

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
MONDAY, AUGUST 22, 2022**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:01 PM and opened with the Pledge of Allegiance. Also in attendance were 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. Vice-Chairman James Groff was absent.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an Executive Session on July 27, 2022, to discuss personnel, and an Executive Session on August 16, 2022, to discuss real estate acquisition.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
  - a) Minutes of the July 25, 2022, Board of Supervisors Meeting
  - b) Bills List – August 9, 2022
  - c) Financial Statement – July 31, 2022

Motion was made by Supervisor Torrice and seconded by Chairman McIlhinney, and carried unanimously to approve items 3(b) and 3(c) on the Consent Agenda with Chairman McIlhinney stating, regarding the minutes of July 25, 2022, there was rather an extensive discussion with Nathan Parrish from PennDOT regarding the round-a-bout and he does not believe the minutes adequately reflect what was discussed for a half an hour and they should hold the minutes aside until such time they can be corrected. Motion passed 2-0. There was no public comment.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL:

a) Zoning Hearing Board Appeal 2022-008 – Kyle Defelice – 1017 Callowhill Road - Requesting Variance: Solicitor Wuerstle stated applicant, Kyle Defelice, is requesting a variance to reduce the required side yard setback due to the erection of a pole barn. The proposed building will create a 65 ft rear yard setback where a minimum 75 ft rear yard setback is required. Chairman McIlhinney stated he noted it is already an undersized lot, .87 acres, and the application says rear yard 68 feet, not the required 75 feet. However, the plan that was submitted is not a regular plan. It has no seal or survey markings; just something that was generated from a computer, and it does not meet the scope that the Township requires. Chairman McIlhinney also stated he does not know why the pole barn has to be 40' x 36' which forces it to go into the back yard and makes the rear yard setback incorrect. Solicitor Wuerstle stated, since the hearing date has not been set, he will reach out to the property owner for clarification, and providing if the timing works, invite him to attend the next board meeting in early September.

Page 2  
Board of Supervisors  
August 22, 2022

b) Zoning Hearing Board Appeal 2022-009 – M. Gold Building Group, LLC – 2214 Keystone Drive – Requesting Variance: Solicitor Wuerstle stated the applicant, M. Gold Building Group, LLC, is requesting a variance to reduce the required rear yard setback due to the erection of a new detached single-family building which would create a 39.92 ft rear yard setback where a minimum 50 ft rear yard setback is required. Chairman McIlhinney stated, once again, it is incorrect. They are talking about the rear yard when they want the front yard. Solicitor Wuerstle stated he will reach out to the applicant for clarification, or the board could express their concerns in a letter to the Zoning Hearing Board to get this matter clarified. Supervisor Torrice stated he has no opposition as long as the applicant clarifies the request.

6. PLANNING:

a) Carson Helicopters Minor Subdivision: Township Engineer, Tim Fulmer stated the Carson Helicopters Minor Subdivision is a two-lot subdivision, both containing existing improvements, located at 960 Blooming Glen Road. One of the lots is the Carson Helicopters business and the lot is a single-family home that exists today but are on the same parcel. This proposal would subdivide the house off of the main property. Solicitor Steve Harris was in attendance, along with Estelle Eberhardt, P.E., and stated Carson Helicopters superintendent of 30 years lives in the house and Frank Carson would like him to be able to own his own house so he has proposed a minor subdivision to create a separate lot for the house so it can be transferred. The only change that is being made, currently, is both the house and the manufacturing facility are served by a common septic system. The house will be served by its own septic system and there is already a replacement area on that lot and the main lot. Solicitor Harris stated the items contained in Wynn Associates review letter dated July 28, 2022, are all will comply and asked for the Carson Helicopters Minor Subdivision be approved as well as the waivers. Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to grant Preliminary/Final approval for the Carson Helicopters Minor Subdivision located at 960 Blooming Glen Road contingent upon the items contained in Wynn Associates Inc. review letter dated July 28, 2022. There was no public comment.

b) Polacheck Minor Subdivision: Mr. Fulmer stated the Polacheck Minor Subdivision involves two lots, however, one lot is a building lot that fronts on Spring Hill Lane, and the other lot is an existing home that fronts on Seven Corner Road. Scott McMackin, P.E., Cowan Associates, Inc., along with Peggy Polacheck and her son Jeff Polacheck, was in attendance and stated the Planning Commission recommended approval of the subdivision and the waiver requests back in June and discussed Wynn Associates Inc. review letter dated July 26, 2022, stating all items are will comply. Mr. Fulmer highlighted the waiver requests: A. Plan preparation requirement for showing the existing features within 100 feet of the site. B. Street improvements required for Seven Corner Road with a fee-in-lieu estimate of approximately \$19,500.00. C. Driveway for residential lot to be 5 feet from a property line and they are not meeting that requirement for the narrowness of the lot. D. Replacement trees for the number of healthy trees

