

HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULARLY SCHEDULED MEETING
Monday, May 16, 2005
7:30PM

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairperson D. Brooke Rush at 7:32PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Ken Beer, Denise Hermany, Chuck Kulesza, and Jack McIlhinney, with Mike Beatrice arriving at approximately 7:40PM and Bill Bradley arriving at 8:15PM; along with Bryan McAdam, Township Engineer's office, and Lynda S. Seimes, Township Secretary, to record and take minutes of this meeting.

A. APPROVAL OF MINUTES- Action on the minutes of the April 18, 2005 Planning Commission Meeting – The following correction was noted to page 1, second paragraph: “Action on the minutes of the March 21, 2005 Planning Commission Meeting – Motion was made by Mrs. Hermany, seconded by **Mr. Beer**, and carried unanimously to approve the minutes of the March 21, 2005 Planning Commission Meeting, as written.”

Chairperson Rush noted the following addition to page 7, third paragraph, which should state “From Section 140-23, which requires a wetland delineation prepared by a qualified soil scientist to document the presence/absence of wetlands when hydric soils exist within the site. **Chairperson Rush explained that the reason the Planning Commission agreed to this waiver was because the applicant had an easement on the plan in the Township's favor to set aside that entire area.**”

Motion was made by Mr. Beer, seconded by Mrs. Hermany, and carried unanimously to approve the minutes of the April 18, 2005 Planning Commission meeting, as corrected.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONFIRMED APPOINTMENTS:

1. Sunoco Land Development (Preliminary) – Mr. Carl Wiener, the applicant's legal counsel and Mr. Michael Jeitner, the applicant's engineer, were in attendance to present the plan. Mr. Wynn's most recent engineering review dated April 19, 2005, the Township Traffic Engineer, Andy Heinrich's review dated February 26, 2004, and correspondence from the applicant dated April 21, 2005 were discussed. The revised plan was forwarded to Mr. Heinrich on March 3, 2005. Extension on this plan requires action by May 25, 2005.

Mr. Jeitner presented a two-page diagram showing the location of the first multiple product dispenser (mpd), which has been a concern and a topic of discussion with the Planning Commission for several months. This diagram was prepared by the applicant to

address PennDot's concern with stacking on the first fueling position. PennDot felt that it would be difficult for a tractor-trailer to enter the site through that entrance or maneuver the site if there was a vehicle fueling at the first product dispenser. PennDot had also expressed concern with conflict from vehicles exiting the site from the northern access while vehicles entered the site, or vehicles fueling at the last product dispenser. Mr. Jeitner advised that the applicant was able to convince PennDot, through various presentations, that the driveway locations adequately address these concerns.

The second page of the diagram was created as a result of discussion at the last Planning Commission. Since that time, the applicant submitted a package of information including a narrative letter, blow up versions of the plan, detailed explanations of the waivers and 11" X 17" copies of the full plan set. The narrative discusses the history of the project, most particularly, the right-turn in. Under current conditions, if a vehicle enters the fueling position closest to Rt. 309 under stacking circumstances, there is not the ability to do anything other than back out into the right-turn in area. Mr. Jeitner further explained the necessity of the mpd's along Rt. 309, which included the additional property that was purchased by Sunoco, as well as the cost of roadway improvements. The applicant discovered that there is a State Fire Code requirement that multiple product dispensers be located at a set distance of 150 ft. from an emergency shut-off valve that is located inside the store. This is why all the parking stalls located in front of the store are clearly marked as "No Van Parking" in order to provide a clear sight distance from the store itself. Because of that, Mr. Jeitner advised that the last mpd, which is located to the north, couldn't be moved even if there was the ability to do so. In the instance that stacking did take place at the fueling position closest to Rt. 309, Mr. Jeitner advised that there is approximately 14 ft. to the right of that vehicle, and another 12 to 13 ft. below that vehicle for maneuverability. He does not anticipate that there would be a double stack at that location, but if it does occur, there would be two areas for drivers to have a safe means of access throughout the site. Mrs. Hermany suggested that the entrance from Rt. 309 be widened. Mr. Jeitner agreed and felt that would provide for even more maneuverability. Discussion took place.

Mr. Beatrice was concerned about the lighting shining directly into the residential dwellings across Hilltown Pike from the site. Mr. Jeitner advised that the applicant will review this concern and can place shields on the light fixtures in that location to reduce the off-site glare.

