

**HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULAR SCHEDULED MEETING
MONDAY, JUNE 20, 2022**

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairman Dave Christ at 7:00 PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Brooke Rush, Jon Apple, Frank Henofer, Eric Nogami, Township Engineer, Timothy Fulmer, and Township Solicitor, Jack Wuerstle.

1. APPROVAL OF MINUTES – Action on the minutes of the March 21, 2022, meeting – Motion was made by Mr. Apple and seconded by Mr. Nogami, to approve the March 21, 2022, meeting minutes as written. Motion passed 4-0-1 with Frank Henofer abstaining from the vote. There was no public comment.

APPROVAL OF MINUTES – Action on the minutes of the June 6, 2022, meeting – Motion was made by Mr. Rush and seconded by Mr. Nogami, to approve the June 6, 2022, meeting minutes as written. Motion passed 4-0-1 with Frank Henofer abstaining from the vote. There was no public comment.

Dale Ott requested that Dave Christ recuse himself from voting on the Venue at Hilltown Zoning Petition proposal because of the support he received from the applicant during his 2019 bid for Township Supervisor which created collusion. Carrie Nase-Poust objected stating the applicant is US Home LLC d/b/a Lennar and they did not sign the petition and have nothing to do with Mr. Christ running for Supervisor. Mr. Ott stated, as the landowner, the individual has the opportunity to profit based on the decision, so it clearly shows a bias towards the applicant and the landowner. Mr. Wuerstle stated this connection is not collusion, is well below meeting the standard, and recommends Mr. Christ stay involved in these proceedings as the Planning Commission is a recommending body who makes a recommendation to the Board of Supervisors. After discussion, Mr. Ott stated they will determine whether to file their own motion with the court.

2. CONFIRMED APPOINTMENTS:

a) Venue at Hilltown Zoning Amendment Petition - Carrie Nase-Poust, Esq., 174 Unit Retirement Village – Bethlehem Pike/Swartley Road: Carrie Nase-Poust, Esq., Fox Rothchild, was in attendance on behalf of the applicant, US Home LLC d/b/a/ Lennar. Comments:

- The property is along Swartley Road and incorporates seven different parcels on approximately 75 acres.
- The property is split zoned: PC-1 and RR. B7-Retirement Village is currently permitted in the PC-1 Zoning District which allows the housing type of B3 or B4.
- The applicant is proposing to develop the property as a B7-Retirement Village which will be limited to 55 or over, no school age children under the age of 18 will be permitted to reside in the house. The applicant is requesting an amendment to the zoning ordinance that would allow this use to be developed in properties that is zoned RR, however, those properties would need to be located adjacent to other properties zoned PC-1 or being developed in connection with other properties zoned PC-1.

- The use would be proposed to be by Conditional Use under the RR district which would require another level for approval before the Township requiring a public hearing before the Supervisors. The previous submission of an ordinance amendment in 2019 for a density of 194 units, with the main access coming out to Swartley Road, did not pass.
- With the current plan, the density requirements have been reduced to 174 (2.25 units/acre for B3 and 3.5 units/acre for land in the RR district being developed for B4).
- The access to Swartley Road has been eliminated.
- The main access is along Sterling Drive at the signalized intersection along with a secondary access through the commercial property on Route 309.
- Buffer requirements have been increased to 100' buffer along the entire perimeter of the property and a 225' buffer on Swartley Road to the rear of the homes along with a berm and landscaping.
- The clubhouse has been relocated which allows for a more centralized open space area within the community. Open Space was increased from 55% to 66% and reduced the impervious from 39% to 32%.

Ms. Nase-Poust reviewed the proposed Ordinance Amendment and the revisions that were made since the initial ordinance that was proposed in 2019:

Section 1: updated the Table of Use Regulations to allow a B7-Retirement Village in the RR District by Conditional Use.

Section 2: 7 (a) It would be permitted by Conditional Use in the RR District subject to:

[1] It shall be located adjacent to the PC-1 Zoning District and a portion of the property shall be located within the PC-1 Zoning District.

[2] It shall have two (2) primary access points to arterial streets, which such accesses may be permitted via easements over adjacent properties.

[3] Minimum base site area of 65 acres.

[4] Maximum density: Use B3 on the portion of the property zoned RR shall be 2.25 dwelling units per acre and for Use B4 on the portion of the property zoned RR shall be 3.5 dwelling units per acre.

(b) Any housing type in Use B3 and B4 are permitted subject to the dimensional regulations for the specific dwelling type. The ordinance was clarified stating it would relate to the dimensional regulations for those specific dwelling types.

(c) No changes were made to the Building Setbacks and Buffering other than:

[2] Minimum building back setback: 100 feet from the property line adjacent to any residential use or residentially zoned property.

[4] Remain the same but proposing if a buffer yard is located adjacent to Open Space that is at least 50' in width, that buffer could also be counted towards the Open Space requirement.

(d) [1] Maximum impervious surface: remains at 40%

[2] Minimum open space ratio: is a reduction from PC-1 currently which allows an impervious of 70% and the 40% remains consistent with the current ordinance.

(e) Identifies that one individual homeowner be at least 55 years of age with no children under the age of 18 are permitted to reside at the house.

(g) As part of the Conditional Use process, documentation will be submitted in the form of a Declaration to the Solicitor's satisfaction that there would be a restriction recorded against the property in terms of the occupancy limitations.

(i) The parking requirements are different:

[1] Off-Street Parking:

[i] 2.5 spaces per dwelling unit. Currently it is an increase from the current ordinance which only requires only 2 parking spaces be required for a B3 use and only 1 parking space required for a B4 use.

[iii] The ordinance currently does not require parking for the clubhouse facility, so they are proposing 7.5 spaces per 1,000 square feet be included.

[2] The garage may be counted towards the parking requirements. They will be required to include in the Declaration of Restrictive Covenants that the garages could not be converted into living space so that they would always be available for parking.

(k) A General Requirements section was added that the Open Space would be further restricted from further subdivision, the streets would be private and owned and maintained by the Homeowner's Association, and added provisions for exterior lighting to ensure that any lighting that is proposed would not have a glare on neighboring properties.

Section 3: The Table of Performance Standards was updated to include the Bulk and Area requirements for the B7 use in the RR District.

Section 4: Relates to woodland disturbance which is consistent with the CR-1 where B7 use is currently permitted to be developed.

Section 5: Relates to how the impervious surface is calculated. This language is the same that is in the current ordinance for Age Qualified, so this section is amended to include Retirement Village.

Questions/Comments from the Planning Commission:

- Mr. Rush - Difference between B7 and B9: Ms. Nase-Poust stated they are similar but the B9 is required to have 100 acres, is Age Restricted, but permitted to have single family detached or quad units. It is a larger site area, a different type of housing, and the age limit is the same. Mr. Fulmer stated Regency at Hilltown is zoned in a special zoning district called the Age Qualified Residential Community District. The B9 is only permitted in that district but it is an age qualified housing district that was adopted in 2007 by the Township and is the only area of the Township where a B9 can be developed.
- Mr. Apple – Regulations on required parking at the Community Center: Ms. Nase-Poust stated, currently, the B7 does not have parking regulations if a clubhouse is proposed so they clarified the clubhouse would have parking requirements similar to the B9.

Ms. Nase-Poust stated they previously proposed to not include language with regard to providing accessible housing. That was re-inserted into the Ordinance Amendment so that is no longer being proposed to be amended and will comply with the current ordinance.

Ms. Nase-Poust stated Impact Statements were submitted:

- Fiscal Impact Analysis: shows this type of development has a net impact to the Township as well as the school district given the fact there are no school age children.
- Market Analysis: There is more of a demand for this type of housing then there was back in 2019. The Comprehensive Plan notes the population of 65 and older has steadily increased from 10% in 1990 to 15% in 2014 and continuing to increase. Since 2017, the inventory has decreased significantly however the demand continues to increase. There is not much land in the B7 or B9 (Regency is sold out) that is available for this type of use.
- Comprehensive Plan: Ms. Nase-Poust stated they have confirmed that the proposal is consistent with the Township's Comprehensive Plan.
- Traffic Study: Nicole Kline, McMahon Associates, Inc., stated the biggest change from the traffic perspective is the access configuration. Any and all access has been removed from Swartley Road and there are no proposed modifications along the roadway frontage, but significant buffering is proposed along the Swartley Road frontage. The primary access point is the northern most access which will intersect opposite Sterling Drive at an existing traffic signal which provides significant benefit. PA DOT will require modifications such as road widening, pedestrian accommodations, signal modifications, deceleration lane, dedicated right lane, and a second access from the commercial area to Route 309.

Questions/Comments from the Planning Commission:

- Mr. Rush – Is the Emergency Access a planning issue: Ms. Kline stated it is both a planning issue and a traffic operations item and her perspective is, due to some of the other concerns in the community, she does not see the need to provide an emergency access to Swartley Road because there are two accesses provided to Route 309. Emergency Accesses are more restricted: not fully paved but, if it is, there are gates to ensure traffic cannot drive on it unless they have the means to unlock it and access it.
- Mr. Nogami – The definition of an arterial street and does it change over time: Ms. Kline stated arterial is a roadway classification, and it is determined based on accessibility and function in terms of serving longer trips. Route 309 is set by PA DOT and is a principal arterial roadway because it serves longer trips and not just localized trips. Ms. Kline stated she expects Route 313 and Route 113 to be minor arterial roadways. Ms. Kline stated Swartley Road can never be redefined as an arterial roadway. Ms. Kline stated any state roadway is within PA DOT and they would make the determination.
- Mr. Henofer – Was the trip generator on page 8 based on an Age Restricted Community? Ms. Kline confirmed it correlates to this type of senior housing as it is proposed.
- Mr. Apple – Trips per morning rush hour: Ms. Kline stated during a peak 60-minute period, there are 59 total trips entering and exiting the development.

Ms. Nase-Poust discussed a proposed by-right plan that the Planning Commission had asked for a few years ago that shows commercial development on the PC-1 portion which is approximately 155,000 square feet of retail space and the development of 36 single family detached market rate housing. The by-right analysis shows weekday daily trips at 6,380 and weekday morning trips would be 292.

Ms. Nase-Poust stated a land analysis was done for available land in the Township that would support a B7 use and there are two potential parcels in the CR-1 Zoning District; one being owned

by the Township and the other one does not have public water or sewer within the roads that fronts the parcel.

- Mr. Apple – stated the project that is proposed is on seven different parcels of land: Ms. Nase-Poust stated it is difficult to go through the entire Township Zoning Map and they did their best looking at larger parcels that looked like it potentially could be permitted.
- Mr. Rush – stated the text amendment is not tied to the proposed drawing. Ms. Nase-Poust discussed the Ordinance Amendment Zoning Map and other parcels that would need to gain access to Route 309 in order for the ordinance amendment to be applicable to them.

Ms. Nase-Poust stated the Comprehensive Plan states there are three arterial streets in Hilltown: Bethlehem Pike, Route 313, and Route 113.

