

**HILLTOWN TOWNSHIP
 JOINT WORK SESSION
 HILLTOWN TOWNSHIP SUPERVISORS,
 PLANNING COMMISSION AND WATER & SEWER AUTHORITY
 April 4, 1988**

This advertised work session between the Hilltown Township Board of Supervisors, Planning Commission and Water & Sewer Authority was called to order by Chairman Robert H. Grunmeier at 7:30 P.M.

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

Planning Commission: Kenneth Bennington, Chairman
 Kenneth Beer, Secretary
 John Brennan
 Jack Fox
 Charles Barclay
 Jay Poggi
 Vincent Pischl

Water & Sewer Authority: John Roberts
 Frank Beck
 Harry Maurer

Others present: James H. Singley, Township Manager
 Gloria G. Neiman, Township Secretary
 Mary C. Eberle/Jaczun, Grabowski & Leonard,
 Township Solicitors
 C. Robert Wynn, Township Engineer

Chairman Grunmeier explained that he requested this work session with the Board's agreement, primarily for the purpose of gathering information and hearing opinions pertaining to the Brick's Villa Subdivision and any other business which may come before the Board. He requested that anyone from the general public wishing to make comments should sign the "Attendance Record".

EXPLANATION:

Mr. James Strothers (who requested by letter to be present at this work session) stated that a sketch plan (proposing 26 lots) was presented to the P.C. in 1986 for an informal opinion. Currently, the Brickajlik's have decided to develop the entire tract of 78 acres into approximately 51 houses (each lot to be in excess of 50,000 s.f.). located on the southwest corner of Rt. 113 and Diamond Street. BCPC's review of that plan recommends a cluster development rather than the 50,000 s.f. lots. The Brickajliks are not agreeable to that concept and have indicated their concern over open space maintenance. Mr. Strothers indicated that the present proposal would necessitate extension of the sewer line which would require an amendment to the Act 537 Plan and this has resulted in an apparent conflict with the Township's Comprehensive Plan. Mr. Strothers requested input from the Township Boards/Authority regarding

direction to take. Chairman Grunmeier asked where (if need be) they would cluster; Mr. Strothers replied that the BCPC recommends Diamond Street and Rt. 113 area (which is a difficult intersection). In answer to Mr. Grunmeier's question, the Brickajliks stated they have not signed up under Act 43 (Agricultural Security District).

COMMENTS - PLANNING COMMISSION (PC), WATER & SEWER AUTHORITY (HTWSA):

1. Kenneth Bennington (PC Chairman) questioned number of edu's remaining. Mr. Bahnick, Cowan Associates (HTWSA's Engineer) replied he did not have an exact count at the present time.

2. Jack Fox (PC) stated that the Comprehensive Plan (which is to be in effect until 1990) has not been followed and that sewer lines have been constructed outside of the development district. He indicated that it is his understanding that there are 275 edu's remaining. Chairman Grunmeier stated that in the Township's Act 537 Wastewater Facilities Component Comprehensive Plan, it is stated that the Telford Borough Authority and the Hilltown Township Water & Sewer Authority service the area which encompasses the RR District, and this is the area that is permitted to be developed. Mr. Fox questioned Page 35 of the Comprehensive Plan, regarding the RR District. Mrs. Eberle asked if there is anything in the Zoning Ordinance which addresses this issue, since the Zoning Ordinance would prevail over the Comprehensive Plan. Mr. Fox argued that the Zoning Ordinance is based on the Comprehensive Plan, and that the RR District should not be connected to public sewer until after the year 1990. Mrs. Eberle answered that the courts will abide by the Zoning Ordinance and asked if the basic concept of the plan is in violation of the Zoning Ordinance. Mr. Wynn replied that there are several items which have to be resolved. Chairman Grunmeier questioned what type of system should be used if they are not permitted to have public sewer and do not want cluster. Mr. Fox answered that on-site systems, spray irrigation or direct stream discharge could be used. Chairman Grunmeier stated that the majority of the commissions were against stream discharge and spray irrigation systems; Mr. Fox replied that DER is not.