Discussion took place concerning parking issues and how many spaces would be designated for employee parking (2 ½ parking spaces for 5 employees – 1 space for every two employees) and those parking spaces designated for use by the Hilltown Fire Company (5). Mr. Jeitner stated that the applicant is required to provide 36 parking spaces, but overall, there are 41 shown on the plan.

As a stockholder, Mr. Beatrice announced that he would be abstaining from any votes concerning this project.

The applicant has requested the following waivers:

- From Section 140-17.D – To provide existing features within 100 ft. of the tract boundary.

An aerial photograph has been provided in lieu of this requirement. As noted by the Township Engineer, the features shown on sheet 2 of 14 appear sufficient to review the proposed improvements.

Motion was made by Mrs. Hermany, and seconded by Mr. McIlhinney, to recommend waiver from Section 140-17.D as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-17.J – To permit plan approval without the required profiles of Hilltown Pike and/or Rt. 309.

It is the applicant's intention to maintain the existing slope of Hilltown Pike and Rt. 309. Cross sections at 50 ft. intervals have been provided on the PennDot plan set for the Township Engineer's review.

Motion was made by Mr. Beer, and seconded by Mr. McIlhinney, to recommend waiver from Section 140-17.J as noted above for the Sunoco Land Development, with the caveat that the applicant would provide any information as requested by the Township Engineer. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-38.C(2) (C) – To permit the use of perforated HDPE pipe in lieu of the required RCP Class III pipe.

The request notes that perforated pipe has been proposed to comply with the Township's recharge requirement and to promote compliance with DEP's NPDES Phase II requirements.

Motion was made by Mr. Kulesza, and seconded by Mrs. Hermany, to recommend waiver from Section 140.38.C(2) (C), as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-45.G(4) – To permit 5 ft. from the outside wall of a non-residential building to the parking lot in lieu of the required 20 ft. of open space.

The applicant notes that this particular requirement is more applicable to larger buildings due to concerns regarding access for fire fighting, provisions of landscaping, etc., and is not typical for buildings of this proposed size and use. In addition, the proposed convenience store will be fully sprinklered.

Motion was made by Mr. McIlhinney, and seconded by Mr. Beer to recommend waiver from Section 140-45.G(4) as noted above for the Sunoco Land Development, conditioned upon the favorable review by the Township Fire Marshal. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-39.C to permit a grading next to the adjacent property in lieu of the required 5 ft. buffer.

Motion was made by Mrs. Hermany and seconded by Mr. McIlhinney to recommend waiver from Section 140.39.C as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-38.C(2)(r) – To allow storm sewer to be located within 10 ft. and/or on top of other utilities.

Motion was made by Mr. Beer, and seconded by Mrs. Hermany, to recommend waiver from Section 140-38.C(2)(r) as noted above to the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-36.A – Requiring sidewalk to be installed on all streets.

Due to the physical constraints of the site, the applicant has not proposed sidewalk for either street frontage, noting that there is currently no sidewalk within the surrounding area to which a proposed sidewalk or pedestrian path could connect. The Planning Commission suggested that the applicant provide a fee in-lieu-of sidewalk installation to the Township. Discussion took place.

Motion was made by Mr. Kulesza, and seconded by Mr. Beer, to recommend waiver from Section 140-36.A, as noted above for the Sunoco Land Development, with a caveat that a fee in-lieu-of sidewalk be provided to the Township. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-38.C(2)(i) to allow pipes P-16 and p-17 to produce a velocity of 2.35 and 2.87 fps where 3.0 fps is required minimum velocity.

Motion was made by Mrs. Hermany, and seconded by Mr. Kulesza to recommend waiver from Section 140-38.C(2)(i) as noted above to the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-45.C(2) to allow parking spaces to encroach within the 15 ft. setback from the ultimate right-of-way of Hilltown Pike.

Motion was made by Mr. Kulesza, and seconded by Mr. McIlhinney, to recommend waiver from Section 140-45.C(2) as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-38.A(1) to allow for a grade of 1% listed as the minimum in-lieu-of the required 2%.

Motion was made by Mr. Kulesza, and seconded by Mrs. Hermany to recommend waiver from Section 140-38.A(1) as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-37.B(2) to allow for only 3% landscaping area for the parking lot in lieu of the required 10% landscaping.