Page 3  
Board of Supervisors  
August 22, 2022

that are being removed and they would need 122 replacement trees. E. Street lighting along the existing street. D. Requirement for recreation land subject to a capital contribution fee in lieu of \$2,685.00. Supervisor Torrice stated, in regard to the waivers, he does see some issues with them especially how it spills out onto the cul-de-sac and that is a red flag. He cannot get behind a property spilling out where it just touches the corner and goes against what they have for cul-de-sac plans. Chairman McIlhinney stated when you touch a circular property, which is the cul-de-sac, and it only touches at one point, it does not qualify as frontage as far as he is concerned. It certainly does not entail you to have the same rights on the frontage of the cul-de-sac as somebody who actually fronts on the cul-de-sac. Chairman McIlhinney stated he expressed this the last time this project was before them, and he has not changed his mind. Also, he does not see anything in the waivers that would entice him to say they should be granted, and he does not have any leeway for the waivers whatsoever.

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to not grant the waivers for the Polacheck Minor Subdivision. There was no public comment.

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to grant Final approval for the Polacheck Minor Subdivision at 1028 Seven Corner Road/Spring Hill Lane, TMP # 15-17-2-6, with all waivers rejected. There was no public comment.

c) Weidner Subdivision Preliminary Plan: Mr. Fulmer stated this is a plan that is currently pending as a preliminary plan with the Township and has been before the Planning Commission on several occasions within the last three years. This project involves some very unique situations with respect to road design and suggested the applicant come in front of the Board to layout some of their issues. Gregg Adelman was in attendance on behalf of the applicant, and stated they would like to talk about the roadway design and the waivers. The property has frontage on South Perkasio Road and Seven Corner Road in East Rockhill. The current proposal is to have a thru road going from South Perkasio Road to Seven Corner Road because the ordinance has a limitation on the total length of cul-de-sacs. In order to do the thru road, we have to go through a very steep sloped area which would require them to go through environmentally sensitive ground to go from one end to the other. Mr. Adelman continued to state the alternative would be to ask the Board to consider a cul-de-sac waiver which would be to extend the cul-de-sac right before the slope so that it would end without having to go down through the environmentally sensitive ground. Either way, it is the same number of units, so they are really just talking about cul-de-sac length. The thru road would require them to go to the Zoning Hearing Board to get variances for disturbing the steep slopes which are unique physical circumstances on the ground. They think the better route is just to do the cul-de-sac. Chairman McIlhinney clarified the steep slope that is requested is in excess of 15% where the code states 10% max. Mr. Adelman stated they would need additional waivers to do the road as well as a variance. The cul-de-sac that they would like to do would require waivers from the Board on cul-de-sac length. Mr. Fulmer stated the Planning Commission, at one of their earlier meetings, did discuss the possibility of a

Page 4  
Board of Supervisors  
August 22, 2022

compromised length that would bring the cul-de-sac back to where the future road extension could be, which was approximately 900/1000 feet of cul-de-sac. Mr. Adelman stated they do not think that is a reasonable compromise. Chairman McIlhinney disagreed and thinks it is reasonable and continued to state if the Board is willing to extend the cul-de-sac to the point that is roughly 700 feet, where there was a crossover shown for a future expansion, that was more than fair. Mr. Adelman stated that would be a loss of approximately 6 lots. Mr. Adelman stated, they could come back with a plan, of about two or three more lots, so it would be about a 1,000/1,100-foot cul-de-sac as opposed to 900 ft, so the Board may consider that as a compromise. It was noted a plan was sketched up that the Planning Commission had seen. After discussion, Mr. Adelman stated they would sketch up another plan to try and move it forward to the end. Supervisor Torrice stated he would like to see an additional plan where the cul-de-sac road is not so long and questioned if the Bucks County Planning Commission has seen a plan. Mr. Adelman confirmed BCPC has not seen the plan, but they will go through the whole review process. They just want more direction on what to really pursue. Supervisor Torrice stated the 1,600-foot cul-de-sac is a little excessive.