3. Kenneth Bennington (PC) stated that he agrees with the Brickajliks in that he does not want to see a cluster development in that location. However, the alternative is to grant extension of the sewer line and he voiced his concern that there would be no way to guarantee it would stop there. Mr. Bennington stated that it is a "no win" situation for everyone.

4. Jay Poggi (PC) stated that, in his opinion, he would rather see a "spreading out" of the sewer lines (rather than clustering). He stated that in less than 24 months the Comprehensive Plan will be revised; and that sewers can only be extended by permission of the Supervisors. Mr. Poggi indicated that he favored larger lots, which would give a better overall appearance to the area.

5. Chairman Grunmeier questioned status of "wetlands" and Mr. Wynn indicated this issue must still be verified.

6. Jack Fox (PC) stated, "The basic thing here is do we adhere to the Comprehensive Plan or don't we?"

7. Frank Beck (HTWSA) stated (speaking for the Water & Sewer Authority) that they are against a package plant which is not feasible and too expensive to operate. He stated, "Our business is to supply these people with safe water and sewerage (facilities)".

8. Chairman Grunmeier asked Mr. Strothers what alternatives would be used if they were required to cluster. Mr. Strothers replied that they would probably put in a private package system with maintenance provided by a privately hired firm or a homeowner's association. Mr. Grunmeier stated that Mrs. Kelly, Mr. Poggi and himself have been attending seminars at Bucks County College and the instructor has stated that the Comprehensive Plan is merely a directive.

9. Supervisor Bennett questioned how many units would be provided if clustered. Mr. Strothers answered that this had not been calculated since this concept had not been a consideration. Mr. Bennett also asked if the P.C. has made a recommendation (as a group). Mr. Bennington indicated that they had not; that they were waiting for input from the Supervisors.

10. In answer to Mr. Bennington's question, Mr. Brickajlik indicated that the sewer line currently ends at the top of the hill on Rt. 113. Mr. Bennington also questioned number of lots which could be serviced with present sewer and was told approximately six lots could be accommodated.

11. Kenneth Beer (P.C.) stated his only concern is that he would like to see agreement between the Boards and the Authority. Chairman Grunmeier asked Mr. Beer (as a farmer) if he would be in favor of the 51 lot concept. Mr. Beer replied that he realizes farmers are "on their way out" and that he would rather see a nice development than to see vacant lots covered with weeds. He again stated that everyone should be in agreement.

12. Chairman Grunmeier then stated that the concensus of opinion appears to be leading toward the 51 lot subdivision. Mr. Bennett did not agree and stated that the question appears to be: Development of any kind vs. no development at this time. Chairman Grunmeier stated that the Comprehensive Plan is merely a guide; "If it has to be deviated from, so be it."

13. Mr. Poggi (PC) stated that, regardless of what the Township may want to do, there are many things which cannot be stopped and that the courts would uphold the rights of the landowner to sell and develop his land. He also stated that if a new bill (#535) passes, the Township will have no control at all. Mrs. Eberle stated that municipalities do not have the right to put a halt to construction of sewers; that developers/landowners can go to DER with a private request and the Township could be ordered to amend their Act 537 Plan. She further stated that if there is a conflict between the Comprehensive Plan and the Zoning Ordinance, the Zoning Ordinance would win.

14. Supervisor Bennett read a section from the Comprehensive Plan which indicated that sewer lines will be discouraged from extension to the RR District. He further stated that the Plan was drawn up by the PC with the help of the BCPC and approved by the Supervisors in 1983; and agreed that it is a guide, but an important guide.

15. Charles Barclay (PC) stated, "we are in violation of the Comprehensive Plan", and asked what the alternatives would be. He stated that he is not in favor of cluster developments for long range planning; but that input from all boards is needed for proper planning.

16. Jack Roberts (HTWSA) stated that the Brick's Villa property is located within the HTWSA jurisdiction. He stated that a solution must be made to the problem; since the majority are against package community plants and cluster developments. Further, he questioned since the current ordinance states all new construction must have public sewer, does it make sense to run public water without public sewer? He indicated that the Authority is in need of more water customers to adequately serve the residents. Mr. Roberts stated that the Brickajliks have already reserved capacity and paid for edu's, and that he would like to see the 51 unit development.