Mr. McIlhinney advised that the Township Engineer recommended that consideration be given to the applicant providing a fee in-lieu-of contribution to the Township's Tree Fund. Discussion took place.

Motion was made by Mr. Beer, and seconded by Mrs. Hermany to recommend waiver from Section 140-37.B(2) as noted above for the Sunoco Land Development, with the caveat that the applicant provide a fee in-lieu-of contribution to the Township's Tree Fund. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 140-37.A(4) to allow for street trees to be planted outside the street right-of-way.

A lengthy discussion took place concerning the overhead utilities that are located in that area. The applicant will meet with the utility company in an effort to install the trees as far from the utility lines as possible.

Motion was made by Mr. Beer, and seconded by Mr. Kulesza to recommend waiver from Section 140-37.A(4) as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

- From Section 160-28.H - To permit the existing conditions to be analyzed as existing conditions in lieu of the meadow condition requirement.

Motion was made by Mrs. Hermany, and seconded by Mr. Kulesza to recommend waiver from Section 160-28.H as noted above for the Sunoco Land Development. Mr. Beatrice abstained from the vote. Motion passed.

Motion was made by Mrs. Hermany, and seconded by Mr. McIlhinney, to recommend conditional preliminary plan approval to the Sunoco Land Development, pending completion of all outstanding items as noted in Mr. Wynn's most recent engineering review dated April 7, 2005, and with further review by the Township Fire Marshal, along with discussion with the utility company, and consideration of widening of the southern northbound access from Rt. 309, as noted above. Mr. Beatrice abstained from the vote. Motion passed.

2. Gitlin/Johnson Tract Subdivision (Preliminary) – The May 9, 2005 engineering review was discussed. Mr. William Benner, the applicant's legal counsel, along with Mr. Scott Guidos, the applicant's engineer, were in attendance to present the plan.

With respect to Item #1.A of the May 9th review, Mr. Benner advised that Lots #14 and #7 are non-qualifying woodlands, and a note will be added to the plan to that effect. Mr. Beatrice was concerned that the applicant will be within 1% of the allowable maximum disturbance in the Ordinance for woodlands and steep slopes. Mr. Benner explained that the woodlands disturbance is not within a danger point, however the steep slopes are close. Toll Brothers has arranged for additional soil testing and design consideration, as well as the possible relocation of some of the septic systems. Either the septic systems will be moved to be in compliance with the steep slope disturbance limits, or the A/B system and the drip systems will be recalculated as highlighted by Mr. Wynn's concerns in comment #1.B and #1.D. If re-testing and calculations show that there is non-compliance with the steep slope requirements, Mr. Benner advised that a lot would be eliminated. The applicant has no plans to apply for a variance from the Zoning Hearing Board for steep slope disturbance. Mr. Beatrice asked if it is the applicant's hope to upgrade the septic systems by proposing re-testing. If an area is found that could accommodate a sandmound or drip system in lieu of an A/B system, Mr. Guidos advised that it would definitely be preferable to the applicant. Lengthy discussion took place.

Discussion took place concerning roadway improvements to the intersection of Diamond Street and Fairhill Road. Mrs. Hermany asked what the applicant is proposing for the southwest corner. Mr. Guidos advised that the roadway surface itself would not be improved, and explained that the roadway actually encroaches into the adjacent property. It is the applicant's intent to improve the sight distance by removing the vegetation along

