH
- 3 AGRICULT. SECURITY DIST  
{80, 80-12, 61-3}
- SEVERAL 100 POTEN. LOWERED VALUE

PARCELS 197  
7-27-88

SCALE: 1" = 400'

15-29



Kulps  
Corners  
SEE 1-10

SEE 10-2

DUBLIN BORO

SEE 10-4

SEE 1

PARCELS 386  
REV 7-30-90

SCALE - 1" = 400'

THIS MAP PREPARED FOR ASSESSMENT PURPOSES ONLY. IT IS NOT A  
PROPERTY MAP AND IS NOT DESIGNED TO PROVIDE ENGINEERING DATA 15-29