

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED WORK SESSION MEETING
MONDAY, FEBRUARY 14, 2022**

The regularly scheduled work session meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:04 PM and opened with the Pledge of Allegiance. Also, in attendance were Vice Chairman James Groff, Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Township Solicitor Jack Wuerstle, Township Engineer Tim Fulmer, Chief of Police Christopher Engelhart, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS: None.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the January 3, 2022, Board of Supervisors Reorganization Meeting
 - b) Bills List – January 25, 2022
 - c) Financial Report – January 31, 2022
 - d) 2022 Fire Protection Agreement – Hilltown Fire Co.

Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to accept and approve items 3(a) thru 3(d) on the Consent Agenda as written. There was no public comment.

4. CONFIRMED APPOINTMENT:
 - a) Keith & Carolyn Peacock – 47 Yarrow Court – Fence/Shed Agreement: Keith & Carolyn Peacock were in attendance to ask for a shed/fence agreement to place a fence for their pool partly in the open space portion of their property where there is an existing shed also in the open space. Mr. Fulmer stated the development has deed restricted open space with the intent to keep the area open. The area does not have any piping or stormwater basins. Ms. Peacock stated they still have to work with the pool company on the type of fence, but they would like bronze aluminum and will make it removable if the Township deems that it must be removable. After discussion, Solicitor Wuerstle stated an agreement is not needed.
Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to accept The Reynolds Group Inc., Peacock Property, Pool Plot Plan, P-1 dated 12/4/2021, depicting the existing shed and the placement of the fence around the pool in the open space area located at 47 Yarrow Court. There was no public comment.

5. LEGAL:
 - a) Brian & Cheryl Kannengieszer – 2025 Rickert Road – Request Variance: Solicitor Wuerstle stated Brian & Cheryl Kannengieszer, 2025 Rickert Road, requests a variance to allow for a reduction of their front yard setback from fifty feet to thirty-eight feet to build two additions

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and a front porch to their single-family dwelling in the RR Zoning District. After discussion, the Board of Supervisors stated they do not wish Solicitor Wuerstle to attend the Zoning Hearing Board meeting for Brian & Cheryl Kannengieszer located at 2025 Rickert Road.

6. PLANNING:

a) 1223 Keystone Drive Minor Subdivision: Mr. Fulmer stated 1223 Keystone Drive is a two-lot subdivision involving an existing single-family house and a proposed building lot. The plan received conditional preliminary and final approval from the Board, however, the fee in lieu of street improvements was not determined at the time of approval. A cost estimate was received for the waived street improvements in the amount of \$62,500.00 and the applicant is requesting the Township consider an offer of 10%, \$6,250.00, because it is a minor subdivision. Chairman McIlhinney stated the road is in good condition and there are no curbs or sidewalks in that portion of the road, and he believes 20% (\$12,500.00) should be offered. Supervisor Torrice stated he has no issue with the 10% (\$6,250.00) and Vice Chairman Groff suggested 15% (\$9,375.00). The Board of Supervisors agreed with the 15% offer and Mr. Fulmer stated he will communicate with the applicant in regard to the offer of \$9,375.00 (15%) for the waived street improvements for the 1223 Keystone Drive Minor Subdivision.

b) Homestead Farm Subdivision: Mr. Fulmer stated, in November, the Planning Commission recommended preliminary approval for the Homestead Farm Subdivision plan proposing to subdivide the 21.43-acre tract along the north side of Broad Street into five single family lots within the RR Zoning District. The applicant made a few revisions to the plan depicted in the Wynn Associates review letter dated January 12, 2022. Mr. Eric Claycomb, Holmes Cunningham, along with the applicant, Joe Cassadonti, were in attendance to represent the Homestead Farm Subdivision plan stating everything in the Wynn Associates review letter dated January 12, 2022, are "will comply". Mr. Claycomb continued to state they have submitted for the NPDES permit, the Sewage Facilities Planning Modules, received the PNDI clearance from the bog turtle, and conducted the well study for the water impact. Mr. Cassadonti stated everything has been done and is requesting preliminary/final approval for the project. Mr. Fulmer reviewed the waivers consisting of SLDO Section 140-27.B(11) which requires residential lot depth to be between one and three times the lot width and SLDO Sections 140-28.P, 140-29.D(1) & F & G, 140-36.A which require cartway reconstruction/overlay, drainage improvements, cartway widening (14 feet half width), and sidewalk along Broad Street within the frontage of the site. Mr. Cassadonti stated the Planning Commission agreed to keep the property the way it is and widening that section would not make the street any better. A long discussion occurred involving the road improvements waiver with Chairman McIlhinney stating there is an existing curb abutting the property and, normally, you could continue the line of the curbing and pave the edge of the road to the curb. The ditch would be cleaned out and run the ditch so it would have an outflow point somewhere. Chairman McIlhinney stated he thinks the curb is going to be needed along with the ditch in front of the property. It should be taken care of and so should the paved area between the

