

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULAR MEETING  
MONDAY, OCTOBER 23, 2023**

The regular meeting of the Hilltown Township Board of Supervisors was called to order by Chairman James Groff at 7:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice Chairman Caleb Torrice, Township Manager Lorraine Leslie, Township Solicitor Jack Wuerstle, Township Engineer, Timothy Fulmer, and Marianne Egan. Supervisor John McIlhinney was absent.

1. ANNOUNCEMENTS: Chairman Groff announced there was an Executive Session prior to the meeting to discuss legal matters.

2. CONSENT AGENDA:

- a) Minutes of the September 25, 2023, Board of Supervisors Meeting
- b) Bills List: October 9, 2023
- c) Bills List: October 24, 2023
- d) Financial Report: September 30, 2023

Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to approve items 2(a) through 2(d) on the Consent Agenda. There was no public comment.

3. CONFIRMED APPOINTMENT: None.

4. LEGAL:

a) Ordinance 2023-002: At 7:15 PM Solicitor Wuerstle opened the hearing for Ordinance 2023-002 Amending Chapter 160, "Zoning", by Amending Section 160-62.B(1), Adding Section 160-62.B(4) Providing for Additional Expansion Capacities for Nonconforming Institutional and Industrial Uses That Pre-Existed Enactment of Zoning, Repealing Inconsistent Provisions, Severability, and Effective Date Thereby. Solicitor Wuerstle stated the proposed ordinance amendment is for certain very old uses, that pre-date zoning, that may be eligible for some additional expansion rights through a Conditional Use process, in front of the Board of Supervisors, that will help sustain long existing businesses and allow them to better stay in the Township rather than have them go elsewhere.

Solicitor Wuerstle presented Exhibit "A" which consisted of the advertisement of the public hearing and the entire text of the proposed ordinance in the Intelligencer Newspaper on October 6, 2023, and October 13, 2023.

Solicitor Wuerstle presented Exhibit "B" which consisted of the informal review letter by the Bucks County Planning Commission who received the proposed ordinance on September 22, 2023.

Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to adopt Ordinance 2023-002 Amending Chapter 160, "Zoning", by Amending Section 160-62.B(1), Adding Section 160-62.B(4) Providing for Additional Expansion Capacities for Nonconforming Institutional and Industrial Uses That Pre-Existed Enactment of Zoning, Repealing Inconsistent Provisions, Severability, and Effective Date Thereby. There was no public comment. The hearing was closed.

b) Ordinance 2023-003: Solicitor Wuerstle stated Ordinance 2023-003 is for amending the building code ordinance to require the issuance of permits for certain accessory structures 250 square feet and greater and for certain alterations or repairs to residential buildings. Solicitor Wuerstle asked for permission to advertise Ordinance 2023-003 and added the Ordinance will also be sent to the State for comments since it is a UCC Ordinance. Motion was made by Vice Chairman Torrice, seconded by

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Chairman Groff, and carried unanimously authorizing Solicitor Wuerstle to advertise Ordinance 2023-003 for amending the building code ordinance to require the issuance of permits for certain accessory structures 250 square feet and greater and for certain alterations or repairs to residential buildings. There was no public comment.

5. PLANNING:

a) Hilltown Baptist Church Land Development Waiver: Mr. Fulmer stated Hilltown Baptist Church is requesting a Land Development Waiver to install a 40' x 60' pavilion on their property. They received Zoning Hearing Board approval for the non-residential accessory structure not permitted in their zoning district, and the recommendation from the Planning Commission. It was stated at the Planning Commission meeting that the applicant was not going to install any new water facilities that would increase demand for water or sewer usage. There will be some lighting at the pavilion for security/safety although that will be fleshed out during the zoning/building permit application stage. Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to grant a Land Development Waiver to Hilltown Baptist Church contingent upon the items contained in Wynn Associates review letter dated August 29, 2023. There was no public comment.

6. ENGINEERING:

a) Resawn Timber Land Development Maintenance Period Completion: Mr. Fulmer stated an inspection was done at Resawn Timber to determine the condition of the site improvements and all improvements are in satisfactory condition, such that the Township may accept completion of the 18-month maintenance period, and return all financial security held to the applicant, less payment of all engineering, legal, and Township administrative costs. Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to accept the completion of the 18-month maintenance period for the Resawn Timber Land Development and return all financial security held to the applicant, less payment of all engineering, legal, and Township administrative costs. There was no public comment.

b) Coleman Investment Properties Land Development: Mr. Fulmer stated Coleman Investment Properties requests completion of the project and commence the 18-month maintenance period. Mr. Fulmer added the applicant is requesting relief from installing 91 replacement trees and offer a fee in lieu of the amount of \$25,025.00 as a capital contribution. Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to accept completion of the Coleman Investment Properties Land Development, authorize the project to go into the 18-month maintenance period with reduced financial security, and accept the capital contribution fee in lieu of installing the 91 replacement trees in the amount of \$25,025.00. There was no public comment.

7. UNFINISHED BUSINESS: None.

8. NEW BUSINESS:

a) H&K Extension of Hours – November 1 – 30, 2023: 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 November 1, 2023, and November 30, 2023,

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excluding holidays, for the PennDOT projects per their letter dated October 16, 2023. Ms. Leslie noted they provided the readings off of the equipment for the prior month. Motion was made by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously to grant the extension of hours between November 1, 2023, and November 30, 2023, for the Concrete, Asphalt and Crushing Plant at the Skunkhollow Quarry per their letter dated October 16, 2023, with the exception of striking the part in the letter in regard to "and/or private customers". There was no public comment.

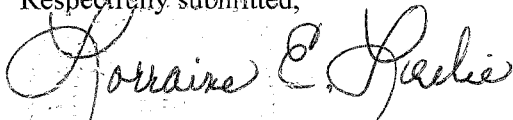
9. SUPERVISOR'S COMMENTS: None.

10. PUBLIC COMMENT: Deborah Marlin requested an agreement to return some monies to her as it was determined, after she paid the ZHB \$950.00 fee, that there was not the need for appearing before the Zoning Hearing Board for her property located at 423 E. Schoolhouse Road. She did research on the property and found it was grandfathered into the previous zoning ordinance. In her recent letter to the Township, she agreed to pay for the advertising fees, but would not pay for the posting of the property or Kelly Eberle's attorney fees. Solicitor Wuerstle stated he was surprised Ed Wild charged her \$2,000.00 and he recalls that it was Mr. Fulmer who identified the issue. At that time, Solicitor Wuerstle contacted Ms. Marlin and told her about the issue. Ms. Marlin stated she had already been to the courthouse to do research but did not know that she was right. After a lengthy discussion regarding the Zoning Hearing process, it was determined the Township would reimburse Ms. Marlin \$300.00 and process the payment with the next bill's list.

11. PRESS CONFERENCE: None.

12. ADJOURNMENT: Upon motion by Vice Chairman Torrice, seconded by Chairman Groff, and carried unanimously, the October 23, 2023, Hilltown Township Board of Supervisors meeting was adjourned at 7:40 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).