7. ENGINEERING:

a) Zoning Ordinance Omnibus Amendment Public Hearing: Tim Fulmer stated the Zoning Ordinance Omnibus Amendment was advertised twice for a public hearing this evening, however, there was a revision that came up after the ordinance was advertised which has to do with the minimum site area requirement for the Traditional Neighborhood Development in the VC District. There was a discrepancy in the Ordinance initially of the size; one part of the Ordinance in the table said 5 acres required and the text area said 15 acres. Mr. Fulmer stated he will make the change in the ordinance amendment to fix it and it will need to be advertised again. He advised the Board to open the hearing, and then continue it to another hearing until the ordinance can be re-advertised.

The hearing was opened for the Zoning Ordinance Omnibus Amendment. Mr. Fulmer stated he will make the change in regard to the number of acres required for the minimum site area in the Traditional Neighborhood Development and re-advertise the Zoning Ordinance Omnibus Amendment.

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to table the hearing for the Zoning Ordinance Omnibus Amendment. There was no public comment.

The hearing was closed for the Zoning Ordinance Omnibus Amendment.

b) Schoolhouse Road Culvert Replacement Bid Award: Mr. Fulmer stated the bid opening for the Schoolhouse Road Culvert Replacement occurred on August 11, 2022, with the low bidder from Empire Services in the amount of \$253,988.27 which includes the demolition of the existing culvert, the installation of the new culvert, and the restoration of the road. Mr. Fulmer

Page 5  
Board of Supervisors  
August 22, 2022

asked the Board to consider awarding the bid conditionally to Empire Services subject to receipt of the Performance and Payment Bonds, Certificate of Insurance, and compliance with terms of the contract.

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to award the bid for the replacement of the Schoolhouse Road Culvert to Empire Services in the amount of \$253,988.27 subject to receipt of the Performance and Payment Bonds, Certificate of Insurance, and compliance with terms of the contract. Mr. Fulmer stated, due to a long lead time to get the precast concrete culvert fabricated, it is likely the project will not start until the beginning of the year. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) H&K Extension of Hours – September 1 – 30, 2022: 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 September 1, 2022, and September 30, 2022, excluding holidays, for the PennDOT projects per their letter dated August 16, 2022. Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to grant the extension of hours between September 1, 2022, and September 30, 2022, for the Concrete, Asphalt and Crushing Plant at the Skunkhollow Quarry per their letter dated August 16, 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: Dan Craig, 17 Narothyn Road, questioned the discontinuation of the leaf removal and requested it get restored. Supervisor Torrice stated it is not economical. The Township has expenses of \$156,000.00 to pick up leaves which only serves approximately 35% of the residents. The Township is allocating a huge amount of money for 35% of the community and he cannot justify hiring additional road crew to do the entire Township. Ms. Leslie stated they can bag the leaves as the trash companies are required to take bagged leaves. Britton Industries is over on Bethlehem Pike, and they take them the first and third Saturday for Hilltown residents for free. Ms. Leslie also stated leaf pick up has destroyed the trucks which cannot even be ordered right now. Mr. Craig stated he did look into those options and there are too many leaves to mulch with the mower. Chairman McIlhinney said the Township keeps the taxes down and have not had a tax increase in eleven years

Dave Christ, 426 Schoolhouse Road, stated with the new two-lane bridge going in, requested the Board consider a four way stop sign at Schoolhouse Road and Keystone Drive to control the speed on Schoolhouse Road. Chairman McIlhinney stated they will consider it but there are other four-way stop signs in the Township with blinking red lights and people still just go right through it. Chairman McIlhinney also stated there are signs that say, "opposing traffic does not stop" and

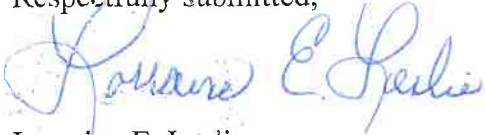
Page 6  
Board of Supervisors  
August 22, 2022

people still go through it. Mr. Christ stated he was asked by the Planning Commission to request a joint meeting once a year with the Board of Supervisors as a communication thing. Chairman McIlhinney stated it will be discussed with Vice-Chairman Groff, and Supervisor Torrice stated he is in favor of the joint meeting. Mr. Christ stated he will get the framework and topics of discussion from the Planning Commission at the next meeting.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously, the August 22, 2022, Hilltown Township Board of Supervisors regularly scheduled meeting was adjourned at 7:41 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).