

HILLTOWN TOWNSHIP
HEARING FOR WILLIAM J. MEHL
June 1, 1988

Chairman Grunmeier announced that a court stenographer is present to record this hearing, including all resident's comments.

This is a request for a zoning change for Parcels #15-4-11-1; #15-2-18; and #15-1-32, located between E. Summit Street and Central Avenue in a Rural Residential Zoning District. The petition proposes to rezone approximately 32 acres from Rural Residential to Country Residential to permit the construction of 88 townhouses and 6 twin homes. The owners are W.J. Mehl, W.F. Shade, and H.F. and I.B. Kratz; the applicant is William J. Mehl.

Chairman Grunmeier called the meeting to order.

Members present were: Robert H. Grunmeier, Chairman
Betty J. Kelly, Vice Chairperson
William H. Bennett, Supervisor

Others present were: John Rice, Jaczun, Grabowski & Leonard
C. Robert Wynn, Township Engineer
Kenneth Bennington, Chairman, P.C.
Jack C. Fox, Member P.C.
Vincent Pischl, Member P.C.

Mr. John Rice, Township Solicitor, read the petition (Exhibit T-1) into the record (a copy of same is attached to these minutes). *Note: "CR Community Residential" should read "CR Country Residential". Mr. Rice stated that this hearing has been advertised in conformance with the Municipalities Planning Code and also with Section 1107 of the Township Zoning Ordinance. Hilltown Planning Commission and Bucks County Planning Commission have both reviewed the petition and proposed plan. BCPC letter dated 5/11/88, addressed to the Hilltown Township Board of Supervisors and Hilltown Township Planning Commission was marked as Exhibit T-2; this letter was also read into the record (copy of this letter is attached to these minutes). In that letter, the BCPC recommends the municipality not adopt the proposed amendment until the following issues have been addressed: (1) County Comprehensive Plan; (2) Municipal Comprehensive Plan; (3) Surrounding land use; and (4) Surrounding zoning. Other considerations listed by the County are traffic impact study and environmental performance standards. Township Engineer's review letter dated May 10, 1988 was marked Exhibit T-3 (this letter is on file at the Township office).

Chairman Grunmeier stated that he spoke with Clarence Myers, Township Zoning Officer, who indicated that all persons affected in the subject area have been notified by letter of telephone calls.

Mr. Robert Bricker, Attorney for Mr. Mehl, introduced William Mehl, Mr. Kratz, Mr. Van Reiker and James Strothers. Mr. Mehl stated that his address is 670 Whittaker Way, Harleysville, PA; his occupation is "general contractor", and that he has been in that business for 15 years. He stated that he is involved with commercial and industrial developments in the Lansdale, Souderton and Harleysville areas.

A sketch plan/zoning map enlargement was presented; property borders on Rt. 309, E. Summit Street and Central Avenue. Approximate size of property is 32 acres, consisting of two parcels owned by Mr. Kratz (wooded area) and Mr. Shade (frontage on E. Summit St.); there is approximately 1200 ft. frontage on Central Avenue.

Mr. Mehl stated that 88 townhouses and 6 twin homes are proposed; with streets to be maintained by a homeowner's association. Illustrations of proposed homes were shown to the Board. Water & sewer proposed to be serviced by Telford Borough Authority. Only one access proposed via East Summit Street with no through street. Mr. Mehl stated, "I would like to put in a recreational area"; i.e., picnic area, playground, or ball field. He further stated that the auto salvage yard would be removed and that extension of sewers is proposed to the end of the property so that houses experiencing problems with failing systems could tie into the system.

Supervisor's Questions

1. Chairman Grunmeier questioned extension of sewers and asked who would pay for same; Mr. Mehl replied that he would bring the sewers to the property line so that residents with failing systems could tie in at their own expense.
2. Mr. Bennett asked if there is available sewer capacity; Mr. Mehl replied that there is.