Mr. Fulmer stated Hilltown Pike is classified by the Township Code as a major collector, so it is one level below an arterial roadway. There is only one road a level above an arterial which is an expressway, and that would be the 309 Bypass which has limited access and no roads or driveways can be put in that section of the road.

Ms. Nase-Poust stated there are other parcels that could be developed under this ordinance amendment if they secured access rights. Ms. Nase-Poust clarified it does not require 20 acres in PC-1.

- Mr. Nogami – Under the definition, it looks like there can be some RR properties combined on Route 313 if there is no minimum on PC-1: Ms. Nase-Poust clarified that area is PC-2.

Ms. Nase-Poust answered a list of prepared questions from Mr. Rush and Mr. Apple:

1. Explain desire for 3 bedrooms versus 2-bedroom housing and how this relates to existing number of bedrooms allowed for AQRC district at Hilltown Reserves. AQRC does not have a limitation on number of bedrooms. Under the B9, AQ does not have a limitation on bedrooms. It was noted there are one, two, and three bedrooms at Regency.
2. Review the proposed 35' height limit allows quad housing types similar to Lennar homes being built in Phoenixville and how this relates to existing requirement for AQRC district. The houses in Phoenixville are not Age Restricted but are three story market rate townhouses. The homes that are being proposed here will be primarily one or two story and will meet the height limit.
3. Review that both roads proposed for access onto Route 309 would be installed now and how this will affect the existing parking on the commercial uses. That is a coordination between the development and the re-development of the commercial pieces along Route 309. There is a re-development of the commercial pieces, it is not tied to their development, and they are not involved with that development. They are working with them in terms with providing access but that would be coordinated with the land development process which is much farther down the road.
4. Review sidewalks on both sides of both roads leading out to Route 309 to allow pedestrian access to existing businesses. They would be proposing sidewalks on one side on both roads.
5. Review adding emergency access onto Swartley Road at the far end of the property, as recommended by Hilltown traffic consultant. Already reviewed.

6. Review where else this new text amendment would allow this use to occur if another applicant gathered multiple properties, like this application. Already reviewed.
7. Review why the requirement that it must include 20 acres of PC-1 and how it seems very specific to this application. Already reviewed.
8. Review needs to change maximum impervious surface from 35% to 40% and how this relates to existing requirement for AQRC district. The 35% applies to the B9 use and the AQ district. Currently PC-1 allows 70% so if they were going to develop the B7 in the PC, it would be 70%, so they are reducing it down to the 40%.
9. Review information that by-right for existing AQ use on PC-1 portion and Performance subdivision on RR would be around 125 units versus 174 units (approx. 40% increase). AQ is not permitted on the PC-1 but B7 is. The density is based on what would be permitted in PC-1 and what would be permitted on RR. The PC-1 district is 24 acres, with the maximum density at 5 units per acre, the number of units is approximately 73. There is 50 acres on the balance of site, at 3.5 units per acre, comes out to 105 units. Total would be 178 and they are proposing 174. Mr. Rush stated if nothing is done with the text amendment, the PC-1 could be developed with 73 units with age qualified and a performance subdivision in the existing RR with 36 single family market rate housing for a total of 109 units.
10. Review elimination of on street parking, as required by current SALDO, and how this would affect design and review proposed street width. The Bucks County Planning Commission review letter states angled or perpendicular parking shall not be permitted along public streets but the proposed development streets will be private. On street parking will be permitted, sidewalks, they will go with more with two car wide driveways, which will bring their impervious coverage closer to or just over the 35 threshold. Mr. Fulmer stated the ordinance does not distinguish between public and private streets when it comes to designing streets; it just says streets. Ms. Nase-Poust stated the text amendment states: Streets shall have a minimum cartway width of 26 feet and be designed to accommodate emergency vehicles.
- Mr. Nogami – What was the thought process for the three bedrooms: Ms. Nase-Poust stated there is a master, a room for an office/study, and a guest room. Based on other age restricted communities, as individuals get older, they may sleep in separate rooms, and still have one additional room for a guest room. The ordinance does limit occupancy and it will be deed restricted.

b) Hilltown Friends Presentation (Venue at Hilltown) – Dale Ott: Dale Ott, 246 Mill Road, thanked the community members who came out to show their opposition to the proposal and zoning amendment rewrite. Mr. Ott also thanked the Planning Board and the Township Engineer for allowing them to present and hear the communities voice. (Mr. Ott read from a written statement that was provided, which has been labeled “Exhibit A”, and will be attached to the minutes).

Additional comments/exhibits:

Open Space calculations are aggressively inaccurate: Mr. Ott commented he finds it difficult to believe why the applicant cannot conform to the B7 requirements.

Housing Density is overly aggressive: (Plan BR-1 has been labeled “Exhibit B” and attached to the minutes), (Plan Zoning Usage has been labeled “Exhibit C” and attached to the minutes), (Plan ZC-1 has been labeled “Exhibit D” and attached to the minutes).

Local amenities for residents: (Plan DW-1 has been labeled “Exhibit E” and attached to the minutes).

The information from the applicant’s Market Analysis Report was taken from Hatfield and not Hilltown.

Faye Riccitelli, 515 Hilltown Pike, read from a written statement that was not provided and discussed the following: The Zonda Report, a graph dated January 2022 to May 2022 of Senior Community Age Requirement 55+ community listings, (“Exhibit F” and attached to the minutes), (Local Age Restrictive Communities labeled “Exhibit G” and attached to the minutes), Current New Construction Inventory chart including Regency at Waterside, an updated MLS Date Page report, pricing of the current and proposed developments, the unfair burden of the impact of a zoning change on an existing 2.5 building lot for sale on Swartley Road as it reduces the fair market value, and the new construction brochures touting the beauty of a Bucks County location depicting photos of horses grazing in green pastures or deer grazing in a field.

June Brauer, 304 Swartley Road, read from a written statement labeled “Exhibit H” and attached to the minutes. Ms. Brauer stated there is a petition with well over 1,000 residents of Hilltown do not want this type of development on Swartley Road and 170 people with signs on their lawns showing their objection.

Andrea Hunsberger, 209 Mill Road, read from a written statement labeled “Exhibit I” and attached to the minutes.

Dale Ott continued reading from his written statement (bottom of page 8 and page 9).

Ms. Nase-Poust clarified a few statements that are inaccurate, particularly as it relates to the “by-right plan” that the Friends of Hilltown have prepared.

1. Mr. Ott continues to indicate that additional property zoned PC has been acquired since the initial proposal. But no additional PC-1 Zoned land has been purchased; it remains to be the same parcels that have continued to be proposed. The biggest concern with the proposed by-right plan that they show is not accurate. It proposes that the entire property zoned PC-1 be developed by-right. Ms. Nase-Poust continued to discuss the plan stating her client only has control over a portion of the plan and the other portion is not proposed to be developed nor does the client have any interest in that property. The diagram does not accurately reflect what her client would be otherwise permitted to do by-right. Additionally, the area is wooded, and, on her client’s plan, they have that area to be preserved as woodlands. The opposition has continued to raise concerns with the density that is being proposed of 174, yet they would prefer to see their by-right plan, if it could be developed, with 171 units and the 36/38 singles, it would be over 200 units with access onto Swartley Road.

2. Regarding the Bucks County Planning Commission review letter dated June 1, 2022, the letter states: On its surface, the proposal is inconsistent with the Comprehensive Plan . . . however, we further note that the township comprehensive plan references RR Rural Residential parcels adjacent to PC-1 zoning district in stating that “there may be an opportunity for redevelopment involving multiple parcels bordering Route 309/County Line Road and along the northern side of Swartley Road.” Because this proposed amendment is clear in its aim to affect only Rural Residential zoned parcels adjacent to the PC-1, including those referenced in the Township’s Comprehensive Plan, we find it to be generally consistent with the Township’s Comprehensive Plan. Ms. Nase-Poust wanted to clarify on the record, that the Bucks County Planning Commission’s recommendation is that it is, in fact, consistent with the Comprehensive Plan.

Dale Ott stated the applicant is proposing their proposal to only occur in the PC-1 property. The landowner that is wishing to develop wants to segregate, the individuals that is going to come to the Board and have a plan, they are stating that it is being developed by others. However, the applicant has been before the Planning Board and has stated themselves that they have acquired the property at Helm Fence, and he can produce the meeting minutes.

Ms. Nase-Poust stated she represents the applicant. The applicant is not the landowner; she does not represent the landowner. She is not familiar with any statement that indicated the Helm parcel has been acquired. It has been acquired by a different entity that she is not involved in. Lennar has been in communication with the new owner of the Helm Property, specifically to address an access easement to Route 309 which will be necessary along Sterling Drive. The applicant who has brought this petition, does not own the Helm property, has not acquired additional PC-1, and does not have rights to that portion.

Planning Commission Questions:

Mr. Henofer – What is Dale’s expertise on the parking, commercial development parcel, increased cut through, open space calculations, etc. and does he have anything professionally? Dale Ott – he works for an architectural engineering firm and, several residents and himself, went through with a fine-tooth comb. The plan has no notes on what Open Space is considered, no calculations, and does not conform to the B7 requirements. Ms. Nase Poust – The Open Space calculations satisfies, what they believe, the Ordinance Amendment. Open Space calculations, impervious, stormwater, etc. will need to comply as they go through land development.

Mr. Rush – They are dealing with a text amendment. The drawing is a visual sketch representation of where they are at. Mr. Ott – they go hand in hand.

Mr. Henofer – One of the things he is struggling with is where is the proof that it is going to be bad for the community, ex. The fire company. Mr. Ott – they are showing the inconsistencies.

Mr. Apple – He has been doing this for 44 years and nothing has come before them that has had more thought put into it. It happened with Home Depot, Wawa, etc. He would love to see this community stay as residential, but property owners have the right to develop their land. The Planning Commission has to look at that right given to the property owners and come to a reasonable conclusion that works. Planning is very important and there is not a lot of age restricted housing left in Hilltown. The information from the Hilltown Friends was too over the edge and

too much about it is not true. Mr. Ott – Every individual in the Township has a right to develop their property by-right. This developer is overreaching and he discussed the applicant's plan. Mr. Apple – The key is Age Restricted and that makes a huge difference in generated traffic. Mr. Ott – The applicant is proposing 151 houses in RR that normally would hold 36 which is 4.7 times the amount of houses allowed. There is only 1/3 of the property that actually occurs in the PC-1.

Mr. Nogami – Stated it was determined that if the applicant does by-right, they have the option to develop the PC-1 in the B7 with 73 units, and the 36 units in the RR, so they would have the ability to install 109 units without any restrictions to the road, and asked it that was preferable. Mr. Ott said it was preferable even though the traffic would go to Swartley Road for the 36 homes and the remaining traffic would go to Route 309. The original proposal, by-right, had daycares and they proposed the worst-case scenario for the PC-1 business unit that could go in there. They do have the ability by-right to create what is being proposed.

Mr. Nogami – In defense of Mr. Christ, this is a voluntary Planning Commission. Mr. Christ is top notch as far as he is concerned. As originally stated, they are making a determination on the Zoning Amendment. They are not approving the plan. They would be making a recommendation to the Board of Supervisors who will be making the final decision. The Planning Commission is just an advisory committee.