17. Mr. Poggi again stated that the end result of planning is appearance after the area is developed. He stated that it has to be determined if extending the sewer line is good planning, or if cluster developments, package plants or sand mounds are good planning -- that each development should be locked at on an individual basis. Mr. Fox stated that he agrees cluster housing does not make as nice an appearance and he also agreed that the water lines should go through.

18. John Brennan (PC) stated that on-site systems could be utilized for single family residences. Mr. Roberts questioned who would have the responsibility for monitoring and upkeep. Mr. Brennan stated that he is referring to a tertiary treatment system built for residences with a mini-package plant for each house with direct discharge (to field, gutter, or a ditch).

19. Mr. Wynn (Township Engineer) stated that many areas of the RR district which were proposed to have sewers by 1985 (by the Township Sewage Facilities Plan) have not yet had sewers installed. The Act 537 Wastewater Facilities Component Comprehensive Plan was written in 1980, prior to the Comprehensive Plan.

20. Mrs. Eberle (Township Solicitor) stated that a resolution passed in 1980 specifies geographical boundaries of the service area.

Chairman Grunmeier stated that it appears the general consensus of those present is, if this development is built, they would prefer a 51 lot subdivision. He asked for opinions regarding the cluster or a spread out development. Mr. Fox stated that if the development must go in, 50,000 s.f. lots would be the best answer; but voiced his concern over further extension of the sewer. Mr. Strothers indicated that if public sewer would not be available, other alternatives would have to be investigated (i.e., package treatment plant, on-site system, community system or individual plants).

Chairman Grunmeier asked for further public comment; there being none, he then asked for Supervisor's comments.

SUPERVISOR'S COMMENTS:

1. Mr. Bennett stated that if it is "an either/or decision", he would rather see 51 homes than a cluster development. Mrs. Kelly agreed that the 51 home development would be more desirable. Chairman Grunmeier then asked, "If this development of 50,000 s.f. lots would be agreeable, how do you provide sewerage (facilities)?" Mr. Bennett answered that he would reserve judgement. Mrs. Kelly asked, "If sewers went up to the Schultz property, could we stop it there; could we say no more?" Chairman Grunmeier answered that there are sewers on Rt. 113; they want to put a development across the street; if they go to DER with a private request, DER can require the Township to amend their Act 537. Mr. Wynn further explained that DER reviews the Comprehensive Plan, Zoning Ordinance, and Subdivision Ordinance and then makes a decision on whether or not the Township has provided adequate sewage facilities; DER would then notify the Township to make revisions to the Act 537 Plan to provide adequate facilities.
2. Chairman Grunmeier, with the Board's agreement, stated that the Board of Supervisors will render a decision regarding this development at their next meeting, Monday, April 11, 1988.
3. Mrs. Kelly stated that she would like to see the members of the Boards and Authority work closer together, for the good of the Township.

NEW BUSINESS:

1. Hellwarth Subdivision (T.P. #15-29-24), located on Route 113 and Forest Road, requesting extension of sewers to two lots. Chairman Grunmeier asked (due to the topography of the ground), if sewer is extended to two lots, would anyone wishing to hook up be required to put a lift station there. Mr. James Strothers answered that the two lots would need a pump to accommodate the sewer line; and that a neighbor, Mr. Fretz, would have public sewer frontage for (possibly) two lots, but that a pump would be required for access to rear of the property and any further expansion. Mr. Wynn explained that the sewer extension (for the Hellwarth Subdivision) would be serviced by long laterals coming into the manhole; sewage would be pumped from the bed to a pipe in the sewer main.

