

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
MONDAY, JANUARY 27, 2020**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhinney at 7:01 PM and opened with the Pledge of Allegiance. Also in attendance were Supervisor James Groff, Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Chief of Police Christopher Engelhart, Township Engineer C. Robert Wynn, Township Solicitor Steve Harris, and Finance Director Marianne Egan.

1. ANNOUNCEMENTS: Chairman McIlhinney announced there were no Executive Sessions prior to this meeting.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the January 6, 2020 Reorganization Board of Supervisors Meeting
 - b) Bills List – January 28, 2020

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

4. CONFIRMED APPOINTMENT: None.
5. LEGAL:
 - a) Britton Industries Agreement for Vegetative Yard Waste Recycling: Solicitor Harris stated the Township is waiting for a response to the agreement being reviewed by Britton Industries to allow residents of Hilltown Township to drop off their vegetative yard waste at their location on Bethlehem Pike.
 - b) Calvary Church/Mr. B's Coffeehouse ZHB 2020-001 (820 Route 113) Hearing Date 1-30-2020: Solicitor Harris stated a Zoning Hearing Application has been received and the hearing has been scheduled for January 30, 2020 for Mr. B's Coffee House at Calvary Church. The church has run a coffeehouse for quite some time and is seeking approval to enter into a partnership with Liberty Hall Coffee, LLC where the church would lease the operation to the private entity. The church would still maintain the facility along with the play zone. Because the church is seeking for it to be run by a private party, they are seeking a variance. The church would

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also like to discuss signage variances to allow freestanding signage at the entrances of the property. Chairman McIlhinney asked Solicitor Harris if he investigated the history of the coffeehouse. Solicitor Harris researched the 2007 minutes where the zoning ordinance was amended to permit the facility in the church provided it was operated by the church. Chairman McIlhinney asked if the area encompassed by the coffeehouse will be taxed. Solicitor Harris stated, if the variance was granted, it would be up to the Board of Assessment to make the decision on the tax which then could be appealed either way. Supervisor Groff questioned the gift shop at the Shrine and Solicitor Harris stated it was determined that it was taxable. The rest of the church was a purely charitable activity and not taxable. He continued to state that this is the position the Board has taken with NOVA and they are waiting for a pre-trial conference with the judge. Supervisor Groff clarified the play zone would remain free of charge. In regard to the signs, Solicitor Harris stated the ordinance states one sign is permitted, provided that it is no larger than four square feet bearing the name of the accessory use and hours, and shall be affixed to the place of worship structure, and shall not be freestanding. The church is requesting to put up a freestanding sign by each of their entrances. Supervisor Groff stated he is not in favor of the signs at the entrances but is okay for the church to go to the Zoning Hearing Board, and, if the variance is granted, let the Board of Assessment take care of the tax issue. Solicitor Harris stated he could write a letter to the Zoning Hearing Board stating the Board has no objection to the variance being granted for the private operation but does object to the freestanding signs by each of the entrances. Chairman McIlhinney stated every time there is a non-profit organization, they don't pay taxes, they don't observe the rules, regulations, and ordinances, they want exceptions to everything, and they are in competition with the tax paying entities. Supervisor Torrice stated his family used the play area for three years and it is a great thing for the community. He continued to state he does not see an issue with changing the ownership for the entity but agrees they need to be taxed. Supervisor Torrice stated a 2 x 2 sign for a business is ridiculous but that is not the issue right now. The ordinance needs to be followed and having a sign at each entrance is going to go against it so, unfortunately, in this current point in time, they cannot allow the signs at the entrances, however, that is something he would like to see addressed down the road. Solicitor Harris asked for a motion to instruct him to write a letter to the Zoning Hearing Board advising that two of the Board members has no objection to the variance for the private operation of the coffeehouse, but all three Board members oppose the freestanding signs. Motion was made by Supervisor Groff and seconded by Supervisor Torrice for Solicitor Harris to write a letter stating two of the Board of Supervisors do not oppose the operation of the coffeehouse at the Calvary Church but all three Board of Supervisors oppose the freestanding signs at the entrances of the church. Motion passed 2-1 with Chairman McIlhinney

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having the opposing vote for the private operation of the coffee house. There was no public comment.