Mr. Christ – To his recollection, when the text amendment originally came before the Planning Commission, he made the motion to recommend the text amendment as submitted. No one seconded the motion. Mr. Nogami made a motion to recommend a lower density (approximately 125) which was seconded, voted on, and that motion passed. It then went to the Board of Supervisors, who made at least two if not three motions, none of which were seconded so there was never a vote. Mr. Torrice clarified there was only one motion that was not seconded.

Mr. Rush – This presentation with the Age Qualified Community has merits to it. If it were a one for one thing where it was the same by-right for regular housing versus an age qualified, to him, that would be a no brainer. Everybody would agree, if it were the same number of units, and had a chance of having less children then having more, everybody wins. It would be more of a benefit to the Township with the lessor number of children. The Bucks County Planning Commission has been well known for their position that they support this kind of stuff where it can be as much as five times as many. He believes the number is around 110 or 109 and the applicant is at 174. To him, it is all about a density number. An applicant will always come in and stretch as far as they can.

Motion was made by Mr. Rush to recommend the text amendment with closer to 150 units, with adding the adjustment for the maximum density. Mr. Nogami seconded the motion adding the arterial road be named "major arterial" and adding a cap in the three-bedroom units to a maximum of 20% and the rest of the units be two bedrooms.

Mr. Fulmer stated, currently, in the Code of Ordinances, the SALDO has the following street classification criteria: Expressway, which is just the Route 309 Bypass; Arterial Roads which are Bethlehem Pike, Route 313 and Route 113; and Hilltown Pike is a Major Collector. The definition of "Arterial Road" for Bethlehem Pike will suffice.

Discussion ensued regarding the number of three-bedroom units.

Amended motion was made by Mr. Rush and seconded by Mr. Nogami, to recommend the cap in the three-bedroom units to a maximum of 33% and the classification of Route 309 to remain at arterial road.

Mr. Henofer - stated he struggles with the density. He really likes what the applicant has done by coming out to Route 309 and not going out to Swartley Road.

Motion was made by Mr. Henofer to reduce the density and recommend 110-125 units. The motion did not pass due to the lack of a second.

Public Comment:

Chuck Kulesza, 2112 Diamond Street, stated he challenges the Public Comment time, and commented on the Bucks Planning Commission review letter dated 6/1/2022, and fix the bridge.

Ed Krylow, 1235 Mill Road, commented to keep farm country and horse county.

Marilyn Eitreim, 404 Hilltown Pike, commented about the effect on traffic on Hilltown Pike, and the proposed development is in a residential area.

Harry Brauer, 219 Longview Road, commented about water, sewer, storm drains, run off, and taxes.

Carl Wagner, 601 Hilltown Pike, commented the Planning Commission is elected, and they represent the residents as the taxpayers, and do their job with fairness and right.

David Housel, 15 Loni Court, commented about density, impervious surface, parking, and roads.

Charles Brauer, 304 Swartley Road, commented about the design, number of houses, it is less than desired, and the Planning Commission should make a motion to deny.

Azlyn Beck, 514 Keystone Drive, commented to keep the integrity of Hilltown with the way that it looks: rural setting, farms, and agricultural.

Michele Tyson, 340 Mill Road, commented this developer and landowner was trying to obtain her parents old farm and expand this development further, do not re-write the ordinance, the damage it is going to do to the wildlife, and it sets a horrible precedent.

Sarah Casanova, 218 Mill Road, commented she is against re-writing ordinances that projects the land, the increased traffic, and light pollution.

The amended motion carried 4-1 with Mr. Henofer having the opposing vote.

3. PLANNING: None.
4. ORDINANCES/RESOLUTIONS: None.
5. OLD BUSINESS: None.
6. NEW BUSINESS: None.

7. PLANS TO ACCEPT FOR REVIEW ONLY: None.

8. PUBLIC COMMENT: Chuck Kuleza, 2112 Diamond Street, commented there is an opportunity to repair the bridge on Swartley Road and maybe a developer can help to get that done. Charles Brauer questioned the advertisement of the July 6, 2022, hearing and stated it was not on the website calendar. Mr. Wuerstle stated the entire ordinance was advertised and posted for the June 7, 2022, hearing. At that hearing, it was continued to July 6, 2022, and there is no requirement that it be advertised again.

Dale Ott, commented on the reduced traffic on the bridge.

Mary Tyson, 342 Mill Road, questioned the water supply and sewage treatment plant for the units. Mr. Fulmer stated North Penn Water Authority will provide public water service and Hatfield Township Municipal Authority will supply the sewage service.

9. PLANNING COMMISSION COMMENTS: Mr. Christ stated he takes offense to the suggestion to abstain. He continued to state he volunteered for the position ten years ago. He was appointed, along with Mr. Nogami, by the Board of Supervisors. Three years ago he decided to run for Supervisor in the Primary, as a Republican, and submitted his petition to Bucks County. Mr. Rosenthal, along with his wife, was gracious enough to sign the petition. His campaign, as stated on his financial statement, was fully paid for by himself. He spent about \$1,300.00 on his campaign and did not except a dollar from anybody outside. Caleb Torrice received two-thirds of the vote and he was gracious for the 25% of the vote he received.

Barbara Geitz stated she was involved in the campaign and asked Mr. Christ if Mr. Rosenthal pushed for him at the campaign and put signage out at the polls. Mr. Christ stated that Mr. Rosenthal did, that was not illegal to do, and why was there an accusation that he should recuse himself because what took place at a campaign three years ago was perfectly legal. Barbara Geitz stated the comment was from Dale Ott.

Dale Ott, stated the petition showed that Mr. Rosenthal solicited signatures for Mr. Christ and therefore, supported his effort. He continued to state there is nothing illegal about it. The point that was made was that there is a relationship between Mr. Christ and Mr. Rosenthal. Mr. Apple stated this is a small community and there is a lot of interlinks everywhere.

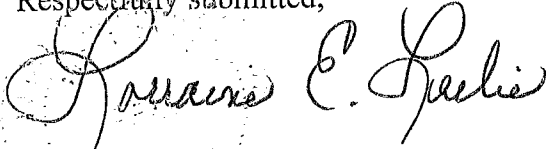
Caleb Torrice, 1104 Upper Stump Road, stated he ran against Dave Christ three years ago. At the time they had a difference of opinion on certain items. Since that point, he has worked with Dave Christ for three years and he is a stand-up guy. There is no nonsense going on with the Supervisors. The whole issue of conflict of interest needs to be put to bed. He is a stand-up guy, has done a great job with the Planning Board, and appreciates his service. Mr. Christ thanked Mr. Torrice.

10. PRESS CONFERENCE: None.

11. ADJOURNMENT: Upon motion by Mr. Henofer, seconded by Mr. Nogami, and carried unanimously, the June 20, 2022, Hilltown Township Planning Commission meeting was adjourned at 10:42 PM.

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Planning Commission
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Respectfully submitted,

A handwritten signature in cursive script that reads "Lorraine E. Leslie". The signature is written in black ink and is positioned above the printed name.

Lorraine E. Leslie
Township Manager/Treasurer

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

Bullet point for the Hilltown Planning Board

I would like to thank all the community member that have come out tonight to show their opposition to this proposal and zoning amendment rewrite. I would also like to thank the Planning board and township engineer for allowing us to present and hear the communities voice. I would like to apologize if some of the items presented are redundant, please bear with me.

Hopefully each of you have had the opportunity to review each of our items outlined in our reports submitted to the township regarding this proposal and considered each of them. In the interest of time allotted to use here tonight we have several presenters that will address several issues noted in this report.

- **Future Commercial Development Parcel** – The notion that having residents enter a community development through a commercial parking lot from route 309, creates a multitude of safety issues and an adverse impact for the residents, customers to the commercial buildings and pedestrians. The businesses don't want the residential traffic, and the residents don't want the business traffic. This design is like having to navigate through the Walmart or Costco parking lot each time you enter or exit the development. This creates problems with first responders' access to the development. Extremely poor design.
- **Increased Cut-through Traffic on Swartley Road** – The proposed development plan of the commercial property along 309 shows an exit from the commercial property onto Swartley road. This entrance will be utilized by residents to access their housing units, and by customers to the proposed commercial buildings. This access does not eliminate any of the safety concerns that were addressed previously regarding the one lane bridge, the structural integrity of the bridge due to increased traffic and type of vehicles attempting to utilize it, Signage, speed limits, line of sight and many other safety issue along Swartley Road from increased traffic.
- **Parking**- The applicant is requesting that (3) bedrooms be allowed in these B4 housing units (this is a rewrite from our current ordinance that currently only allows 2 bedrooms for this development type). Three-bedroom units require 3.5 spaces of off-street parking. The plan does not indicate how these parking provisions will be met for these units. There is no parking provision for guests visiting. Where are guest expected to park?
- **Accident at Traffic Signal at Route 309**– If there were an accident at the proposed traffic signal on 309, how would first responders or anyone be able to enter or exit the development? Traffic would back up on 309, well past the second access road, and there would be no means for access to or from the development. Turning radius for the roads entering the development seems difficult for a fire truck to navigate.

- **Open Space calculations are aggressively inaccurate** – The calculation used by the applicant to arrive at open space acreage does not follow the guideline of the township ordinance 160-56 through 160- 60. The applicant has developed their own rules and means to calculate open space that includes ALL, non-impervious services into their calculations. This is why “Section 5” has been added the “Zoning amendment”. This is giving the applicant the ability to calculate Open space differently than what is currently required. This proposed plan also does not meet the design criteria or standards set forth by the township ordinance 160-56 through 160- 60. If everything is considered open space, one resident could host a party outside of another residents dwelling. The applicant should be required to submit a plan that specifically identifies all land to be considered as “OPEN SPACE” so that these calculations can be validated. The submitted plans by the applicant does not show any identifying boundaries of open space areas or identify any recreational land. This plan is not in compliance to the townships chapter: 140-61 Subdivision and land Development section (j). (Copy attached)

- **Housing Density is overly aggressive** – Nothing has changed from the applicant’s previous proposal. The applicant is still attempting to establish 174 units on the same acreage as previously proposed. This is the same density made by the applicate at their final appeal to the Hilltown board of supervisors at the previous submission when it was rejected. The applicant has now eliminated the B3 housing type from there proposal, and now only proposing B4 housing types in the development that allows for a higher density and has also removed (1) acer of RR-1 property from their proposal, so they have essentially INCREASED the density. They have now added quad units to the proposal. While the total number of houses remains at 174, the introduction of quad units and latest design to increase buffer space has moved all buildings closer together.
 - The applicant has done nothing to address the township planning boards previous recommendation on density.
 - With the removal of the B3 type units from the proposed plan, this seems to remove all single family detached form the plan, yet single units are still shown on the plan. Will these change to the townhome and quad units later?
(See attached plan BR-1).
 - The applicant has the means and ability to create this proposal “by-right” with the usage of the existing PC-1 zoned property, but still chooses to ask for special permission and conditional use for something that can be achieved by right.
 - The applicant has acquired additional PC-1 property since the previous proposal submittal that would make it even easier to achieve a “by-right” plan, but again choose to ask for relief for something that can be achieved even easier now by-right.
 - The proposed site plan shows a proposed “line-up” configuration of the proposed townhome units. This configuration is not in compliance with the township ordinance 160-23 B residential use types – [7] B4.4.7 Townhomes, that states the “line up” appearance should not be emphasized.