the one right-of-way area. Discussion took place. Mrs. Hermany commented that there is a very steep bank on one corner, and noted that a motorist must inch out very far into the intersection to see on-coming traffic. Mr. Kulesza asked if the applicant has obtained the property owner's permission to remove trees at the intersection. Mr. Guidos replied that it is still in ongoing discussion, however he noted that the trees are located within PennDot's right-of-way, and therefore the property owner would not have the ability to deny the request. If the trees are within PennDot's right-of-way, and they approve the Highway Occupancy Permit, Mr. Benner advised that PennDot would take jurisdiction over the improvements for sight distances. Mr. Beatrice believes the trees that are being discussed are very large, mature trees. He finds it frustrating that the existing Township residents must carry the burden for new residents, and would be opposed to the removal of those mature trees. Mr. Guidos explained that it was the goal of the applicant to increase the sight distance of the intersection, and part of doing that would be to remove some of those trees. Mr. Beatrice would like to see supporting data regarding the number of accidents at that intersection. If the Planning Commission does not want the sight distances improved, Mr. Benner stated that they have it within their discretion to suggest that the intersection improvements on the southwest corner be removed from consideration. The cost, however, would be that the sight distances at that location would be compromised. Mr. Benner advised that it was Toll Brother's offer to improve the sight distances at this intersection on all four corners. Mr. Kulesza asked if the developer considered any other options for improving the intersection, such as signalization, multi-way stop signs, etc. Mr. Guidos replied that no other options were considered, however he will be happy to forward those suggestions to the applicant's traffic engineer for consideration. Mr. Kulesza also suggested more creative options, such as eliminating the access to Diamond Street from Fairhill Road to this development. Mrs. Hermany suggested that no left turns onto Diamond Street be permitted from Fairhill Road. Mr. Guidos commented that the developer thought their goal was to increase the sight distance at that intersection, not to eliminate the intersection or install some type of traffic control. Mr. Kulesza noted that the property at the intersection contains a significant historical structure and those pine trees are part of the site that has been there for hundreds of years. He believes that the residents of Hilltown are sensitive to preserving its significant, historical structures, and feels that removing those pine trees would be unacceptable. Mr. Kulesza's other main concern is safety at that intersection. Personally, Mrs. Hermany does not see the pine trees as the major impediment at the intersection, as much as the embankment is. Chairperson Rush suggested that there be a possible realignment of the intersection to eliminate such a skewed angle, by possibly offsetting the roadway into Lot #29 a bit further. He understands that there is significant cost involved with realigning the intersection, however Chairperson Rush feels that the removal of the pine trees doesn't really address improvement of the intersection. Mr. Benner does not believe that the realignment of the intersection is feasible since there is not adequate right-of-way available. Mr. Beer reminded the Commission of the creek that runs quite close to the intersection. Lengthy discussion took place.

Mr. Kulesza asked if any improvement is being considered to the intersection of Schultz Road and Diamond Street, which he believes would be impacted by the increase in traffic. Technically, Chairperson Rush commented that intersection would be connected to what was the previous Johnson Subdivision. Mr. Benner advised that there are comments in the review letter calling for an overlay of Schultz Road, however no improvements are proposed to the intersection itself.

Mr. Beatrice is interested in seeing a minimum of curbing, sidewalk, and/or pedestrian path along Diamond Street. Mr. Benner stated that this issue was discussed at length at the last Planning Commission meeting, where Mr. Beatrice was not present, but there did not appear to be a consensus in that direction. The applicant had asked the Township to consider a waiver of all the Diamond Street improvements, including widening, sidewalks, curbs, and street trees, in return for a fee in-lieu-of those improvements. In Mr. Wynn's letter of May 9, 2005, Mr. Beatrice noted that there is no mention of the Township waiving those improvements. Mrs. Hermany explained that no recommendation of waiver was granted by the Planning Commission, rather there was discussion about not requiring sidewalks down Diamond Street because they felt the internal sidewalk system was adequate for providing pedestrian access. The Planning Commission also felt that the topography along Diamond Street would present difficulties for the installation of sidewalks or a pedestrian path. Mr. Kulesza advised that sidewalks are proposed from the development along Fairhill Road to the Diamond Street/Fairhill Road intersection. Discussion took place. Mr. Benner reminded the Commission that if the owner of Lot #29 is not agreeable to a deed restriction from further subdivision, the Township could impose a note on the plan that when and if Lot #29 is further subdivided, the owner of that parcel would be required to complete any road improvements including sidewalk as necessary and required by the Township. He also advised that Lot #29 is not really conducive to further subdivision because a large portion of the lot lies within resource-protected lands such as wetlands, floodplains, or slopes. Mr. Benner indicated that there was speculation that Lot #29 might be conducive to perhaps one additional lot. Chairperson Rush feels that sidewalk should be required now, if that is the wish of the Township. Before the Planning Commission renders their decision as to whether they would recommend full roadway improvements or accept a fee in-lieu-of those improvements, Mr. Beatrice and Mrs. Hermany would like to review the additional data and the accident reports for that intersection. Mr. McIlhinney believes that the developer should consider proposing signalization of the intersection of Diamond Street and Fairhill Road.

Mr. McIlhinney asked if Mr. Benner has advised the current owner of Lot #29 that the possibility of subdividing is minimal and that perhaps the roadway improvements should be done in conjunction with this development, in order to avoid future expense. Mr. Benner has not personally had those discussions with the property owner, however he was advised that the owner of Lot #29 has made a completely informed decision. Mr.

