

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS**  
**Regularly Scheduled Public Meeting**  
**Monday, August 26, 2013**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Barbara A. Salvadore at 7:07PM and opened with the Pledge of Allegiance.

Also present: John B. McIlhinney, Vice-Chairman  
James C. Groff, Supervisor  
Richard C. Schnaedter, Township Manager  
Christopher E. Engelhart, Chief of Police  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer

A. ANNOUNCEMENTS:

- 1) The Board will meet in Executive Session following this meeting to discuss legal and real estate matters.
- 2) Two Public Hearings will be held in September to consider the following requests for Re-Zoning:
  - Wednesday, September 18, 2013 at 7PM – Telegraph Road TND/Evangelista/Meehan – Request to re-zone properties located at the intersection of Telegraph Road and Rt. 113 – TMP #15-11-61 and 15-11-70 from Rural Residential to Village Center Zoning District; and TMP #15-11-66-1 from Country Residential 1 to Village Center Zoning District.
  - Wednesday, September 26, 2013 at 7PM – Sustainable Waste Solutions – Request to re-zone property located on the west side of Bethlehem Pike, south of the intersection with Keystone Drive – TMP #15-1-8 from Light Industrial to Heavy Industrial Zoning District.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. CONSENT AGENDA:

- Minutes of the July 22, 2013 Supervisor's Meeting.
- Bills Lists: August 13, 2013 and August 27, 2013.
- Financial Report – Month of July 2013.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to accept and approve the Consent Agenda items as noted above. There was no public comment.

D. PLANNING – Mr. C. Robert Wynn, Township Engineer –

1) Kirk Tract Subdivision (Preliminary) – Mr. Eric Janetka, the applicant's engineer, and Mr. Tom Doyle of Deluca Homes, were in attendance to present the plan. This 13-lot subdivision located with frontage on Upper Stump and Skunkhollow Roads was unanimously recommended for preliminary approval by the Planning Commission subject to the comments contained in the engineering review dated 06/10/13, and the review of the Water Resources Impact Study dated 08/12/13. All waivers requested by the applicant were recommended for approval by the Planning Commission, with the waivers of street improvements being conditional upon the applicant replacing the deteriorated culvert located on Skunkhollow Road.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to grant conditional preliminary plan approval to the Kirk Tract Subdivision, pending completion of all outstanding items as contained in the 06/10/13 engineering review and the 08/12/13 Water Resources Impact Study review; and approval of the requested waivers, including the waivers of street improvements conditioned upon the applicant replacing the deteriorated culvert located on Skunkhollow Road. There was no public comment.

E. ENGINEERING – Mr. C. Robert Wynn, Township Engineer –

1) Mill Road Bridge – When Mr. Wynn attempted to access the PennDot Engineering and Construction Management System (ECMS), he discovered that the Township was previously registered by former Manager, Kenneth Bennington. Hence, it was no longer necessary to authorize the execution of the construction contract, which has already been completed.

2) Hilltown Ridge Subdivision – Status of Construction – Mr. Wynn explained that paving of Revere Drive was completed last Friday, and the next section of paving will be to Berry Brow Drive between Lots #40 and #14. Prior to that paving, however, there are a few other punchlist items to be accomplished.

F. NEW BUSINESS:

1) Discussion of Continuing Education for Planning Commission Members – Supervisor Groff requested that this item be placed on the agenda for discussion. He referred to Ordinance #99-15, which confirms and re-establishes the Planning Commission; and contains language requiring yearly education for PC members. Mr. Schnaedter provided information regarding the training offered by PSATS, which has become limited and appears to most likely be held during the convention in Hershey each year. Since there has been a lapse in continuing education for PC members over the past few years and to bring compliance to the Ordinance for 2013, Supervisor Groff suggested that Solicitor Grabowski attend one of the upcoming PC meetings to provide an overview of the Municipalities Planning Code from a legal standpoint.

Supervisor McIlhinney commented that the various booklets provided by PSATS are available for use here in the office. In his opinion, those items, in addition to the Hilltown Township Zoning Ordinance, SALDO, and Comprehensive Plan, should be sufficient. Chairperson Salvadore stated that there are multiple opportunities and resources for the educational process.

Public Comment:

1) Mr. Joe Marino, long-time member of the Planning Commission, advised that [www.Pennsylvania.gov](http://www.Pennsylvania.gov) provides all of the state publications for downloading covering all subjects with respect to planning and zoning that would be helpful, particularly for new PC members.

Chairperson Salvadore suggested that those publications mentioned by Mr. Marino be provided to the Planning Commission members each year.

2) Mr. Terry Carnes, chairman of the Planning Commission, recently conferred with the program manager at PSATS, who advised that there are fewer and fewer planning courses being offered, and fewer requests for planning courses in recent years. That being the case, Mr. Carnes recommended the use of the state publications Mr. Marino spoke of for additional training. He does not feel it is particularly necessary to incur the expense of Solicitor Grabowski attending a PC meeting.

Lengthy discussion continued. Supervisor Groff suggested that the Planning Commission members obtain and review the state publications after which time the Supervisors can consider whether or not they wish to move forward with Solicitor Grabowski reviewing the MPC with the Planning Commission. The remaining Board members were in agreement. Solicitor Grabowski recommended that the Planning Commission prepare a list of points of interest of the specific subject matter that they wish to seek further clarity on.