- **(see attached Zoning Usage Plan)**

- The applicant's proposal plan FAILS to incorporate the existing PC-1 property as high density housing by only incorporating 23 units within but proposes 151 units in the RR-1 zoned property. The PC-1 property is zoned for this, and the proposed plan choose to exploit RR-1 zoned property with high density without utilizing the PC-1 property for high density of units.

(see attached ZC-1 Plan)

- The applicant is asking to double the depth of the PC-1 activity along the 309 corridor from what is existing today. The proposed site location currently has a PC-1 zoning available that is as deep off the 309 corridor as the existing Walmart. There is no justifiable reason or need to expand this to double the depth of the PC-1 zoning.
- The Regency at Hilltown has a housing density of 1.46, the Limekiln development has a housing density of 2.27. A proposed housing density by the applicant of 3.88 is inappropriate and unjustified.
- This proposed housing development and housing type does not match the surrounding neighboring properties and housing types.
- This development will bring down the neighboring property values, not provide a place/location where people want to live. Why should neighboring property owners suffer so that developers can prophet? This is NOT an improvement to our community.

• **Bucks County Planning Board Recommendation** – The June 1, 2022 Board meeting of the BCPC have identified several issues with the proposed development and zoning amendment.

- The proposal is inconsistent with the Hilltown (2019) Comprehensive plan.
- Site Capacity calculations – The planning board recommends that all impervious surfaces be accounted for in a proposal of this size and the exemption the applicant is asking for could create considerable issues. This exemption should be denied.
- The board identified that the housing types proposed “The variety of housing types appear to be offered to serve THE DEVELOPER’S OWN INTEREST, RATHER THAN THE PUBLIC’S.”
- The proposal is not consistent with the township’s Act 537 plan.
- Perpendicular parking shall not be permitted along public streets as proposed.

• **The amenities for the development** – The Amenities for the development are not sized appropriately. The swimming pool, tennis court and meeting house are not sized appropriately for the number of residents. One cannot imagine that on a hot summer day, this pool would be able to accommodate all the residents that wish to utilize it. These amenities are included in the proposal not to be functional, but simple to meet the requirement of the ordinance. This is not a functional design.

- **Housing types** - The applicants submitted rewrite of the Zoning- Section 160-23.B(7) B7 retirement village requirements: states any type B3 and B4 type housing is permitted. The applicant has chosen to submit only B4 housing types in order to create the highest density possible.
- **Housing units with basements** – What means of egress from the basement will be provided as the unit are so close together, can this egress even be accommodated? What provisions will be put in place to prevent the conversion of a basement into a bedroom or living space?
- **Clarification of Plan Notes** – The applicant needs to clarify the statements made in Plan note number 2.
Note 2- Needs clarification on how these density numbers are calculated and achieved. These number suggest that since the PC-1 zoning allows 5 DU/AC and RR-1 allows 3.5 DU/AC the entire site should be averaged even though only 1/3 of the property is zoned PC-1. This portion of the property on the proposed plan has 23 units that equates to a density of .947 DU/AC.
- **Outside living area** – The proposed deck area outside of each unit is so small, there is not enough room to incorporate a BBQ grill and a table and chairs. Then one must assume that the air conditioning units will be placed next to this deck area. There is literally no room to utilize this outdoor space. Is there a fire code to even allow BBQ grills in this close proximity?
- **Site Lighting** – Site lighting is of Great concern of the surrounding neighbors. We are currently dealing with the glow of Walmart. With the addition of streetlights, residential lights, clubhouse lighting, car headlights, what will be done to eliminate this offensive glow, glare and direct lighting issues?
- **Local Amenities for residents** – The lack of existing established business, further argues that the proposed site is not the appropriate location or size for the proposed development. One cannot consider a development of this magnitude without having established business that would support this age restrictive community. (**Please refer to the Drawing DW-1 in our submittal**) The Del Web development on forty foot road, has established businesses: home center, grocery store, restaurants, bank, auto parts store and drug store all within walking distance. And is an appropriate location for this type of development. This proposed site has nothing to support it. The fact that other PC-1 property is being developed by others, does not decree what type of business will ultimately set up in this location or will be established for the long term. Across route 309 from this proposed site, we have a warehouse that was constructed that remains empty. This scenario of approving a development prior to having established appropriate business that would support it, is putting the cart before the horse. It is more like putting the cart out there, not knowing if you

even have a horse. We currently have empty business stores in the Walmart Hilltown crossing center that remain vacant.

These stores have easier access, safer conditions, and easier parking flow than what can be provided at these proposed commercial locations. We can't fill the existing available business spaces; how can we expect these proposed commercial buildings to become viable established business that are appropriate to support this age restrictive lifestyle? The business across Swartley road on route 309 are: a Deck contractor, Carpet store, Tattoo and piercing parlor, MeatWagon BBQ, and Domino's Pizza. These certainly do not support the proposed age restrictive development, and only more of the same type would be attracted to the proposed commercial buildings. The Bucks County Planning board report of Dec.11, 2018 for this previous submitted proposal, specifically says that these types of developments need to be located near where "necessities services and infrastructure exists" that would be supportive of this age restrictive lifestyle. We clearly do not have that situation here and it appears that given the limited PC-1 property proposed for commercial business and configuration, that this cannot be achieved.

- **Traffic stoppage on route 309** – The current situation with the existing traffic signal at sterling drive and Route 309, only stops traffic on 309 when a vehicle triggers the signal from exiting the Helm fence property, or when vehicle attempt to make a left turn from sterling drive north bound onto 309. With the introduction of 949 trips per day as noted by the applicants traffic study, from the proposed development, the stoppage of traffic on 309 will create undue congestion and traffic back-ups to an already overly congested route. The applicants (Table -6) of their traffic study suggest that there will only be a 6.8 sec. increase of delay to traffic on 309 if this development is constructed. This in itself is unrealistic. The numbers on this table is speculation at best, as the applicants traffic study states that the signal located at the Hilltown crossing access operates with a non-NEMA phasing system and therefore can not be coordinated with any signals along 309. The applicant has chosen to amend their traffic study, as apposed to generating a new study. The amended version does not denote where changes have been made to the original. It is therefore difficult to understand what is current and what is old. Appendix G traffic flows seam to have been revised, but all show site access off Swartley road that is not part of this proposal, and no data regarding the secondary access to the site through the round-about route via the commercial business entrance. This traffic summary should be resubmitted in a format that usable and pertinent to this current proposal.
- The proposed access to the development off of route 309 at the traffic signal, creates many safety issues. When the traffic light allows vehicles to enter the business parking lot from those traveling on route 309, there will be numerous vehicles following each other attempting enter the parking lot. If pedestrians or other vehicles are blocking the entrance from the round about, this creates slow in traffic, and dangerous situations. Also is this accessible by a fire truck. This is a dangerous configuration to access a parking lot in this tight configuration. How can you do a traffic impact study without knowing the configuration of the entrance and what the vehicles are traveling through to

get to this development? All commercial vehicles servicing these businesses will utilize these entrances creating hazardous safety conditions.

- **Market Analysis report** – The report submitted by the applicant titled “Site Report – Bethlehem Pike & Swartley Rd, Hilltown Township, PA 19440” that was produced by “Zonda” has no valid information as it relates to this proposal. The document extremely difficult to interpret. How does the sale of a house constructed in 1962 relate to this proposal? Does this document indicate that the proposed housing type are down 9.8% as indicated on the first page? What relevance is the crime rate of 10.61% ? is this expected to increase if this housing development is allowed? This document and data is ill-relevant, and does not support the need for this proposal.

- **Fiscal Impact Summary** – The price points suggested by the applicant for each type of unit is overly aggressive and extremely optimistic, given the proposed amenities, housing types and density. There is no evidence to support these price points. The revenue table does not break down the expenditures used. It is impossible to validate these calculations.
 - The applicant assumption on 5 and 10 % annual transfuse tax will add to the revenue is unrealistic as these percentages are not consistent with the re-sale percentages of other age restrictive communities in the area to be only 3% annually.

 - The applicant claims the proposed development consists of relatively high value homes. This is contradictive to the applicants previous submitted financial impact statement that stated that only (2) age restrictive developments in the area were found to be INFERIOR in value and amenities. One of these referenced developments was in north Philadelphia. This indicates that these proposed unit will be of lesser quality. More difficult to re-sale, and with row home designs units, create a low-income housing atmosphere that is detrimental to surrounding properties. The proposed housing types do not match or compare to neighboring housing types in the area. This would bring down the neighboring property values as this would not be an area where others would want to live next to.

 - Please note that this submission of the applicant’s impact Summary is an UPDATE to the original proposal. This data reported by the applicant was taken from the 2003 American Housing Survey of the U.S. Census Bureau. This data is over **19 years** old, and can not be considered accurate. The applicant request that you refer to the previous reports for the full analysis. This previous report also states (Page 16) that this development would improve wildlife habitat, but then mentions that the environmental impact is MODERATE and needs to be managed. (It can’t be both) Nothing in this Impact study can be analyzed or validated. The applicant should submit a completely new version of this impact summary, so that the township can validate data and substantiate the claims made by the applicant.

 - The applicant suggest that the projected total number of residents is to be 246. This would make the overall percentage of occupancy of 1.41 per unit. I need the board to understand how unrealistic this assumption is, along with all the other projected data in

this report. For this number to be accurate, this would require 101 of the housing units to house only (1) individual, and the remaining 73 units to house (2) individuals. $73 \times 2 = 146 + 101 = 247 / 174 \text{ units} = 1.41 \text{ ratio}$. This is simply unrealistic projections. If some units house 3-4 individuals over the age of 19, how many units need to have (0) individuals in them to meet this proposed average? If only 1-2 individuals are proposed to occupy these dwellings, there is no justification or need to provide units with 3 bedrooms. If 1.41 individuals per unit is the number used to calculate traffic trips for the development, the trip generator in the traffic study proposed by the applicant is inaccurate and highly underestimated as well. It is unrealistic to believe that 101 of these units would house only (1) individual, this indicates that all calculations by the applicant are in question, regarding revenue assumed and expenditures required.