Beer firmly believes that Lot #29 should either be developed with this proposal or else deed restricted from further subdivision. Discussion took place.

Mrs. Hermany noted that the applicant has not requested a waiver of street trees, as Mr. Benner had thought.

Item #7.C of the May 9th review states “Township should determine if the proposed access route is acceptable to permit emergency maintenance and inspection by Township personnel to occur as required by the Stormwater Management Ordinance.” Mr. Guidos advised that the requirement for emergency access to the basin is a 10 to 1 slope for all vehicles entering the site, and an access location has been proposed for the Township’s consideration. Chairperson Rush noted that the proposed access is located in the drainage swale. Mr. McIlhinney asked if the owner of Lot #29, which contains the basin, will be a part of the Homeowner’s Association. Mr. Benner replied that the lot itself would be a part of the Homeowner’s Association, and the Association would be responsible for basin maintenance. Lengthy discussion took place.

Item #14 of the review states “Additional landscape plantings are proposed within the riparian corridor areas along the west side of the Pleasant Springs Creek tributary; however the plan does not propose installation of landscape plantings within the riparian areas on the north side of the stream within Lot #29 to supplement existing vegetation. In correspondence dated April 25, 2005 from the applicant’s engineer, it states that additional riparian vegetation has been relocated on the development side of the stream, in order to provide a greater buffer along the stream than utilized in vegetation in the existing tree line within Lot #29. Chairperson Rush thought the point of the riparian buffer is to improve water quality as it flows into the waters of the Commonwealth. Planting the riparian vegetation all along the development side of the stream, in Chairperson Rush’s opinion, only negates the entire point of the riparian buffer. Discussion took place.

The applicant had provided a 90-day extension for further review. The plan was tabled pending receipt of the additional information as requested by the Planning Commission.

D. PLANNING –

1. Miller Tract Subdivision (Preliminary) – Mr. Rick Mast and Mr. Brad Clymer, the applicant’s engineers, along with the applicants, Mr. and Mrs. Miller, were in attendance to present the plan. Mr. Wynn’s April 29, 2005 engineering review was discussed.

This 30-acre site contains most of its frontage along Schultz Road near Keystone, with a small amount of frontage along Keystone Drive. Lot #3, which consists of 24 acres,

contains an existing dwelling, which is the Miller residence, along with a pond that they installed. Lots #1 and #2 would consist of three acres, and are located at the intersection of Schultz Road and Keystone Drive. It is the applicant's intent to retain the site as open as possible by maintaining the 24-acre tract, and is looking to preserve the road frontage as it exists today. Since Mr. and Mrs. Miller have no current intention of developing a majority of the property, Mr. Mast stated they are looking to limit, to some degree, the road improvements on the parcel. The plan was revised following discussions at the December Planning Commission meeting, at which time the general consensus of the Commission was to recommend that street improvements on Schultz Road along Lot #3 frontage not be required at this time, however they recommended that swale and shoulder improvements be completed along the frontage of both Lots #1 and #2. Further, deferred roadway improvements may be required by the Township in the event Lot #3 is further subdivided. In the event the Planning Commission recommends a partial waiver of required street improvements, Mr. Wynn's review suggests that the note on the plan be revised to read as follows: "Upon further subdivision of Lot #3, the then owner of Lot #3 may be required by Hilltown Township to design and install street frontage improvements, including but not limited to, cartway widening, overlay, curb, storm drainage, and sidewalk along the frontage of Lots #1, #2, and #3 on both Keystone Drive and Schultz Road at the sole cost and expense of the then owner of Lot #3." Mr. Kulesza suggested that the phrase "may be required" be changed to "will be required," which would still leave it to the Supervisor's discretion to determine the extent of those requirements. Mr. Mast commented that the change in language would actually be removing some discretion of the Township to determine the extent of those requirements. This would not relieve the applicant of any obligation, rather it would maintain flexibility and discretion with the Township. Mr. McIlhinney suggested that the language "...will be required at the discretion of the Board of Supervisors" be added, and the Planning Commission agreed. Lengthy discussion took place.

Chairperson Rush wished to confirm that the applicant had agreed to deed restricting Lots #1 and #2 from further subdivision, even if public water would become available in the future. Mr. Clymer agreed that was a correct statement, advising that the deed restriction is listed as Note #7 on the plan.

