

**HILLTOWN TOWNSHIP PLANNING COMMISSION**  
**REGULAR SCHEDULED MEETING**  
**MONDAY, MAY 18, 2020**

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairman David Christ at 7:30 PM and opened with the Pledge of Allegiance. Mr. Christ welcomed everyone to the first official Township meeting of any kind under the COVID-19 regulations and appreciates the cooperation with social distancing, limitation with attendees, and wearing of the masks, which can be cumbersome. Also present were Planning Commission members Brooke Rush, Jon Apple, Eric Nogami, Township Engineer, C. Robert Wynn, and Township Solicitor, Steven Harris.

1. APPROVAL OF MINUTES – Action on the minutes of the March 2, 2020 meeting – Motion was made by Mr. Rush, seconded by Mr. Apple and carried unanimously to approve the March 2, 2020 meeting minutes as written. Mr. Christ thanked Ms. Egan for the time putting the minutes together. They were one of the most comprehensive minutes since the six years he has been on the Planning Commission. There was no additional public comment.

2. Venue at Hilltown Proposed Zoning Amendment to the RR District to Allow B-7 as a Conditional Use: Deliberation/Recommendation Only: Solicitor Harris gave an overview of the project from the last Planning Commission meeting on March 2, 2020 where they considered the petition for a text amendment to the Zoning Ordinance. At the end of the meeting there was a motion made to table the decision as to whether or not to recommend or not recommend, the petition until the next meeting of the Planning Commission. Solicitor Harris stated the motion was: “Motion was made by Mr. Apple to table the Venue at Hilltown until the next meeting. Mr. Rush made a motion to amend Mr. Apple’s motion to table the Venue at Hilltown until the next meeting and for the Planning Commission to make a decision. Mr. Apple seconded Mr. Rush’s motion to table the Venue at Hilltown until the next meeting to make a decision.” Solicitor Harris continued to state, at that meeting, it was specifically stated anybody who wanted to submit something between that meeting and the current meeting could do so, it would be reviewed, but, at this meeting, there would be simply a motion made and a decision made and there would be no comment, no further evidence, and nothing further presented to the Planning Commission. Solicitor Harris stated, at that point, the Planning Commission can, after considering what was presented pro and con, make a decision as to whether or not to make a recommendation to the Board of Supervisors for one of the following:

1. The Board of Supervisors approve the petition for the text amendment.
2. The Board of Supervisors approve the petition for the text amendment with conditions.
3. The Board of Supervisors deny the petition for the text amendment.

Solicitor Harris continued to state the recommendation by the Planning Commission is not binding and the Board of Supervisors will make the final determination. If the determination by the Board

of Supervisors is to adopt the text amendment, the next step would be several Conditional Use Hearings on whether or not the text amendment would be approved. If it were approved, the next step would be for the applicant to file a Subdivision/Land Development Plan and get that approved before the project could go forward. If the Board of Supervisors were to decide not to adopt the text amendment, regardless of what the Planning Commission recommended, the matter would be at its' conclusion. The proper procedure tonight would be for someone to make a motion and see if it is seconded. If the motion is not seconded, someone else could make a motion. When there is a motion, and a second, then the Planning Commission can debate the motion. When the discussion is completed, then there will be a vote, and it will be referred to the Board of Supervisors who will schedule it at an upcoming meeting. Whichever way the Planning Commission recommends, it still has to go to the Board of Supervisors who can approve it regardless of the recommendation of denial or vice versa.

**Motion was made** by Mr. Christ to recommend the amendment as submitted. The motion died due to the lack of a second.

Mr. Rush stated the project, to him, is all about density. If it were a one for one trade between an age qualified community verses a traditional development, it would be a no brainer. Mr. Rush continued to discuss that it is a good use of the property as it joins the PC-1, it meets the criteria what the Planning Commission look for in terms of the zoning, it seems to make sense where it is located, and the applicant did a really good job of presenting a lot of information.

**Motion was made** by Mr. Rush, and seconded by Mr. Apple, to recommend the text amendment, with this specific applicant, with total number of units closer to 125. Mr. Apple stated it is not in a bad position of the area of the Township for this to occur. It is certainly close enough to major thoroughfares, but he also has a problem with the high density.

Discussion occurred regarding the original density of 194 units and coming up with a multiplier.

Mr. Rush stated the items regarding traffic, the traffic light, the bridge, etc. are all planning issues that will be fully and thoroughly reviewed at the planning stage.

Mr. Nogami stated he would be opposed to recommending approving the petition as written. He continued to state he could support the proposal if some conditions were met in terms of the density, and he is in favor of reducing the allowable woodland disturbance from the 60% to something closer to 20% as long as there was an increase of the buffer requirements for the adjoining RR properties.