- The applicant suggest that no school age children will be added to the district because of this development. This statement is very untrue. This development would allow over 5 time the housing units then that currently allowed in the RR-1 zoning. If this development was allowed to be constructed, those individuals that are in the township 55+, empty nesters, and occupy a 3-4 bedroom would relocate to one of these development units, thus allowing a single family with children to move into the township and increasing the school age children into the district that would have otherwise not entered if the 55+ couple stayed in their existing home. We could potentially introduce 5 times the school age children into the district that what would be added by constructing 37 by right quality homes on the RR-1 zoned property.
- **Rewrite of township ordinance** – The township should reject this ordinance in its entirety as it is written to specifically to meet the site conditions and circumstances of the proposal being submitted by the venue at Hilltown. This is a developers attempt to rewrite our township ordinance to specifically fit their proposal needs. The rewrite creates an ordinance criteria that is so specific to the proposed plan of the venue, that these conditions can not be met in any other area of the township. This opens the door for law suites on the township as these parameters can not be achieved by someone else looking to develop under this ordinance. It also creates president for everyone to follow when dealing with limiting factors in development regardless of the ordinance requirements, and that they should simply rewrite the rules to suite their desire regardless of the implications.
 - 7(a) [1] – this is an add to the original ordinance that specific to this proposed development and creates unnecessary restrictions.
 - 7(a) [3]- This added section is in direct conflict with section 7(j) and section 7(a)[1]. Section 7(j) could therefore never be applied.
 - 7(b)- this section has been modified to state that if there is a dimensional conflict between the B3 and B4 that the B7 use shall prevail. This creates a loophole where the B7 maximum height allows 75 feet for B4 unit types. This language needs to be scrutinized very carefully prior to any consideration.
 - This section has been rewritten to now include (3) bedrooms within ANY dwelling unit. Three bedrooms are not needed or required in a retirement

community. This promotes younger persons over the age of 18 living in these unit, and not conducive to the retirement lifestyle, or to the statistics proposed by the applicant in all of their calculations or occupancies ratios. The meeting minutes from the Monday August 26, 2019 Hilltown Supervisors Meeting, 4 b) Chairman McIlhinney stated two-bedrooms units were sufficient, and should be 35 feet maximum height.

- Please validate the statement here “and not more then 35’ in height UNLESS conforming to the requirements of use B4” This should be removed as the definition is vague and unclear what will be used. There are areas in the B4 housing types that allow for 75’ heights. This language needs to be removed.

- 7(d) [1] – Maximum Impervious surface of 40% was added and should be removed along with “Section 5” added by the applicant to the rewrite. This is an attempt to apply standards from a different housing type (B-9) that is less stringent to impervious surfaces due to the criteria and factors of that housing type. The applicant should submit a proposal under the B-9 development type and conform to those requirements, not rewrite our ordinance to meet their wishes for a proposal that doesn’t work.

Section 4. - The applicant is amending this ordinance to include the B-7 retirement community so that this proposal does not have to conform to the open space requirements set forth for this type of development. The B-9 development type has immensely different criteria then what is being proposed. But now the applicant is attempting to now qualify under the restrictions applied to this development type. This section needs to be removed. And the applicant’s ordinance rewrite denied in its entirety.

Section 5. - The applicant is amending this ordinance to include the B-7 retirement community so that impervious surfaces are removed from the ratio calculation. This relief is not applicable for this development type; or this proposal where there is an abundance of acreage, and the impervious surface needs to be accounted for. There are no hardships that the applicant cannot abide by. Any so-called hardships are created by their own over aggressive design and attempt to maximize density on the site. The applicant is again attempting to now qualify under the B-9 restrictions applied to that development type. This section needs to be removed. And the applicant’s ordinance rewrite denied in its entirety

The Planning board has the responsibility to protect its residents from this type of overreaching, over aggressive development. It needs to hold the best interest of its residents in mind and is responsible for the health, welfare and safety of the public, and not the profit an out of state developer or one individual.

As stated before. The applicant has the means to develop this property and achieve the same number of housing units by-right but refuses to incorporate the PC-1 zoned property accordingly and refuses to propose such a plan. There are other areas in the township Tax Parcel No. 15-011-064 that this development can be accommodated by-right identified by the applicants own report, and this proposed site can also accommodate the proposal by-right. There is no justification why the township should allow special privileges to this proposal and should deny this zoning amendment and proposed plan in its entirety. The applicant chooses instead to exploit the RR-1 zoning property prior to utilizing PC-1 property as it is intended. The applicant expects the residents and the township to make compromises and exceptions for their over aggressive proposal and expects the residents and future generations to live with the ramifications. This market type is over saturated. There is no need for this housing type as there are currently over 1,430 new construction units available locally that provide a better value, safer traffic conditions and have more appropriate options and local amenities. **(See attached plan titled: "Local Age Restrictive Communities")**. The site presents no hardships to the applicant as this proposal can be constructed by-right, by the current zoning ordinance and therefor there is no justification to provide conditional use or a zoning amendment rewrite relief. The only hardship that would be created would be to the surrounding property owners and the residents of the community. The people of Hilltown and future generations do not want to have to learn to live with the ramification caused by a developers need to profit.

This is not the place or the size for this development.

Thank You for your time.
Hilltown Friends



SITE PLAN GENERAL NOTES

- THIS PLAN REFERENCES DOCUMENTS AND INFORMATION BY:
 - ALTA / NSPS LAND TITLE SURVEY PREPARED FOR LEHMAN PREPARED BY CARROLL ENGINEERING CORPORATION DATED 3-16-18 / LAST REVISED 6-6-19
 - CONCEPT PLAN A PREPARED BY ORSATTI & STUART DATED 3-19-2018
- THIS PLAN WAS PREPARED STRICTLY BASED UPON INFORMATION IDENTIFIED ABOVE

SITE A

SECTION 180-28 B(1) SITE CAPACITY CALCULATION	
SITE AREA BY ACTUAL SURVEY	24,460 AC
LAND WITHIN THE EXISTING AND ULT R.O.W. OF EXISTING STREETS AND UTILITY EASEMENTS	0,000 AC
LAND WHICH IS NOT CONTIGUOUS	0,000 AC
LAND PREVIOUSLY RESERVED	0,000 AC
LAND USED OR ZONED FOR ANOTHER USE	0,000 AC
BASE SITE AREA	24,460 AC

SECTION 180-28 B(2) IMPERVIOUS SURFACE RATIO

TOTAL IMPERVIOUS SURFACE	13,895 AC
AREA OF PRIVATE STREETS	0,000 AC
NET IMPERVIOUS SURFACE (EXCLUDING PRIVATE STREETS)	13,895 AC
NET BUILDABLE SITE AREA	24,460 AC
NET BUILDABLE SITE AREA (EXCLUDING PRIVATE STREETS)	24,460 AC
IMPERVIOUS SURFACE RATIO (%)	0.57
MAX ALLOWABLE IMPERVIOUS SURFACE RATIO	0.70

SECTION 180-28 ENVIRONMENTAL PERFORMANCE STANDARDS

RESOURCE	PERFORMANCE RATIO	LAND IN RESOURCE (IN AC)	REQUIRED PROTECTION LAND RESOURCE (IN AC)	PROVIDED PROTECTION LAND RESOURCE (IN AC)
WETLANDS (160.38 D)	1.00	0.115	0.115	0.115
WOODLANDS (160.38 C)	0.40	15.143	6.058	8.800
TOTAL LAND WITH RESOURCE RESTRICTIONS		15.258		
TOTAL RESOURCE PROTECTION LAND			6.171	8.724

SITE A ZONING

EXISTING ZONING: PC-1
 EXISTING USE: C-3 (RECREATIONAL USE)
 PROPOSED USE: E1 (RETAIL), E2 (LARGE RETAIL), & C11 (DAY NURSERY), (PERMITTED BY RIGHT)

180-28 TABLE OF PERFORMANCE STANDARDS

	REQUIRED	EXISTING	PROPOSED
MIN. OPEN SPACE RATIO	n/a	n/a	n/a
MAX. DENSITY (DU/AC)	n/a	n/a	n/a
MAX. IMPERVIOUS TRACT SURFACE RATIO	0.70	0.80	0.87
MIN. SITE AREA	20,000 SF	1,085,477 SF	1,085,477 SF
MAX. HEIGHT	35.0 FEET	<35.0 FEET	<35.0 FEET

180-27 NONRESIDENTIAL MINIMUM YARD AND LOT WITH REQUIREMENTS

	REQUIRED	EXISTING	PROPOSED
MIN. FRONT YARD	50.0 FEET		50.0 FEET
MIN. SIDE YARD	15.0 FEET		18.0 FEET
MIN. REAR YARD	50.0 FEET		50.0 FEET
MIN. LOT WIDTH	100.0 FEET	832.4 FEET	832.4 FEET

SITE B

SECTION 180-28 B(1) SITE CAPACITY CALCULATION

SITE AREA BY ACTUAL SURVEY	51,470 AC
LAND WITHIN THE EXISTING AND ULT R.O.W. OF EXISTING STREETS AND UTILITY EASEMENTS	0,000 AC
LAND WHICH IS NOT CONTIGUOUS	0,000 AC
LAND PREVIOUSLY RESERVED	0,000 AC
LAND USED OR ZONED FOR ANOTHER USE	0,000 AC
BASE SITE AREA	51,470 AC

SECTION 180-28 B(2) IMPERVIOUS SURFACE RATIO

TOTAL IMPERVIOUS SURFACE	6,608 AC
AREA OF PUBLIC STREETS	2,873 AC
NET IMPERVIOUS SURFACE (EXCLUDING PUBLIC STREETS)	4,016 AC
NET BUILDABLE SITE AREA	51,470 AC
NET BUILDABLE SITE AREA (EXCLUDING PUBLIC STREETS)	48,797 AC
IMPERVIOUS SURFACE RATIO (%)	0.08
MAX ALLOWABLE IMPERVIOUS SURFACE RATIO	0.12

SECTION 180-28 ENVIRONMENTAL PERFORMANCE STANDARDS

RESOURCE	PERFORMANCE RATIO	LAND IN RESOURCE (IN AC)	REQUIRED PROTECTION LAND RESOURCE (IN AC)	PROVIDED PROTECTION LAND RESOURCE (IN AC)
WOODLANDS	0.80	3,090	2,472	2,508
TOTAL LAND WITH ENVIRONMENTAL PERFORMANCE STANDARDS				
TOTAL RESOURCE PROTECTION LAND			2,472	2,508

SECTION 180-28 B(3) MAXIMUM NUMBER OF DWELLING UNITS

BASE SITE AREA	51,470 AC
MAXIMUM DENSITY	0.250 AC
ALLOWABLE NUMBER OF DWELLING UNITS	38,003 DU
PROPOSED NUMBER OF DWELLING UNITS	35 DU

SITE B ZONING

EXISTING ZONING: RR - RURAL RESIDENTIAL
 EXISTING USE: R-1 SINGLE FAMILY USE

180-28 TABLE OF PERFORMANCE STANDARDS

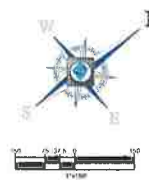
	REQUIRED	EXISTING	PROPOSED
MIN. OPEN SPACE RATIO		n/a	n/a
MAX. DENSITY (DU/AC)	0.75	n/a	0.70
MAX. IMPERVIOUS TRACT SURFACE RATIO	0.12	0.013	0.12
MAX. INDIVIDUAL LOT MAXIMUM IMPERVIOUS SURFACE RATIO	0.15	0.013	<0.15
MIN. SITE AREA	50,000 SF	2,081,216 SF	981,193 SF
MIN. LOT AREA	50,000 SF	2,081,216 SF	50,000 SF
MAX. HEIGHT	35.0 FEET	<35.0 FEET	<35.0 FEET