Public Comment:

1. Kenneth Bennington, Chairman of Hilltown Township Planning Commission, asked if the zoning change is rejected and it would be necessary to develop the RR strip of 32 acres (with 32,000 minimum s.f.), how many houses would be constructed. Mr. Mehl replied, approximately 22. Mr. Bennington questioned cost; Mr. Mehl answered that, economically, it would not be feasible. Mr. Bennington asked cost of homes if CR zoning is approved; Mr. Mehl replied, \$100,000 for twins; \$110,000 for townhouses. Mr. Bennington noted the difference in total dollar value in RR as opposed to CR.

2. Ernest Reinford, 300 E. Summit, expressed his concern regarding speeding traffic and stated that "it will be unsafe" to residents.

3. A resident of 605 Hickory Avenue questioned the entrance on Summit Avenue and asked Mr. Mehl what is planned for that street; Mr. Mehl replied that nothing is planned at this time.

4. Harry Kratz, 606 Hickory Street stated that it was his impression that sewer and water would be available to residents of Hickory Street at only a "hook-up" fee. Mr. Mehl stated that sewer would only come up to that area. Chairman Grunmeier stated that there is a need for clarification -- whether extension of sewers is proposed to Hickory Street or to Summit Street. (Note: Mr. Kratz is one of the owners of subject property).

5. Fred Ziegler, 318 E. Summit Avenue, stated there is no sewer on Summit Avenue and questioned direction of sewer. Mr. Wynn, Township Engineer, indicated direction of sewer on proposed plan and stated that there is no sewer of E. Summit Street and no proposed sewer on Central Avenue. There followed discussion regarding location of sewers shown on the plan. When asked if it would be possible to extend sewer line to edge of property to allow sewer extension to Hickory Drive, Mr. Mehl stated that he would have to look into the cost. Chairman Grunmeier stated that Hickory and Oak are private roads.

6. A resident questioned whether trees would remain; Mr. Mehl indicated they would.

7. Mr. Bennington questioned whether mandatory connection would be required if sewer would extend to Central Avenue (within 150' of a resident's property). Mr. Wynn stated that Telford Borough Authority was not granted the same rights as the Hilltown Authority; and stated that (to his knowledge) mandatory hook-up was only granted to the Hilltown Authority.

Mr. E. Van Reiker, Professional Planner, 215 Old Church Road, North Wales, PA, stated he was retained by Mr. Mehl to assist in the evaluation of the site, and application and preparation of impact studies and land planning analyses. He explained the preparation of a financial analysis and stated that two alternatives were prepared: Alternate A: based on 1980 census figures; and Alternate B: based on schedule of data supplied in the Zoning Ordinance (1970 census). He stated that total resident population, upon completion of the development, is estimated to be 268 persons with total school age children of 52 (of which 45 are expected to attend public schools). There followed discussion between Mr. Van Reiker

and Mr. Wynn regarding revenues proposed to be received by the Township. Mr. Wynn stated that, after initial construction, there are no licensing or permit fees required. Mrs. Kelly questioned method of calculation regarding number of school age children. Mr. Van Reiker stated that he reviewed the Township Zoning Ordinance and Comprehensive Plan, the BCPC Comprehensive Plan and reports by the Township Engineer and the County, and studied the environmental impact of this development. He added that 60% of the area is open space, with 40% being wooded area. Mr. Van Reiker indicated that census figures were received from the Bucks County Planning Commission 1985 data. Presentation of aerial photographs of the site were shown, indicating proximity of open space and salvage yard. Mr. Van Reiker stated that he investigated availability of other CR zoned property within the Township; of 960 acres in the Perkasio/Silverdale Borough area, only 265 acres would be available for future development. He further stated that the majority of the development area will be accounted for by the year 1990, and stated that if there were to be modifications to the development district, this would be a good site for same. The following benefits to the plan were cited by Mr. Van Reiker: (1) Large amount of open space; (2) Affordable housing; (3) Termination of junk yard; (4) Extension of sewer. Chairman Grunmeier asked if the homes are mostly intended for first-time home owners and Mr. Van Reiker agreed that approximately 50% of the homes would be sold to first time buyers.