6. PLANNING: None.

7. ENGINEERING:

a) Hilltown Walk Subdivision Maintenance Period: Township Engineer, C. Robert Wynn stated the maintenance period of the Hilltown Walk Subdivision expired on May 13, 2019, the Board of Supervisors denied the acceptance of the maintenance period on May 28, 2019, and a punch list was issued to the developer in advance of the expiration date. In December, the developer finished up replacing trees and shrubs that had died and corrected a swale that was eroded. The Subdivision Ordinance states if trees and shrubs are replaced during the maintenance period, the maintenance must be guaranteed for another maintenance period for just the trees that were recently replaced. The cost of the trees is \$9,600.00 and the developer has submitted an escrow to the Township in that amount to guarantee he will replace the trees again if they die. Motion was made by Supervisor Groff, seconded by Supervisor Torrice and carried unanimously to accept the maintenance period for the Hilltown Walk Subdivision along with the submission of the \$9,600.00 escrow received to guarantee the replacement of trees that were installed during the recent maintenance period. There was no public comment.

b) MS4 Permit Status: Mr. Wynn stated the MS4 Permit that was submitted for the Pollution Reduction Plan last fall was approved by DEP who issued a tentative approved permit which has to go through a 30-day public comment period on their end which will end in early February. The Township should have the 5-year permit by the middle of February. No action was required.

c) Special Study of Act 537 Wastewater: Mr. Wynn stated the Township received notification last summer that there are issues with the Act 537 Plan and areas that were identified in a 1996 correspondence from Bucks County Department of Health which was included in the 1999 Act 537 Sewage Facilities Plan where there were potential isolated problems in the Township with failing systems. The County requests the Township do a special study to re-investigate these areas that had been required as part of the approval of the plan and do several other things to identify whether or not there are needs elsewhere in the Township such as mapping of poor soils, parcels that have had failed systems, and repair permits, etc. One of the main things that is asked for the Township to do is update the Operating and Maintenance requirements for on-lot septic

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systems requiring all non-standard new systems to execute an Operation and Maintenance Agreement with the Township for monitoring and also to guarantee they will be corrected if they fail. The Township currently has the agreements for holding tanks, small flow treatment facilities, and sand mounds on marginal soils. A pump out requirement will be in the sewage management ordinance that will state tanks are to be pumped out at least once every three years, or have an inspection, and the Township will need to have a data base and monitor the pumping out of the septic tanks for everyone. Mr. Wynn continued to state he has proposed a special study in a letter to PADEP outlining what he is initially proposing to do even though more may be required. Motion was made by Supervisor Groff, seconded by Supervisor Torrice and carried unanimously to authorize Mr. Wynn to submit the letter to PADEP in regard to the special study of the Official Act 537 Plan. There was no public comment.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS:

a) Pennridge Community Day: Township Manager, Lorraine Leslie, stated a request for a contribution for Pennridge Community Day has been received. Ms. Leslie continued to state the Township donates \$100.00 to Pennridge Community Day but also donates approximately \$700.00 in un-reimbursable police coverage for the event which brings the actual donation to approximately \$800.00. Motion was made by Supervisor Groff, seconded by Supervisor Torrice and carried unanimously to donate \$100.00 to Pennridge Community Day. There was no public comment.

Ms. Leslie announced the Easter Egg Hunt at the Civic Park will be at 10:00 AM on Saturday, March 28, 2020 with a rain/snow date of Saturday, April 4, 2020.

10. SUPERVISOR'S COMMENTS: Supervisor Groff thanked the UCC Board for the nice job they did with the Pearl S. Buck UCC Hearing, especially since it took three hours to come up with a decision. Supervisor Groff continued to state he is applying for a DCNR grant for the waterline easement for the pedestrian path. Supervisor Torrice stated he would like to start a business advisory board that would meet quarterly for open conversation as a direct communication to a Township official as to things that can be done to help the businesses in the area. Supervisor McIlhinney stated for Supervisor Torrice to go through the Township Manager and she will coordinate it. Supervisor Torrice stated he will take notes from the meetings and share them at a Board of Supervisors public meeting. Ms. Leslie stated refreshments were offered the last time it was done and their ticket in was their business card.

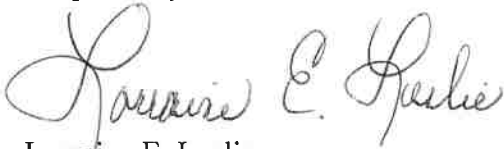
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11. PUBLIC COMMENT: Chris Jasinski, 106 Highland Park Road, after reviewing the Comprehensive Plan, stated the re-districting of the zoning map was done fairly long ago, and questioned if there is any plan on redoing the zoning districts. Chairman McIlhinney stated there is no plan for redoing the zoning districts. He continued to state, Hilltown has a rural look because there are basically many homes on 3 acres or larger and that contributes to that rural look. Generally, the zoning typically does not get re-zoned unless an applicant comes before the Board of Supervisors and makes the request. The public is informed, and decisions are made at that point in time.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Supervisor Groff and carried unanimously, the January 27, 2020 Hilltown Township Board of Supervisors 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).