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curb and the edge of the road. Mr. Cassadonti stated the swale works well and if they should encroach on it more, it will not work as well. Chairman McIlhinney stated the land flows to the north on a diagonal across the property about 2 ½ % so they would not be changing any of the flow characteristics by putting in a curb, piping, and paving and directing it back onto the property. Vice Chairman Groff asked about the Planning Commission comments. Mr. Fulmer stated the Planning Commission acknowledged the older development next door does have curb and widening and they did not see that it should extend beyond this frontage. Mr. Fulmer stated he is okay with the cost estimate of \$59,201.09 and the applicant is offering 50% (\$29,600.54) for a full waiver of all of the improvements. Supervisor Torrice asked if widening the road would mess up the drainage on Broad Street. Mr. Fulmer stated he does not think widening would necessarily mess up the drainage on the road but the only concern he would have would be to make sure the curb would be designed to pitch to inlet boxes placed strategically along the curb so that the water would collect into a box, so it does not pond along the curb line. If the road were widened without the curb, the water could sheet flow off the road into the shoulder and it could be designed to drain back into the site. Mr. Cassadonti stated the water drains nicely and would like it to be left alone. He continued to say it is not about the money, but it is about appearance and the rest of the neighborhood, the way it looks and the way it works. Vice Chairman Groff stated if they widen a certain section, he does not think it would look good. Supervisor Torrice stated he likes the widening but does not want Mr. Cassadonti to go through the expense of curbing and drainage to match the other site. Supervisor Torrice stated widening the road would give room for visibility. Chairman McIlhinney suggested to widen the road in front of the property and pipe the water down to the pond or put it into a swale situation between properties. Vice Chairman Groff asked with a swale out front, is it difficult to widen the road. Mr. Fulmer stated there is a shallow swale along the edge of the road and there is no water coming off the front yards into the road. Potentially, the swale could be eliminated and just grade everything into the lot. If the curb is put in, then the water coming off of the road would not drain naturally into the lot. It would be caught by the curb, and they would have to pipe the water. The Board of Supervisors agreed to widen the road and not to put in curbs. Mr. Fulmer stated he would review the plan which would generate a review letter. Mr. Fulmer discussed the approximate costs for the individual road improvement waiver stating the widening would be six feet of paving, eliminate the curb, and do a paved joint. The Board of Supervisors agreed to accept the 50% of the new cost of waived road improvements in the amount of \$16,000.00.

Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant the waivers for the Homestead Farm Subdivision except for the cartway widening, require the cartway widening along the entire frontage of the site to match the neighboring development's widening, there is no overlay with the widening but just a good joint, and except \$16,000.00 fee in lieu of the waived road improvements which is roughly 50% of the value. There was no public comment.

Motion was made by Vice Chairman Groff and seconded by Supervisor Torrice to grant Preliminary/Final approval for the Homestead Farm Subdivision including items discussed this

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evening, Wynn Associates review letters dated January 12, 2022, and February 3, 2022, Mr. Fulmer reviewing the revised plan with the road widening, and providing the Board of Supervisors with a review letter like he always does. Motion passed 2 – 1 with Chairman McIlhinney being the opposing vote. There was no public comment.

c) Bucks County Auto Care Land Development Waiver: Mr. Fulmer stated Bucks County Auto Care is an existing business located on Route 313 in the PC-2 Zoning District. There is an existing single-family home and an automotive repair building on the property. The applicant would like to add on to the rear of the automotive repair building for two new service bays and construct a detached accessory structure to store automotive parts and equipment. The applicant is seeking a waiver of the formal land development process because of the minor nature of the project. The applicant was before the Planning Commission last month in which they recommended to grant the waiver of land development. Solicitor Ed Wild, Wayne Kiefer, Showalter & Associates, and applicant, Mike Arinsberg, were in attendance to present the Bucks County Auto Care land development waiver plan. Mr. Wild stated the Zoning Hearing Board granted variances to continue the line of parking, leave the area in the back as gravel instead of asphalt, and to waive the parking spaces that would be affiliated with the storage building. Mr. Wild continued to state all items in Wynn Associates review letter dated January 3, 2022, are “will comply”. Mr. Fulmer added the Planning Commission clarified there would only be a porch lamp outside of the door of the storage building, and no increase of water or sewer as there will not be a bathroom added. Mr. Fulmer added, if the Board of Supervisors grant their land development waiver, the applicant still has to get their zoning and building permits. Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to grant the Bucks County Auto Care Waiver of Land Development contingent upon the items contained in Wynn Associates Inc. review letter dated January 3, 2022. There was no public comment.