Mr. Charles Barclay (P.C.) questioned why this plan has been brought before the Board tonight. Mr. Wynn answered that the PC made a recommendation on this property and Mr. Strothers asked to be present tonight for discussion of that recommendation. Mr. James Neill, Architect, was also present and entered into the discussion. Mr. Barclay voiced his displeasure and indicated he is not in favor of any number (of lots) at this point. Chairman Grunmeier disagreed and stated that the majority of those present were in favor of a development with larger lot sizes; and that the Board will render a decision on this at their April 11th meeting. He further explained to Mr. Barclay, that Mr. Strothers is present tonight to answer questions regarding topography of ground (for the Hellwarth Subdivision); that he was asked if the sewer line is extended to these two lots, could anyone else extend without a lift station; and the answer given was "no".

Mr. Bennett asked if there were more than two lots; Mr. Strothers answered that it is a three lot subdivision, two of which will be serviced by public sewer if the sewer line is extended. If the line is extended, Mr. Fretz could then put in laterals to service the front portion of his property. In answer to Mr. Bennett's question, there would be possibility of a total of four lots which could be serviced by this extension (2 - Hellwarth and 2 - Mr. Fretz). The Board tabled a decision on the Hellwarth Subdivision until their next meeting of April 11th.

2. Motion was made by Mr. Bennett, seconded by Mrs. Kelly and carried unanimously to allow Sgt. Ashby Watts to attend the International Juvenile Officer's Training Conference in Hyannis, Massachusetts, June 26 to June 29, 1988 at a estimated cost of \$426.50.

PUBLIC COMMENT:

1. Mr. Bennington questioned status of zoning and comprehensive plan update. Mr. Singley replied that bid opening is scheduled for May 12th.

2. Mr. Brennan stated that he is not in favor of any further sewer encroachment in Hilltown Township, particularly Brick's Villa and Hellwarth Subdivisions; that other alternatives should be pursued which do not require an Act 537 revision.

3. Mrs. Kelly reminded everyone of the Open House to be held on April 16th.

PRESS CONFERENCE:

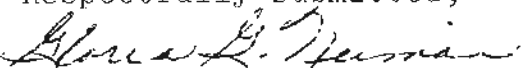
1. Mr. John Gerner (News Herald) asked the Supervisors what overall conclusions have been drawn from this meeting. Chairman Grunmeier answered that there appears to be a conflict between the Comprehensive Plan, Zoning Ordinance and Wastewater Facilities Plan, which he stated are "out of wack".

2. Mr. Bennett asked that decision be delayed until 4/25/88 Supervisors' meeting. Chairman Grunmeier and Mrs. Kelly stated they would prefer to schedule the decision, as previously agreed upon, on April 11, 1988.

3. Senate Bill 535 was discussed. Senator Greenwood has suggested that residents draft a letter, requesting that public hearings be held this summer. Residents should contact Representative Clymer's office.

There being no further business, a motion of adjournment was made by Mr. Bennett at 9:20 P.M.

Respectfully submitted,


(Mrs.) Gloria G. Neiman
Township Secretary

ATTENDANCE RECORD
 JOINT WORK SESSION
 HILLTOWN TOWNSHIP BOARD OF SUPERVISORS,
 PLANNING COMMISSION AND WATER & SEWER AUTHORITY

April 4, 1988

NAME	ADDRESS	AFFILIATION
Robert H. Gumm		supervisor
James Strothons		Strothons Assoc. Inc.
Vin Prich		BRICKSICK/Hellwirth Planning Com.
Bob Lynn		
John Buchholtz	819A Forest Rd	} tax payer land owner
Richard Buchholtz	Perkasie	
Jack C. Fox		
Frank Becht		W & S A. H.
Gloria Fournier		Secretary
May C. Falo		J. L. To Libations
Betty & Kelly		Supervisor
James M. [unclear]	Box 346, RR2, Perkasie	attorney for Hellwirth
Jay Poggi		Planning Commission
Paul [unclear]		LOTUSA
Denneth A. Bar		Sec. Planning Commission
Marye Wimmer		Tax Payer
Laci Gummier		
Vicki Gummier		
Mark A. Balmuch		- Cowan Assoc. -
Harry Mauer		Hilltop Water & Sewer
John Berner		News-Herald