2) Discussion of Open Space – Supervisor Groff, who requested that this item be placed on the agenda, advised that there has been correspondence from two property owners expressing interest in participating in the Township's Open Space Program. Those parcels include the property located at 850 Minsi Trail (TMP #15-29-26), and the property located at 301 Rt. 152 (TMP #15-28-89). He recommended that the Board consider hiring an appraiser to determine the suitability of these two properties for inclusion in the Open Space Program. Supervisor McIlhinney questioned why these two specific properties should be considered, and what benefit purchasing each property with open space funds might offer to the Township. For instance, he understands that one of these parcels, from the property owner's admission, does not meet the requirements for use of County-matched funds. Further, he recalls that the Township's experience with a previous appraiser was less than satisfactory. Supervisor Groff suggested that Mr. Schnaedter and Solicitor Grabowski be tasked with finding a reputable appraiser before moving forward. Lengthy discussion occurred.

Public Comment:

1) Mr. Joe Marino of Redwing Road disputed the Supervisor's right to purchase any parcel of open space without first holding a public meeting specifying the names of the property owners involved, the amount of open space funding to be paid for the parcels, and obtaining taxpayer's approval to spend open space funds on that purchase. Mr. Marino asked the Supervisors to follow procedure with respect to open space purchase, and to table this proposal until after the first of the year.

Supervisor Groff is not aware of the requirements Mr. Marino cited. He commented that the letters of interest are from Mr. and Mrs. Henry Rosenberger, and Mr. and Mrs. Charles Stockert. It has been many, many years since letters of interest about participating in the Township's Open Space Program have been received, and he believes it is the Board's prerogative to move forward with open space purchases as they see fit.

2) Mr. Terry Carnes suggested that the Supervisors consider reinstating the Open Space Committee, which he feels would protect the Board by including additional individuals in the decision-making process as to which parcels should be considered and the amount of tax dollars spent on those parcels for open space purchases.

Supervisor McIlhinney disagreed, stating that he personally does not feel the Open Space Committee was necessary or effective when it was active. Discussion took place.

Later this week, Chairperson Salvadore and Mr. Schnaedter intend to begin review of the open space process since 2006 to look at the letters of interest that have been received and the various available properties for consideration. Supervisor Groff would like to move forward with researching reputable appraisers by checking references and determining the cost of an appraisal and the process involved. The Board was agreeable.

3) H&K Quarry Request for Extension of Operating Hours for Concrete/Asphalt Batch Plants and Secondary Crushing Plant for September 2013 - Motion was made by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously to approve the extended hours of operation for the Concrete/Asphalt Batch Plants and the Secondary Crushing Plant for H&K Quarry for the month of September, 2013. There was no public comment.

G. SUPERVISOR'S COMMENTS: None.

H. PUBLIC COMMENT:

1) Mr. Mark Geitz who lives at 434 Longleaf Drive, also owns two properties at 4416 and 4422 Bethlehem Pike, both of which are located adjacent to the site of the rezoning request to install a trash transfer station. Mr. Geitz refuted previous testimony by Sustainable

Waste, stating that they had provided the Township with inaccurate information regarding the actual number of residential properties surrounding the site. He is opposed to the proposal to rezone the site due to its proximity to a large number of residential properties, the inevitable increased truck traffic issues, the possible damage to area roadways with heavy trash truck traffic, and increased noise and odor pollution.

2) Mrs. Barbara Geitz, also of 434 Longleaf Drive, explained that her family operates a small machine shop at one of their Bethlehem Pike properties, and have residential tenants living in the other property on Bethlehem Pike. Mrs. Geitz asked if the Supervisors intend on making a decision at the conclusion of the scheduled Rezoning Public Hearing on September 25<sup>th</sup>. Chairperson Salvadore replied that the Board may or may not make a decision that evening. Mrs. Geitz implored the Board to focus on the business at hand, which is trash in and trash out as proposed by Sustainable Waste Solutions.

3) Mr. Dan Youells of 4629 Bethlehem Pike, lives directly across the street from the proposed SWS trash transfer station. He is a 42 year resident and often experiences foul odors from the current Waste Management site, even though the neighbors were assured at the time of its installation that odors, vermin infestation, etc. would not be a problem. He questioned the wisdom of two very similar trash operations being located on properties right next to each other in this area of the Township. Mr. Youells fears the possible decrease in property values that may arise if the re-zoning proposal is accepted. He is opposed to the rezoning of this parcel to permit Sustainable Waste to construct a trash transfer station.

4) Ms. Doreen Cooper of Reliance Road, whose property backs up to the proposed SWS site, expressed concern with what limits and what uses might be permitted in the Heavy Industrial Zoning District versus the Light Industrial Zoning District should the zoning change be approved for this parcel.

Chairperson Salvadore advised that a Public Hearing has been scheduled on this issue to be held on Wednesday, September 25<sup>th</sup> at 7PM, and urged all interested residents to attend.

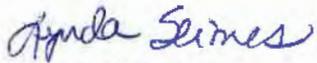
5) Mr. John Gillespie, deputy chief of the Silverdale Fire Company, asked when fire fund checks will be distributed. Mr. Schnaedter replied that they will be mailed tomorrow.

6) Mr. Terry Carnes, chairman of the Hilltown Planning Commission, reminded the Supervisors that the Bucks County Planning Commission review of the Telegraph Road TND proposal to rezone a property from Rural Residential to Village Center was extremely harsh and recommended denial of the request. Further, the Hilltown PC also unanimously recommended denial of the proposal.

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

J. ADJOURNMENT: Upon motion by Supervisor McIlhinney, seconded by Supervisor Groff, and carried unanimously, the August 26, 2013 Hilltown Township Board of Supervisors meeting was adjourned at 8:20PM.

Respectfully submitted,



Lynda Seimes  
Township 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).