Mr. Christ stated he was in favor of the amendment as submitted. They went through volumes of papers and presentations, hours of public comment, most of it opposed and a few in favor, read through all of the documentation that was submitted after the last meeting, and also the petition that was circulated amongst homeowners in the Township. He continued to state he does not take the petition lightly, there are many names on the petition, however, when he went through the list of names, there are four residents on Swartley Road. Everybody else that signed the petition did not live on Swartley Road. If the petition were going to be submitted as an opposition of the

development, affecting the actual residents that live on Swartley Road, he would have loved to see more signatures on the petition of people that actually live on Swartley Road. It rose a red flag in his mind, if this was a movement that was started by somebody that may have been opposed to it and was not able to get people behind them. He did not see a lot of opposition from Swartley Road residents. Mr. Christ stated he likes where Mr. Rush's motion is going, and he can support it also. **Amended Motion** was made by Mr. Nogami, and seconded by Mr. Apple, in addition to Mr. Rush's motion recommending the text amendment with the total number of units closer to 125, to also reduce the amount of woodland disturbance, and to further investigate the buffer requirements between the proposed development and the adjacent residents in the RR Zoning District.

Mr. Christ questioned Mr. Neil Barilla to state what is on his mind. Neil Barilla, 505 Swartley Road, stated he still feels 125 units is too much density for a rural property. He believes one-acre zoning, beautiful homes, would benefit everyone. There are not a lot of people who live on Swartley Road and that is why there is not a lot of signatures on the petition. Mr. Rosenthal owns one house and his name is not on the petition. Another woman on Swartley Road owns two houses and her name is on the petition. There is a lot of opposition all around the entire development. We are going to turn part of Hilltown into a multifamily development that doesn't exist anywhere else like this. Toll Brothers put a beautiful development up. Is there really a use for 55 and older right now. Mr. Barilla ended by stating Hilltown does not need an eyesore that cannot sell, and he strongly opposes 125 units.

**The Amended Motion carried unanimously.**

3. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

4. CONFIRMED APPOINTMENTS:

a) Chrzanowski Subdivision Preliminary Plan – Mr. Scott Mease, PE, Mease Engineering, was in attendance to present the Reserve at Highview Subdivision Preliminary Plan located on two parcels totaling approximately 20+ acres that is proposed to be subdivided into six single family detached dwelling units in the RR Zoning District. Lot 1 contains a single-family detached dwelling (the applicant's residence), swimming pool, and driveway access along Highview Road, which is proposed to remain. Lots 2 thru 6 are proposed for construction of single-family detached dwellings having frontage and access along a proposed cul-de-sac street. The project will be served by on-lot water and sewage disposal facilities. Mr. Mease stated most of the items contained in Mr. Wynn's review letter dated February 26, 2020 are "will comply" and discussed the following:

1. Mr. Mease stated the preliminary plan filing notifications to the property owners in the vicinity of the site were mailed out on February 28, 2020 and submitted to the Township on March 6, 2020.

2. Mr. Mease stated the preliminary plan is a plan that was developed off of the sketch plan that was discussed at the August 19, 2019 Planning Commission meeting which is identical other than the entrance of the road onto Highview Road, with respect to the house across the street, was relocated in regard to headlights.
3. Mr. Mease stated the existing wall/trees will satisfy the planting requirements of a Type 1 buffer and a note to this effect will be added to the record plan which states that it is the owner of Lot 1's responsibility to ensure that the masonry wall and evergreen trees are maintained within the buffer yard to comply with Type 1 buffer requirements of the Zoning Ordinance.
4. Mr. Mease discussed the waiver requests:
  - A. SLDO Section 140-17.B(1), which requires the plan to be drawn at a scale of not more than 50 feet to the inch.
  - B. SLDO Section 140-22.B, which requires a water resources impact study to be prepared for all residential subdivisions containing three lots or more, with the smallest created lot having less than five acres in area. After discussion, the Planning Commission requested the water resources impact study be prepared noting that the existing wells may be used as part of the testing/monitoring well network to complete the study.
  - C. SLDO Section 140-27.B(11), which requires residential lot depth to be between one and three times the lot width.
  - D. SLDO Sections 140-28.P, 140-29.D(1), 140-35, and 140-36, which require cartway reconstruction/overlay, drainage improvements, cartway widening, curb, and sidewalk along Highview Road within the frontage of the site. Mr. Wynn recommended that a storm sewer collection and conveyance facility be installed within the existing shoulder of Highview Road, between the raingarden outlet pipe location to the northern limits of the site, and full width cartway milling/overlay be completed within the frontage of the site.
  - E. SLDO Section 140-30.C, which requires that a permanent cul-de-sac street shall not exceed 500 feet in length.
  - F. SLDO Section 140-34.A(2), which requires that driveways for corner lots created by a proposed street and existing street shall gain access to the proposed street.
  - G. SLDO Section 140-37.C(2), which requires street trees or front yard landscaping along all roads.
  - H. SLDO Section 140-44.B, which requires concrete monuments (premanufactured) to be set at all corners of lots within the subdivision. There are 21 monuments because there are a lot of curves in the road. After discussion, this will be a partial waiver as all property corners must be monumented with concrete monuments and pins at the other areas.
10. Mr. Mease stated there will not be a homeowner's association with this project.
11. Mr. Mease stated since a lamppost will be at the end of each driveway, the applicant would like to include a waiver request for SLDO Section 140-48 for the installation of a streetlight at the site intersection and in the cul-de-sac turnaround. After discussion, the Planning Commission was