180-23 B(1) SINGLE FAMILY DETACHED DIMENSIONAL REQUIREMENTS

	REQUIRED	EXISTING	PROPOSED
MIN. FRONT YARD	50.0 FEET	785.7 FEET	80.0 FEET
MIN. SIDE YARD	25.0 FEET	493.2 FEET	25.0 FEET
MIN. REAR YARD	75.0 FEET	804.8 FEET	75.0 FEET
MIN. LOT WIDTH	150.0 FEET	831.0 FEET	150.0 FEET

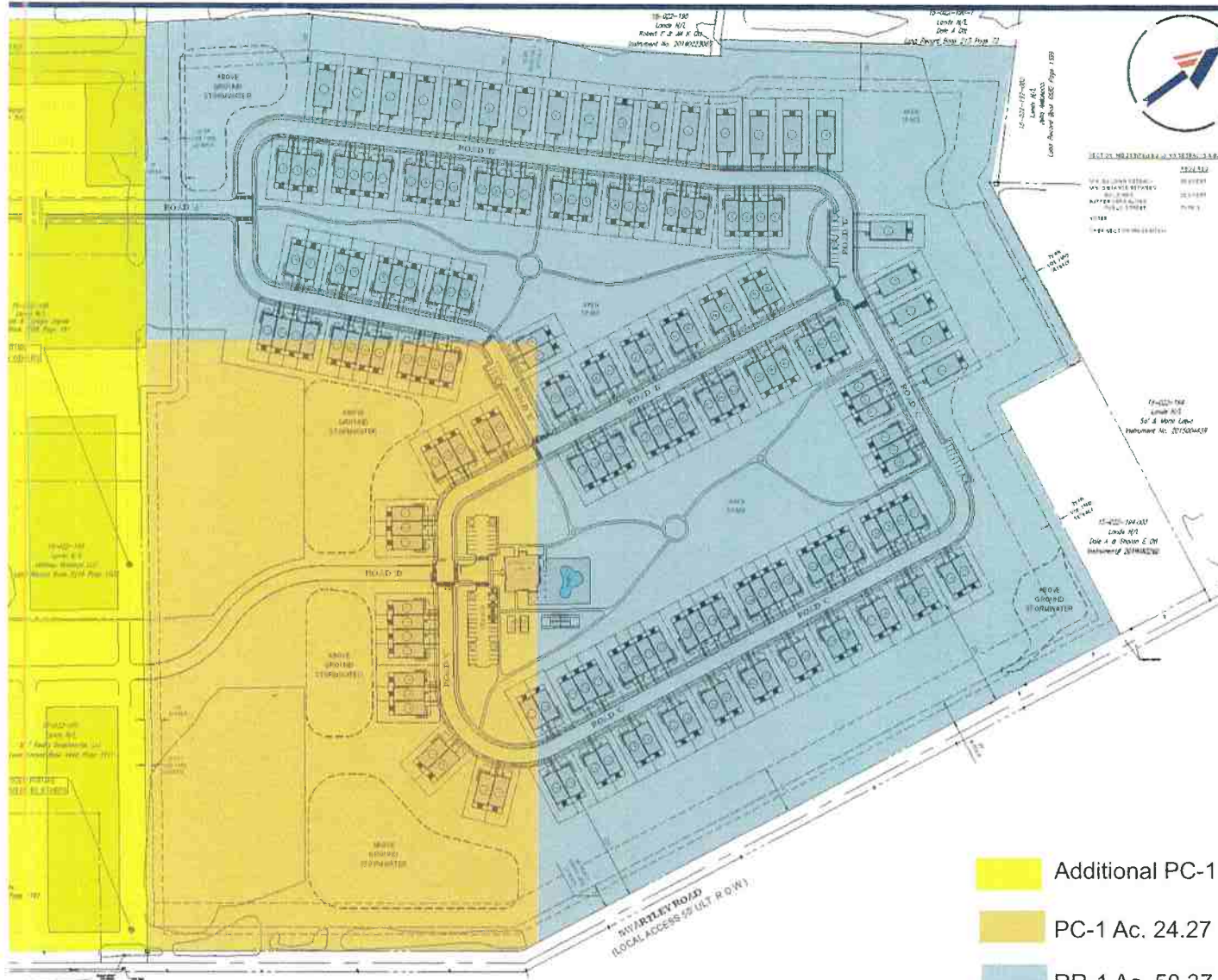
PARKING REQUIREMENTS
 REQUIRED: 2 UNIT = 1 LIGHT OVERFLOW + 3.5 / UNIT X 38 UNITS = 128 STALLS
 PROVIDED: 4 UNIT (DRIVEWAY) + 2 UNIT GARAGE + 9 / UNIT X 38 UNITS = 276 STALLS

Additional PC-1 Zoned Property Available to be used.



By-Right Plan

BR-1



SITE PLAN GENERAL NOTES

- 1) THE PLAN REPRESENTS THE GENERAL AND APPROXIMATE LAYOUT OF THE PROPOSED DEVELOPMENT.
- 2) THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 3) THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 4) THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

PARCEL INFORMATION

PARCEL NO.	AREA (AC)	UNITS	STATUS
1	24.27	23	PC-1
2	50.37	151	RR-1
3	48.42	174	PC-1

SECTION INFORMATION

SECTION	DATE	BY
1	10/20/2023	J. SMITH
2	11/15/2023	J. SMITH
3	12/01/2023	J. SMITH

- Additional PC-1 Property available
- PC-1 Ac. 24.27 - 23 units
- RR-1 Ac. 50.37 - 151 units

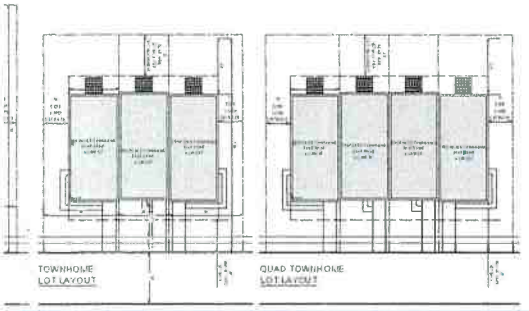
Total of 48.42 Ac. of PC-1 Zoning

Zoning Usage



LEGEND

[Symbol]	1" = 10' (PLAN)
[Symbol]	1" = 20' (SECTION)
[Symbol]	1" = 40' (SECTION)
[Symbol]	1" = 80' (SECTION)
[Symbol]	1" = 160' (SECTION)
[Symbol]	1" = 320' (SECTION)
[Symbol]	1" = 640' (SECTION)
[Symbol]	1" = 1280' (SECTION)

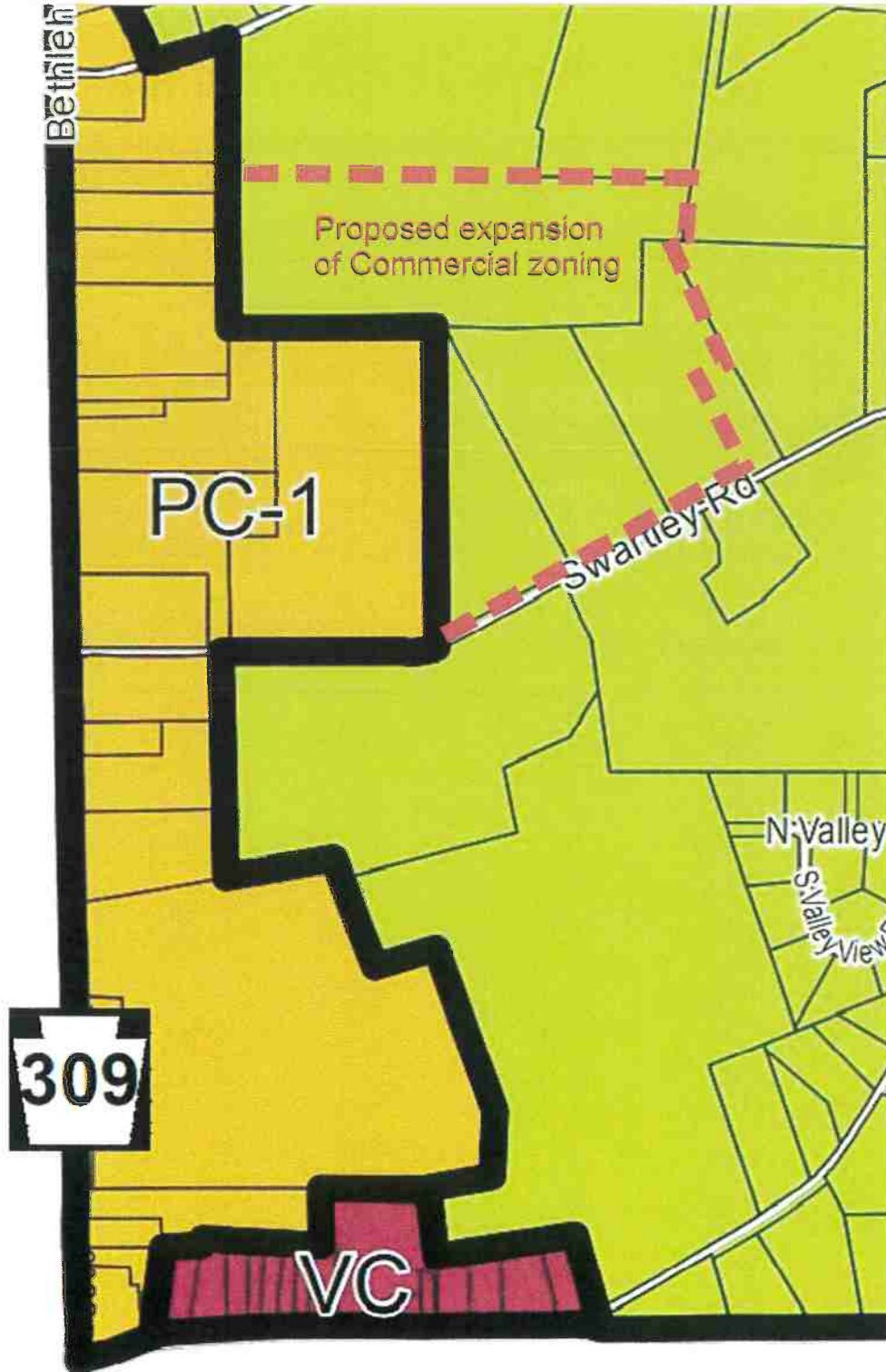


SECTION 19.08.01.01 IMPERVIOUS SURFACE RATIO

Category	Value (AC)
TOTAL IMPERVIOUS SURFACE	17400
AREA OF PRIVATE STREETS	4830
NET IMPERVIOUS SURFACE EXCLUDING PRIVATE STREETS	12570
NET BUILDABLE SITE AREA	44020
NET IMPERVIOUS SURFACE EXCLUDING PRIVATE STREETS	46220
IMPERVIOUS SURFACE RATIO (%)	0.320
MAX ALLOWABLE IMPERVIOUS SURFACE RATIO (%)	0.400

