

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARY SCHEDULED MEETING  
MONDAY, DECEMBER 8, 2014**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John B. McIlhimey at 4:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice-Chairman Kenneth Bennington, Supervisor James Groff, Township Manager Richard Schnaedter, Chief of Police Christopher Engelhart, Township Solicitor Stephen Harris, and Township Engineer C. Robert Wynn.

1. ANNOUNCEMENTS:

a) **Chairman McIlhinney announced the Board of Supervisors met in Executive Session prior to the meeting for informational purposes and signing of documents.**

b) **Chairman McIlhinney announced the meeting scheduled for December 22, 2014 has been cancelled.**

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONSENT AGENDA:

a) Minutes of the November 24, 2014 Supervisor's Meeting

b) Souderton Fire Company 2015 Fire Agreement – Signature from the BOS

Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously to accept and approve items a) through b) on the Consent Agenda with one correction in the minutes. On page 4, in the middle of the paragraph, the sentence should read "Chairman Bennington thanked Township Treasurer, Lorraine Leslie, for the **GREAT** job she has done for the past twenty two years." There was no public comment.

4. CONFIRMED APPOINTMENTS: None.

5. LEGAL: Solicitor's Report – Solicitor Stephen Harris

a) Alloy & Stainless – Approval of Agreements - Solicitor Harris stated Alloy & Stainless is ready in that the improvement agreement, the stormwater operation and maintenance agreement, and deed of dedication are ready to be executed and 99.99% through resolving the language of the Letter of Credit and would request a motion for the signing of the documents and

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them be held until the Letter of Credit is received in a form that is satisfactory to the Township. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to authorize the execution of the improvement agreement, the stormwater operation and maintenance agreement, and the deed of dedication for Alloy & Stainless and the documents be held until the Letter of Credit is received. There was no public comment.

Additionally, Solicitor Harris stated he received two copies of applications for variance requests:

1. Living Hope Community Church for a sign larger than 20 feet with a LED message board and
2. Katherine Wrightstein requesting three variances to subdivide a 10 acre lot into three separate lots, lot width, impervious surface limitations, and to allow a flag lot of less than 10 acres. The last application has been scheduled for January 15, 2015. Discussion ensued whether to send the Solicitor to the Zoning Hearing Board in opposition to the application. Chairman McIlhinney disagreed with granting a variance in regards to the flag lot. Supervisor Bennington and Supervisor Groff did not wish to send opposition to the hearing. Solicitor Harris stated the applicant is following the procedure in the right way to achieve the result that they want. Chairman McIlhinney disagreed stating the applicant should submit a sketch plan to the planning commission and then follow through to the Board for the sketch plan review and then proceed down the right path. Solicitor Harris stated the applicant is clearly doing this because the expense of putting in a road would outweigh the value of creating two new lots. Supervisor Groff questioned Solicitor Harris on the downside of the granting a variance for a flag lot for less than 10 acres. Solicitor Harris stated if you do it for some than other people will ask for the same thing. It was ultimately decided not to send opposition to the zoning hearing and let the Zoning Hearing Board do their job.

6. PLANNING: None.

7. ENGINEERING: C. Robert Wynn, Associates

a) Regency at Hilltown – Revised Final Plan - Mr. Edward Murphy was in attendance to discuss the Regency at Hilltown revised final plan. Mr. Murphy stated in late April of 2013, the Board approved the final plans for the project. Mr. Wynn's review letter dated November 10, 2014 was discussed which included a number of revisions to the plan. A staff meeting was held to discuss the comments in the review letter which there were no issues with. Certain items were raised in the staff meeting and reached agreement on that consisted of: 1. the desire of the Township to maintain flexibility in the event that they wanted to take dedication of