Public Comment:

1. Kenneth Bennington stated that the Township Planning Commission voted 7:0 to reject this zoning change and that it is their belief that Hilltown Township has a very large CR district. He also stated, ". . . not once did you mention the word 'hardship'", and asked why this property was purchased with the knowledge that it would require a zoning change. Mr. Van Reiker stated that the applicants felt a need for a new development area and that, instead of waiting until 1990, they are asking that the zoning be updated sooner than expected. He further stated that there are very few CR areas in the Township serviced by water and sewer. Mr. Bennington stated that the P.C. will be working on the zoning update this month and stated, "I think it should be our decision whether or not we want to change the Zoning Ordinance/Comprehensive Plan to expand the CR District".

2. Jack Fox stated that Mr. Van Reiker's statistics are "a little off", and that there is water and sewer expansion available in the Silverdale area CR District, after 1990. Mr. Fox further stated that Hilltown Township population has reached and surpassed what was expected in the year 2000 (13,200) and that there are "somewhere

between 14,000 and 15,000 people in Hilltown Township". Mr. Van Reiker replied that he relied on available 1985 BCPC information. There followed discussion regarding updating of the Township Comprehensive Plan. Mr. Fox asked Mr. Van Reiker, "As a planner, do you think it is a good idea...that this is a way to go about changing the zoning map. Spot zoning is not a good idea". Mr. Van Reiker agreed that spot zoning is not a good plan, but stated, "I don't think this is spot planning". Mr. Fox stated that there could be other uses for that area; light industrial, etc.

3. Vincent Pischl, 802 E. Reliance Road, referred to the aerial photo and asked if this project encompasses the entire salvage yard. Mr. Van Reiker stated that he could not answer that question but that, schematically, the aerial photograph is accurate. Mr. Mehl answered that the entire salvage yard is included on the property.

4. A resident and neighbor stated that Harry's Junk Yard has not been a bad neighbor. In answer to this resident's question, Mr. Bricker stated that a Homeowner's Association will own the remainder of the property; i.e., open space (unless the Township would show an interest in it). There followed discussion between residents regarding the proposed single access to the site.

Mr. James Strothers, Professional Engineer, who was retained by the applicant to prepare a site development plan, stated that he is familiar with Hilltown Township Zoning Ordinance requirements and general development of the Township. He reviewed several aspects of the plan, noting the following: (1) One access to be maintained off of E. Summit Street (he noted there is very poor sight distance on Central Avenue); (2) Sewer proposed off of Summit Street would be extended to adjacent property line with provisions for further extensions to Hickory Drive houses; (3) Stormwater management proposed to be handled by detention basins to be constructed at the north end of the property; (4) Water to be serviced off of E. Summit Street. He stated that traffic analyses were submitted to the Township; three intersections were discussed: (1) Reliance Road & Bethlehem Pike; (2) Reliance Road & E. Summit Street; and (3) City Line Road & E. Summit Street. Mr. Strothers stated that this plan meets all requirements of the CR District. There followed discussion of water & sewer availability in the Silverdale CR District. He reported that out of six parcels over 20 acres in that existing development district, two may be under consideration in the near future; two did not have available water and sewer; and two are owned by persons who do not intend to sell. In answer to Mr. Grunmeier's question regarding another access for safety of residents, Mr. Strothers answered that they could provide emergency

access to Hickory Lane and to private roads and that another entrance could be placed to Central Avenue. Chairman Grunmeier stated that there could be a problem at the intersection of Central Avenue and County Line Road. Regarding maintenance of roads within the development, Mr. Strothers stated that it would be the contractor's responsibility to restore the road to its original condition, private road would be the responsibility of private homeowners. There followed further discussion regarding the salvage yard operations; Mr. Strothers stated this is an existing non-conforming use which could be continued by another owner and which could be more of a detriment than it is presently.

Supervisor's Comments:

1. Mr. Bennett voiced his concern about spot zoning and the single access to the development which, he stated, could be a potentially dangerous situation; he also commented on the traffic situation and stated he would not be in favor of the plan at this time, but would like to review comments of the BCPC and HTPC. There being no further discussion, motion was made by Mrs. Kelly, seconded by Mr. Bennett and carried unanimously to table further discussion until the Supervisors' meeting of July 11, 1988.

NOTE: These minutes typed from taped recordings of this meeting.

Respectfully submitted,



Gloria G. Neiman
Township Secretary