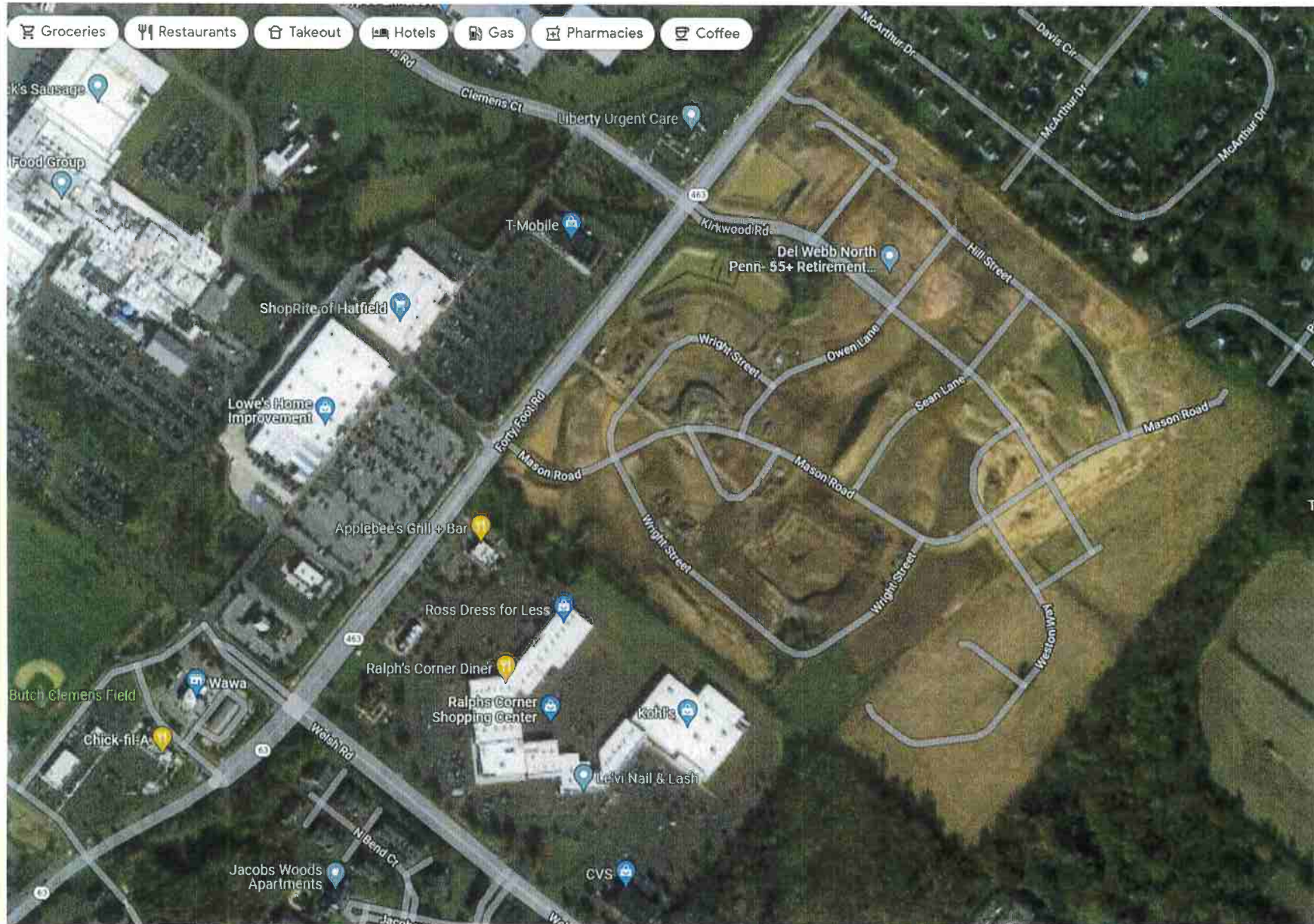
ZC-1

Zoning Corridor Along Rout 309

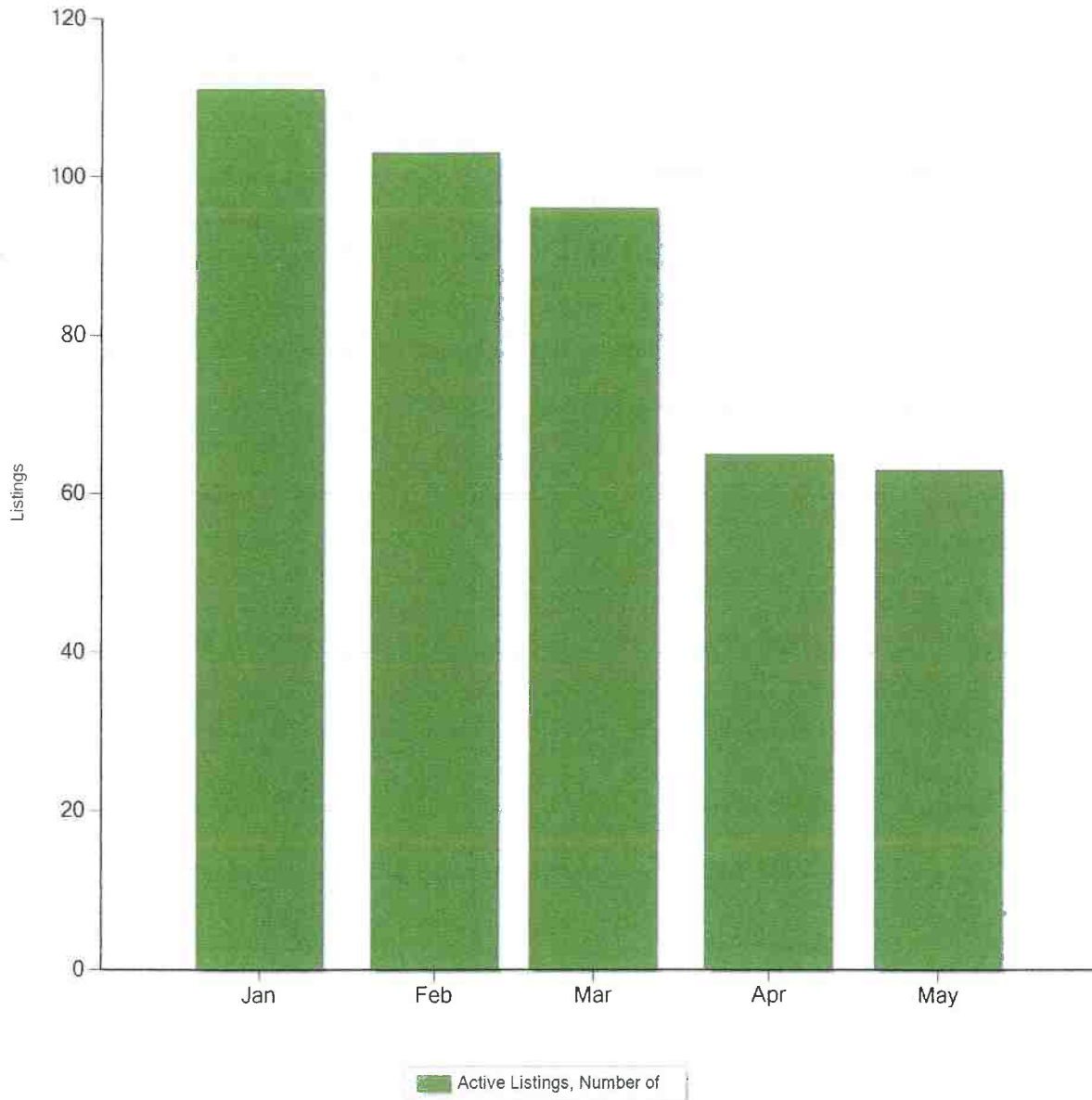


DW-1

Montgomery Co.- Del Webb 55+ Development



Historic

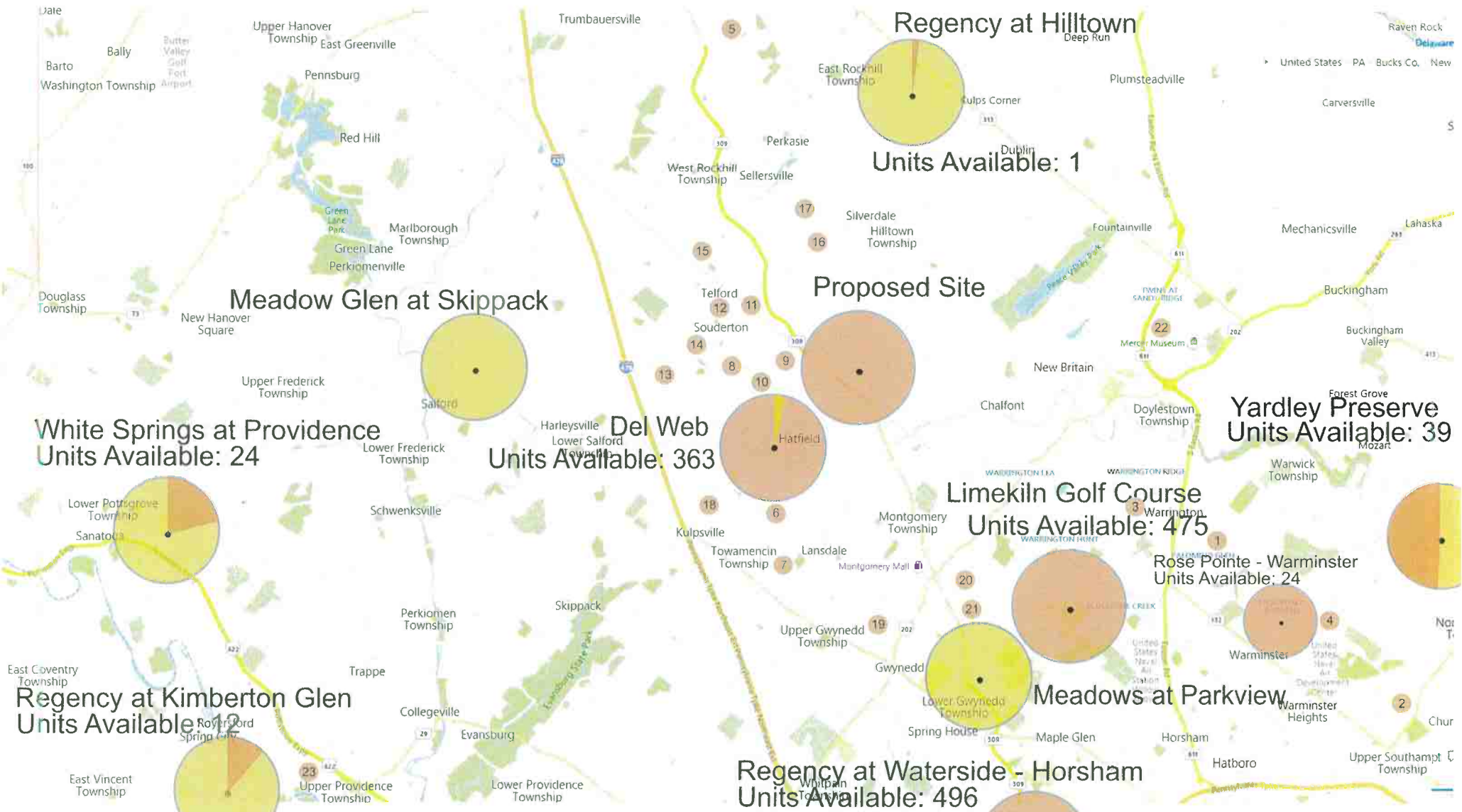


Search Criteria

Time frame is from Jan 2022 to May 2022
 County is one of 'Bucks, PA', 'Montgomery, PA'
 Current Price is 300000+
 Property Type is 'Residential'
 Senior Community Age Requirement is 55+
 Results calculated from approximately 240 listings