The applicant has requested the following waivers:

- From Section 403.2.B – Plan Scale. A waiver from plan scale requirements is requested to permit the subdivision plan to be presented at a scale of 1: = 100'.

Motion was made by Mrs. Hermany, seconded by Mr. Beatrice, and carried unanimously to recommend waiver from Section 403.2.B for Plan Scale as noted above, for the Miller Tract Subdivision.

- From Section 505.16 – Streets – General. A waiver is requested from all street improvements except for swale, drainage, and shoulder improvements along the frontage of Lots #1 and #2.

Motion was made by Mr. Beer, and seconded by Mr. McIlhinney, to recommend partial waiver from Section 505.16 for street improvements, except for swale, drainage, and shoulder improvements along the frontage of Lots #1 and #2 for the Miller Tract Subdivision.

Mr. Beatrice feels many of these partial waivers hinge on whether or not Lot #3 is subdivided in the future. Chairperson Rush believes that each of these waivers can be considered individually while still being under the umbrella of the possible future subdivision of Lot #3.

Motion passed unanimously.

- From Section 506.4 – Street Standards – Cartway Width. A waiver from cartway widening is requested to permit road improvements consistent with the neighboring Rambo Subdivision. A 1 ft. widening of the cartway is proposed, with a 4 ft. stabilized shoulder.

Motion was made by Mrs. Hermany, seconded by Mr. McIlhinney, and carried unanimously to recommend partial waiver from Section 506.4 for Street Standards with respect to Cartway Width for the Miller Tract Subdivision, as noted above.

- From Section 512 – Curbs. A waiver has been requested from installation of curb.

Motion was made by Mr. Beer, seconded by Mr. Kulesza, and carried unanimously to recommend waiver from Section 512 – Curbs for the Miller Tract Subdivision.

- From Section 513 – Sidewalks. Waiver is requested from installation of sidewalk.

In the event a waiver is granted from installation of sidewalk along the frontage of Lots #1 and #2, Mr. Wynn's review recommends that a 10 ft. wide sidewalk easement be provided to the Township to permit sidewalk construction in an area behind the street trees in the event Lot #3 is further subdivided in the future and sidewalks are desired by the Township.

Motion was made by Mr. Beatrice, seconded by Mr. Kulesza, and carried unanimously to recommend waiver from Section 513 – Sidewalks, to the Miller Tract Subdivision, with

the caveat that a 10 ft. wide sidewalk easement be provided to the Township to permit sidewalk construction in an area behind the street trees in the event Lot #3 is further subdivided in the future and sidewalks are desired by the Township.

- From Section 515 – Landscaping and Street Trees. Waiver is requested from street tree requirements along the frontage of Lot #3. Street trees have been proposed along the frontage of both Lots #1 and #2.

Motion was made by Mr. Beer, and seconded by Mr. Beatrice to recommend partial waiver from Section 515 – Landscaping and Street Trees along the frontage of Lot #3 of the Miller Tract Subdivision, with the caveat that street trees be provided along the frontage of both Lots #1 and #2.

Mr. Kulesza was concerned that the street trees would be placed in the area where future sidewalk may be required in the future. Mr. Mast replied that they would be placed outside the sidewalk easement, with a note on the plan stating that no plantings, other than grass, can be placed within the sidewalk easement.

Motion passed unanimously.

Motion was made by Mr. Kulesza, seconded by Mr. Beatrice, and carried unanimously to recommend conditional preliminary plan approval to the Miller Tract Subdivision, pending the successful completion of all outstanding issues as noted in the April 29, 2005 engineering review.

E. OLD BUSINESS: None.

F. NEW BUSINESS: None.

G. PLANS TO ACCEPT FOR REVIEW ONLY:

1. Calvary Church Land Development (Final)
2. CVS Land Development (Final)
3. Guidi Homes Subdivision (Final)

H. PUBLIC COMMENT: None.

I. MYLARS FOR SIGNATURE: None.

J. PLANNING COMMISSION COMMENTS: None.

K. PRESS CONFERENCE: A conference was held to answer questions of those reporters present.

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Planning Commission
May 16, 2005

L. ADJOURNMENT: Upon motion by Mr. Beer, seconded by Mr. Beatrice, and carried unanimously, the May 16, 2005 Hilltown Township Planning Commission meeting was adjourned at 9:52PM.

Respectfully submitted,

Lynda Seimes
Township Secretary