agreeable to the additional waiver request and Mr. Mease will submit a revised waiver request letter.

14. Mr. Mease stated the proposed internal road, Syrena Lane, is fine with the Postmaster, and knows that the name of the road is the Supervisor's call.

**Motion was made** by Mr. Rush, seconded by Mr. Nogami, and carried unanimously to recommend Preliminary Plan approval for the Chrzanowski Subdivision contingent upon Mr. Wynn's review letter dated February 26, 2020, including the waivers, but denial of the waiver request for the Water Resources Impact Study, approving a partial waiver for the concrete monuments at the corners of the lots, and approving the installation of storm sewer improvements and capital contribution. There was no public comment.

b) Britton Industries Land Development (Composting Facility Expansion) – Mr. Stephen V. Quigley, RLA, Eustace Engineering, was in attendance to present the Preliminary/Final Plan for Britton Industries for a 960 sq. ft. office trailer, 1,500 sq. ft. pole building, a small extension of the gravel area, and a barn all located on Bethlehem Pike and Central Avenue. Mr. Quigley stated the stormwater is handled with the existing basin and they are doing amended soils at the bottom of the basin. Also, the infiltration trench has been improved with amended soils. The applicant has asked for a waiver for street trees because of the existing white pine buffer that surrounds the property and have offered, at the request by the Planning Commission, to extend the berm along Central Avenue and replace, what should be street trees, with additional white pine trees to lengthen the buffer area. Mr. Quigley stated a drainage easement, on the north side, with John Florig, the property owner, has been recorded along with the recordation of an access easement in the southern area by the same property owner. Mr. Quigley also stated the applicant is proposing to put in a small screen of cypress and evergreens which will force trucks coming in to turn. This will screen the yard from the neighbors, and it turns the trucks so that they have to go across the scales first before they go to the rest of the site. Mr. Quigley reviewed Mr. Wynn's review letter dated January 31, 2020 and discussed the following:

2. Mr. Quigley discussed the waivers:

A. SLDO Sections 140-28.P, 140-29.D(1), 140-35.A, and 140-36.A, which require cartway reconstruction/overlay, drainage improvements, cartway widening (14' wide half width from centerline), curb, and sidewalk along existing streets within the frontage of the site. Mr. Quigley stated, at the last Planning Commission meeting, it was discussed to put the sidewalk on Bethlehem Pike. The applicant had taken the waiver out but put it back in by letter at the beginning of March. They are concerned about safety if people are walking in front of that area where trucks are coming and going. After discussion, it was the consensus of the Planning Commission for the applicant to put the sidewalk in along Bethlehem Pike.

B. SLDO Section 140-22.B(3), which requires submission of a Water Resources Impact Study for any application that proposes on-lot water supply to serve a non-residential use.

Mr. Quigley stated there was an affidavit sent in with the application that states only 5,000 to 6,000 gallons will be used a day.

C. SLDO Section 140-17.D, which requires existing features within 100 feet of the site to be shown on the plan.

D. SLDO Section 140-37.C(2), which requires street trees or front yard landscaping to be proposed along existing streets within the frontage of the site where suitable trees do not exist.

E. SLDO Section 140-42.B, which requires connection to a public sanitary sewer system where such a system is proposed by the Township's Sewage Facilities Plan, and where such a system can feasibly be provided to the proposed development. Mr. Quigley stated only two people will be in the trailer on a daily basis so a holding tank will be sufficient, it will be serviced on a weekly or bi-weekly basis, and he agreed to connect to public sewer if there was an increase in sewage usage. It was noted a permit will be needed from the Township, DEP, and the Health Department.

4. Mr. Quigley stated, in regard to the Stormwater Management Report, a note will be put on the drawing about the maintenance by the property owner and the Stormwater Facilities Maintenance and Monitoring Agreement.