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Local Age Restrictive Communities



1. Meridian Valley
2. Legacy Oaks- Richboro
3. Legacy Oaks - Warrington
4. Ivy Greene Warminster
5. Renaissance at Morgan Creek
6. Waterford Crossings
7. Gwynedd Commons
8. Arbour Green
9. Tarrington Village
10. Wyndham Woods
11. Kingsfield
12. Lions Gate
13. The Reserve at Gwynedd
14. Harrington Village
15. Indian Valley Greens
16. Village at Dorchester
17. Village at Rosecliff
18. Village at Newbury
19. Gwynedd Woods
20. Montgomery Walk
21. Montgomery Preserve
22. Village of Doylestown
23. Regency Providence - Flower Mill - Langhorne

304 Swartley Road

Around 1722 Hilltown was Incorporated, but before that land purchases were made in large tracts. I wasn't around for that. June 20, 2022 Today, you need at least 20 acres of PC-1 to build a B7 Retirement Village. I don't have that but my Neighbor does. In Hilltown you can build a 55 and Older Retirement Village on not less than 20 acres in the PC-1 zone district. But that's not enough... He has 18 acres of Rural Residential that's not enough... The plan is to get more Rural Residential land, .. Now he wants to place an easement through PC-1 property dividing it into unusable pieces. And that's not enough, so he's willing to delete Section 160-23(B7) in its entirety to build a B7 Retirement Village totally disregarding the Comprehensive Plan.

so what is The Comprehensive Plan

Hilltown's Comprehensive Plan is A statement of GOALS and OBJECTIVES for future growth.

The Hilltown residents believe it's the RURAL Atmosphere, OPEN Space, and Scenery that makes Hilltown such a desirable community. The GOALS of the Comprehensive Plan are to preserve that belief, to stop Suburban sprawl, and to Discourage

areas NOT destined for this kind of development. To Preserve the QUALITY of life by promoting sound development of land. To ensure adverse effects ARE NOT a burden that this new development places on the Hilltown Community. Too maintain the townships country character.

The future growth of our township needs to be identified and this area of intensive unsuitable overly condensed growth needs to be REFUSED.

To allow businesses needed to promote a healthy and economic development for Hilltown, the opportunity that will benefit the lives and workers in our township.

An increasing population and the demands for food makes AGRICULTURE a legitimate land use. Minimizing, overly large developments, Clusters of units / or houses in this rural residential zoned land is needed. A healthy farm activity promotes: farm stores, local food, local jobs, along with other businesses in our township.

The Community Development and Land Uses must be examined. We need to minimize the impact put on our Rural and Commercial Zoned land. Just because a large development of clustered units is proposed and they are adjacent to a different type of zoned land, should not make it ok to put whatever type of housing you want. There are Standards affecting the ability to use this land for what it is intended for. The township needs to follow these Standards and this Planning Commission needs to uphold them.

Non-Residential Developments provide a tax base needed to offer a diversified economic activity, the employment opportunities and the commercial services and goods our residents need and desire. The land use in Hilltown is limited. 696 acres or 4% for commercial use. This project, to move forward would delete 24 acres of PC-1 and limit more by putting easements across the PC-1 property for access to a cluster of units for a private 55 and Older Retirement Village. Hilltown has already planned for this type of community in the proper zoned district. The applicant has refused to purchase this property to only put added burden on the Hilltown Community.

The land use Plan is to maintain and strengthen our Goals and Objectives while planning for the future of the Hilltown developments needed to grow our community. This can not be overly stated for this is our true guidance in critical decision that needs to be made.

PC-1, CR-1, VC zoned districts are designed for the B7 use as stated in the ordinances. If a proposed Retirement Village is needed only in those districts, should it be contained and NOT allowed to be spilled over into other districts. The PC-1 land use along 309 corridor is intended for a variety of Institutional, office, and retail and consumer use services that complement the existing commercial developments in the area. Given the marginal access to roads and lot frontage this area of future expansion is needed to support the commercial base for Hilltown.

The Implementation Techniques

For example, RR and CR-2 this covers the majority of Hilltown. It permits conservation management design; it requires 65 to 70 % of the site to be Preserved in Open Space. This proposed Retirement Village only provides 49 % if you don't vote against it. The B7 Retirement Village has its own set of requirements with zero requirements in Rural Residential because it is NOT allowed in the RR district. A 40 % Open Space is the minimum ratio in the PC-1 district only, with 5.0 dwelling units per acre on the 24 acres that the C-5 drawing of 3/25/2022 shows. The Retirement Village is NOT allowed in the 50 acres of RR show on this concept drawing.

How does this project fit in with our neighboring township Hatfield, Montgomery County where it borders Hilltown, our future Plans are mostly a business area with a small area of Suburban Residential? Both Townships Communities Have, Planned Commercial, Light Industrial along the County Line Road at fairly similar intensities.

Thank you

Good Evening,

We are here tonight to once again voice our opposition to the proposed Lenaar development, The Venues. We had hoped the supervisor vote from last time would be honored and respected and the applicant would either reduce the number of units to comply with the current zoning ordinances or the builder would walk, knowing this community does not want exceptions upon exceptions to our zoning laws.

Instead, we are back and reading thru new barely changed proposals and sitting thru meetings with the County Planning Commission as the applicant is trying to change our town ordinances.

There are many factual issues in their most recent proposal. For example, all of the information related to Penridge School District is incorrect. The May 2022 certified budget have cost per student about \$5,000 less per student at both elementary and secondary levels. Special education students do not "cost" the same amount as regular education students. Using the Fair Share Formula one sees the cost for special education students is higher. They require more services, including extended education covered by Individuals with Disabilities Education Act, IDEA, a federal law. Students with an IEP are allowed to remain in public school until the age of 21. Also take in account that many of our regular education students are graduating after turning 18 or even 19. By making the claim that "No school age children at all" will be at the Venues is not only incorrect, but could also be in violation of Hilltown's own ordinance 160-4, which does not allow discrimination. A family with a child over the age of 18 may be blocked from ownership because of this "no school age children at all" claim. I not only work in education and have for over 20

years, but I also work in special education. I KNOW a high percent of high schoolers who graduate after age 18.

This brings up the traffic study. Because there can be schooled aged children, including those who could have door to door transportation, trip generation numbers are not accurate. Using Dewberry Land Development Handbook and the ITE Trip Generation 7th, single family detached is 9.6 DU, or daily trips. Planned unit development in 7.5 and condo/townhome is 5.9 daily trips. But people in 55+ communities are still active. Many still work. The requirement is 1 owner be over 55, which allows the other occupant/occupants to be younger. The applicant is proposing an increase of parking available. Why would they need more parking spots for "less drivers"? They are asking for a 3rd bedroom exception to the B7 for guests. These guests will need to arrive and leave somehow. Studies have shown active adult communities do not have the typical travel habits of retired individuals. Income plays a huge role in this. These homes are higher income. Shopping, dining out, and recreation all increase daily trips that are not shown on typical retirement calculations. Then we need to add amenities that are not currently in walking distance. No sidewalks and busy roads require the use of vehicles. 309 is a major corridor. Commercial peak am and pm; retail peak weekends, night, holidays. This means that the 309 study should have happened on multiple days. 309 is commercial, retail, and residential. Brand agnostic- no reference to popular locations. Example, Walmart. Will traffic demand be more due to popularity of services offered? Grocery stores and restaurants generate more trips than average calculations using Trip Generation manual. So the amenities closest to this proposed development would actually generate more daily trips because of brand and need. Cannot just rely on the preset tables.

Another issue is the statistics provided by Zonda. They provided statistical data for Hatfield, but we are talking about Hilltown. Those statistics are very different including population growth from 2010-2020. We did not have a 22.86% increase. We were only at a 7.71% increase, which is even short of Hilltown Township's own proposed numbers of 10%. This information is directly from the US Census and the township's comprehensive plan. Zonda also provided a list of "Top Employers" for the economy page. This is also incorrect. Their two top employers listed do not even break the top 50 (sources Bcedc.com, Buckscountyida.com, and workstats.dli.pa.gov). The top employer they have listed is a limo company out of Bensalem. In reality, the top employer is Giant Food Stores. Second is Central Bucks School District. Shouldn't we have factual information in our proposals especially when we are using this information to alter zoning for an entire community?

Now let's look at the Comprehensive Plan. Looking at our homeowner rate, 84.4% of residents own their homes and 88.7% of those are single homes (attached and stand-alone). These are the homes people are buying in Hilltown, yet the number of school aged children has remained steady, as per Hilltown's own numbers. We can also reference section Quality of Life policies 3 and 4, Patterns of Growth number 7, Natural Resource Protection 1, Community Development 3 and 5, Community Planning and Design, Infrastructure 7, and Development Areas AQRC (Age Qualified Restrictive Community).

We should also discuss Emergency Services. As per the Comprehensive Plan, police usually represent one of the highest cost items in municipal budgets. Fire Station 60 was updated in 2009 and can meet "current" needs. But Fire Station 61 has outdated trucks and needs to replace SCBA, which will need to

happen to accommodate a larger community. Add that our fire departments are manned by volunteers, which all departments are struggling to find. Dense housing projects can lead to higher risk for owners and crews. "EMS units in the region are facing coverage volume issues and are increasingly relying on the local volunteer fire companies to provide additional manpower resources." "Demands for services have increased markedly over the last several years". (all quoted from the Comprehensive Plan).

We could go on and on, citing Dewberry and quoting sections from the Hilltown Comprehensive Plan, Bucks County Comprehensive Plan, the Delaware Valley Regional Planning Commission, and even the Pennsylvania Constitution. Instead we are just going to stress, this plan is not following our current zoning and we as a community, do not want to change zoning ordinances to fit a developer's need. We for sure do not want a developer deciding/rewriting our zoning laws, creating a precedent.

The positive impact outlined by the developer could still be a positive impact at a smaller, and rule following, scale. This is Bucks County; the next developer who will be willing to follow current ordinances is right around the corner. We ask that the board once again vote "No".

Thank you.