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the 20 acre piece across the street from the development where in the original agreement, it was going to be dedicated to the HOA. The applicant is okay if the amended approval wants to give the Township the right in the future whether the open space is by Toll or by the HOA, to require the dedication of that to the Township. Also, there is a production well within the limit of that property and the applicant will provide the flexibility in the documents that, if Hilltown Water & Sewer Authority wanted to take dedication of the well for future production purposes, the applicant would do that. 2. A discussion occurred in regards to the need to escrow with the Township for backfilling and other type of improvements associated with extension with water and sewer lines in Township roads that the Authority does not escrow for. The applicant was agreeable to setting up the escrow. 3. The warrants for the installation of the traffic signal do not exist, however, the applicant is willing to agree that, at full build out of the job, an updated traffic warrant analysis would be done. If the analysis authorizes a traffic signal, the applicant would install it and escrow for the signal now. In the event the warrants at full build out still do not justify the traffic signal, the applicant would contribute the value of the installation to the Township. 4. In anticipation of installing the traffic signal, the applicant had commissioned an appraisal of each of the properties that would be affected by the signal and they were provided to Bob Wynn. 5. The amenities package was restored to what it was in the original plan. Mr. Murphy stated the HOA documents were provided to the Township Solicitor for review. Supervisor Bennington wanted confirmation that the pre-emption device for the traffic signal was included in the total cost. Mr. Murphy confirmed that it was. Also, Supervisor Bennington wanted confirmation that the in lieu of proposed centralized propane storage system is going to be safe. Mr. Murphy stated it has nothing to do with safety but more to do with the convenience of refueling homes closer to the centralized station. Mr. Murphy also stated it was reviewed by Bob Wynn's office and determined to be acceptable. Supervisor Bennington wanted to know when the shovel is going in the ground. Mr. Dave Anderson, Toll Brothers, stated they wish to be in front of the Board in January to have the documents, record plans, etc. signed by the Board and approved. Once the plan is recorded, their intent is to start immediately which they hope to be before April 1, 2015. They currently have bids out and will meet with Mr. Wynn for a pre-con meeting as soon as they get the odds and ends wrapped up. Solicitor Harris stated he has received the draft HOA documents for his review. He has drafted the improvement agreement and the stormwater operation and maintenance agreement and still needs to work on the easements but it is well underway. Solicitor Harris also stated a unilateral declaration should be prepared to address the twenty acres, the traffic signal, etc. Mr. Wynn discussed the street names that were revised and are subject to the Board's approval. Discussion ensued regarding the street

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name after former supervisor Bill Bennett but it was determined that name was for a different development. Motion was made by Supervisor Bennington, and seconded by Supervisor Groff, to approve the revised final plan for the Regency at Hilltown land development. Motion passed 2-1 with Chairman McIlhinney being the opposing vote. There was no public comment.

b) Floodplain Ordinance – stand alone, Zoning Amendment and SLDO Amendment – Authorization to advertise a public hearing – Mr. Bob Wynn stated the Township must adopt a new floodplain ordinance that meets the requirements by FEMA not later than March 16, 2015. The draft floodplain ordinance has been approved by DCED and the Bucks County Planning Commission. The two ordinances which amended the zoning ordinance and the subdivision and land development ordinance were recommended by the Township Planning Commission; however, the Bucks County Planning Commission had several recommendations including the definition of "floodplain soils" in the subdivision and land development ordinance as noted in their December 3, 2014 letter. In their December 3, 2014 letter in regards to the zoning ordinance, they included deleting both Section 160-45 and Article XI and provide specific reference to compliance with the new stand-alone floodplain ordinance, unclear section reference, terminology, and floodplain soils definition. Motion was made by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, to revise the zoning ordinance amendment, and to revise the subdivision and land development amendment in accordance with the recommendations of the Bucks County Planning Commission, and to advertise the stand alone Floodplain Ordinance, the revision to the Zoning Ordinance, and the revision to the Subdivision and Land Development Ordinance on January 26, 2015 for adoption. There was no public comment.

8. UNFINISHED BUSINESS: None.

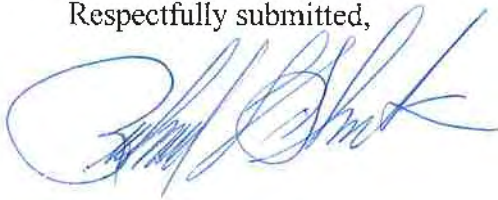
9. NEW BUSINESS:

a) Scott Drumbore, H&K - Requesting for Extension of Hours of Operation of Concrete & Asphalt plant at the Skunkhollow Quarry – Motion was made by Supervisor Groff, and seconded by Chairman McIlhinney, to approve the H&K Materials extension of hours from 6:30 PM to 6:30 AM, Monday through Saturday, between January 1, 2015 and January 31, 2015, excluding Holidays, per the November 25, 2014 letter. Motion approved 2-1 with Supervisor Bennington being the opposing vote. There was no public comment.

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10. SUPERVISOR'S COMMENTS: Supervisor Bennington asked Chief Engelhart how many vehicles had in-car video. Chief Engelhart replied five (5) cars have the video systems and three (3) cars do not. Supervisor Bennington stated he will bring up making a \$1,000.00 donation to the SPCA at the January meeting. Chief Engelhart stated \$350.00 was budgeted in the police budget for the local SPCA in 2014 and the same amount is also in the 2015 budget. Chairman McIlhinney wished everyone a Merry Christmas and a Happy New Year.
11. PUBLIC COMMENT: None.
12. PRESS CONFERENCE: No members of the press were present.
13. ADJOURNMENT: Upon motion by Supervisor Bennington, seconded by Supervisor Groff, and carried unanimously, the December 8, 2014 Hilltown Township Board of Supervisors Meeting was adjourned at 4:35 PM.

Respectfully submitted,



Richard C. Schnaedter  
Township Manager/Secretary

(\*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).