5. Mr. Quigley stated the applicant has received the NPDES permit.

7. Mr. Quigley stated the applicant would like to use the existing lighting and keep them in place even though they are in excess of the maximum allowable heights in the Zoning Ordinance. Mr. Quigley stated the applicant plans on asking the Board of Supervisors if they will be allowed to use the lights for all night security lighting. The operation is a dawn to dusk operation and would like night visits to make any adjustments to the lights, if needed.

8. Mr. Quigley stated the applicant will give the Opinion of Cost to Mr. Wynn once they go to the Board of Supervisors.

Mr. Apple asked if the Township residents are able to utilize Britton Industries for yard recycling. It was noted by Mr. Quigley there is a contract with the Township for residents to use the facility the 1<sup>st</sup> and 3<sup>rd</sup> Saturday of the month. It was also noted it is on the Township website.

Discussion occurred concerning tying into sewer and the gallons per day usage. After discussion, it was the consensus of the Planning Commission for the applicant to put the sidewalk in along Bethlehem Pike.

**Motion was made** by Mr. Apple, seconded by Mr. Nogami, and carried unanimously to recommend Preliminary/Final Plan approval for the Britton Industries Land Development (Composting Facility Expansion) contingent upon Mr. Wynn's review letter dated January 31, 2020, including the waivers, but denial of the waiver request for sidewalk along Bethlehem Pike. There was no public comment.

c) Resawn Timber Preliminary Land Development – Mr. Scott McMackin, PE, was in attendance, along with the applicant, Bill Stevens, to present the plan for a 12,500 sq. ft. pole building located on approximately five acres at 306 Keystone Drive within the HI Zoning District.

Applicant, Bill Stevens, stated the business was established in 2014, bought the property in 2017, and there are currently 30 employees. The proposed pole building will hold inventory so they can continue to grow. They make custom exterior siding, interior wall cladding, and their own line of hardwood flooring which they do not manufacture there. They are not open to the public. Mr. McMackin stated all of the items in Mr. Wynn's review letter dated July 1, 2019 are all "will comply" and discussed the following:

2. Mr. McMackin discussed the waivers:

A. SLDO Sections 140-28.P, 140-29.D(3), 140-35, 140-36, and 140-37.C, which requires cartway reconstruction/overlay, cartway widening, curb, sidewalk, and street trees along existing roads within the frontage of the site. The applicant would like the waiver request and not provide the fee-in-lieu of the waived improvements which will be up to the Board of Supervisors.

B. SLDO Section 140-37.D, which requires that all parking lots be landscaped to provide at least 50% shading of the impervious area of the parking lot and access drive.

C. SLDO Section 140-37.G, which requires that trees with a diameter of ten inches or greater that are to be removed or destroyed as part of the development must be replaced in accordance with criteria contained within section 140-37.G. Mr. McMackin stated the applicant will provide a fee in lieu of reforestation tree installation.

**Motion was made** by Mr. Rush, seconded by Mr. Apple, and carried unanimously to recommend Preliminary Plan approval for Resawn Timber Land Development contingent upon Mr. Wynn's review letter dated July 1, 2019, including the waivers, but denied the waiver request from street improvements.

Mr. Nogami questioned access to the proposed pole building in regard to emergency vehicles. Mr. McMackin confirmed the access is from the front parking lot and Old Castle.

**Amended Motion was made** by Mr. Rush, seconded by Mr. Apple, and carried unanimously to recommend Preliminary/Final Plan approval for Resawn Timber Land Development contingent upon Mr. Wynn's review letter dated July 1, 2019, including the waivers, but denied the waiver request from street improvements. There was no public comment.

5. PLANNING: None.

6. ORDINANCES: None.

7. OLD BUSINESS: None.

8. NEW BUSINESS: None.

9. PLANS TO ACCEPT FOR REVIEW ONLY:

a) County Line Plaza Land Development – 5,750 sq. ft. Multi-Use Building, Medical Office & Eating Place – Route 113

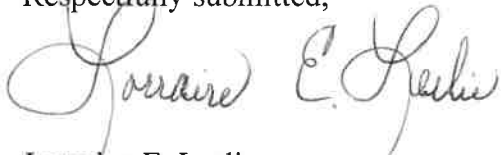
10. PUBLIC COMMENT: None.

11. PLANNING COMMISSION COMMENTS: Mr. Rush questioned a sketch plan on Seven Corner Road. Mr. Wynn confirmed it is the Widner Tract and the sketch plan will be on the next Planning Commission agenda. Mr. Christ stated he appreciated Solicitor Harris's presentation on the Venue at Hilltown project and continued to state he was very helpful to get the project to the next level. Solicitor Harris stated it was very helpful to him to listen to the project presentations since he does not receive copies of the plans.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Mr. Apple, seconded by Mr. Rush and carried unanimously, the May 18, 2020 Hilltown Township Planning Commission meeting was adjourned at 9:02 PM.

Respectfully submitted,



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).