7. ENGINEERING:

a) Bethel Tract (Hidden Meadow Phase 3) Subdivision – Resolution 2022-010 – Acceptance of Deed of Dedication: Mr. Fulmer stated the Bethel Tract is complete as all of the homes have been built and all of the public improvements, including the roadways, are built. The roadways are the responsibility of Perkasio Borough to maintain because of an agreement with the Township to plow and maintain the roads, although the Township owns the roads. The developer requests the Township accept completion of the improvements, accept dedication of the roads, and authorize commencement of the 18-month maintenance period. Mr. Fulmer continued to state: 1. The snow removal is the responsibility of Perkasio Borough. Perkasio Borough has not yet accepted dedication of their roads, however, the Developer’s Agreement states the roadway plowing will still be the responsibility of the developer during the maintenance period. By accepting completion now, the Township is not obligating either Perkasio Borough or the Township to do anything with the roads in the meantime; it will still be the developer’s responsibility. 2. There are two streetlights in the development that the Township will have to

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accept payment of the operating cost. 3. The developer will have to maintain their financial security for 18 months.

Motion was made by Vice Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to accept the 18-month maintenance period for the Bethel Tract contingent upon Wynn Associates Inc. review letter dated January 7, 2022. There was no public comment. Mr. Fulmer continued to state Resolution 2022-010 formally accepts the roadways as Hilltown Township owned roadways.

Motion was made by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously to accept Resolution 2022-010 Bethel Tract Subdivision Acceptance of Deed of Dedication of Siena Way and Connor Lane. There was no public comment.

b) Draft Zoning Ordinance Omnibus Amendment: Mr. Fulmer stated the Board of Supervisors directed him to go through the Zoning Ordinance for a housecleaning review such as conflicts with other sections, and minor language changes referring to wrong sections. Mr. Fulmer continued to state a more substantive change has to do with the forestry provisions for timber harvest. The item being removed is intended to comply with direction from the State Attorney General's Office to ensure consistency with the ACRE law. Mr. Fulmer stated Mark Sarson and Theresa Spehar provided some items such as uses that, in the text of the ordinance said that they were permitted in certain zoning districts but were misrepresented in the table of uses. Mr. Fulmer stated, if the draft ordinance were to move ahead as written, it would go to the Township Planning Commission and the Bucks County Planning Commission at the same time for review and comment. Any comments from the Planning Commissions would be reviewed by the Board of Supervisors and any changes from the Board of Supervisors would have to go back to both Planning Commissions, for a second review. Chairman McIlhinney questioned if anything was addressed in regard to width of building lots in terms of frontage of a road. Mr. Fulmer stated he did not fully address the frontage but did look at the definition. Chairman McIlhinney stated an applicant had the proper width, but at the road, he only had twelve feet. Mr. Fulmer stated he cleaned up the definition of Building Setback Line. After discussion it was stated for Mr. Fulmer to investigate and come up for setback minimum width frontage requirements in each zoning district. The Board of Supervisors tabled the ordinance so Mr. Fulmer can review the discussed items for a future meeting.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

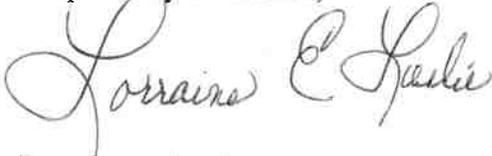
a) Scott Drumbore – H&K – Requesting for extension of hours for March for the Concrete and Asphalt Plant at the Skunkhollow Quarry: Ms. Leslie stated H&K has requested to operate the concrete batch plant, asphalt batch plant, and the crushing plant between the hours of 6:30 pm to 6:30 am, Monday through Saturday, between March 1, 2022 and March 31, 2022, excluding holidays, for the PennDOT projects per their letter dated January 31, 2022. Ms. Leslie continued to state they have not asked for extended hours in January or February. Motion was

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made by Vice-Chairman Groff, seconded by Supervisor Torrice, and carried unanimously to grant the extension of hours between March 1, 2022, and March 31, 2022, for the Concrete and Asphalt Plant at the Skunkhollow Quarry per their letter dated January 31, 2022, with the exception of striking the part in the letter in regard to "and/or private customers." There was no public comment.

10. SUPERVISOR'S COMMENTS: None.
11. PUBLIC COMMENT: None.
12. PRESS CONFERENCE: None.
13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Vice Chairman Groff, and carried unanimously, the February 14, 2022, Hilltown Township Board of Supervisors Work Session meeting was adjourned at 8:18 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and recordings and should not be considered official until approved by the Board of Supervisors at a public meeting).