

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, April 30, 2007  
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Richard J. Manfredi at 7:35PM and opened with the Pledge of Allegiance.

Also present were: John B. McIlhinney, Vice-Chairman  
Barbara A. Salvadore, Supervisor  
Kenneth B. Bennington, Township Manager  
Christopher E. Engelhart, Police Chief  
Francis X. Grabowski, Township Solicitor  
C. Robert Wynn, Township Engineer  
Lynda Seimes, Township Secretary

**A. ANNOUNCEMENTS:**

1. The Board of Supervisors met in Executive Session twice today – once this afternoon at 1:30PM and once this evening at 6:45PM in order to discuss personnel issues.

2. Chairman Manfredi announced that the Traffic Safety Advisory Committee would hold a Traffic and Transportation Forum, which is open to the general public on Saturday, May 19, 2007 from 9:00AM to 11:00AM. Chairman Manfredi, Chief Engelhart, Mr. Buzby, Director of Public Works, and Mr. Bennington, Township Manager, will be in attendance to answer questions, and share thoughts and ideas with respect to traffic and transportation. An additional weekday evening meeting is planned as well.

3. Chairman Manfredi advised that Township Manager Ken Bennington has been appointed by the Board of Supervisors to act as timekeeper during the Public Comment portion of the agenda.

**B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.**

**C. CONSENT AGENDA – Approvals – Action on the following:  
Minutes of the March 12, 2007 Supervisor’s Meeting  
Minutes of the March 26, 2007 Supervisor’s Meeting  
Bills List dated May 1, 2007  
Solicitor’s Report**

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to approve the Consent Agenda Items as listed above. There was no public comment.

D. CONFIRMED APPOINTMENTS:

1. Mr. Tim Dougherty, Cheyenne Construction, Inc. – Sperling Tract Subdivision – Request waiver of fee in-lieu-of street improvements – Correspondence from Mr. Wynn dated November 21, 2006, and from ProTract Engineering, Inc. dated November 1, 2006, were discussed. Mr. Wynn noted that as a condition of plan approval by the Board of Supervisors at their meeting of September 25, 2006, the applicant is required to contribute a fee in-lieu-of street improvements along the frontage of the site. Mr. Dougherty advised that the requirement for fee in-lieu-of improvements to Rt. 152 was unexpected and is an expense not anticipated in conjunction with a minor subdivision. The existing property and the two proposed lots take their access from Rickert Road. Mr. Dougherty is requesting this waiver of fee in-lieu-of improvements along Rt. 152 because there are currently no other curbs or sidewalks along most of the street at this time. Further, he noted that this cost would be a great hardship for him to complete this two-lot subdivision. Supervisor McIlhinney reminded Mr. Dougherty that the site in question is being developed as a corner lot, and according to the Ordinance, street improvements are required along both streets, and if those improvements are not installed, a fee in-lieu-of is required according to the Ordinance. Further, Supervisor McIlhinney noted that improvements are not based on the access to a site, but rather on the frontage of a site.

Chairman Manfredi asked if there is some unique circumstance relative to Mr. Dougherty's corner lot that would necessitate the Board granting a waiver. Mr. Dougherty again cited the financial burden that would present a hardship for him to move forward with this subdivision, and stated there is a possibility that he would abandon the project if this fee in-lieu-of were required. Supervisor McIlhinney asked if the applicant has conducted an analysis of how much it would cost to do partial improvements to Rt. 152. Mr. Wynn replied that the plan never proposed improvements to Rt. 152. Depending upon the cost estimate for partial improvements to Rt. 152, Mr. Dougherty might consider withdrawing his request for a waiver of fee-in-lieu of partial improvements. Lengthy discussion took place.

Chairman Manfredi would be open to considering further the waiver request if more information was available, such as what the impact might be for partial improvements, and what those partial improvements would mean to the motoring public making a turn at that corner, etc. Supervisors McIlhinney and Salvadore agreed. Mr. Dougherty indicated that if the cost estimate is determined to be within \$4,000.00 to \$8,000.00 range, he would consider it. The applicant agreed to provide additional information and

a cost estimate for partial improvements to Rt. 152 frontage for consideration by the Board at a future meeting.

E. LEGAL – Mr. Francis X. Grabowski, Township Solicitor –

1. Defebo Stormwater Management Agreements – Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to accept and execute the Defebo Stormwater Management Agreements. There was no public comment.

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

1. Henning Tract Subdivision (Minor) (Preliminary/Final) – Mr. Mike Tucci, the applicant's engineer and Mrs. Barbara Henning-Matushak, the applicant's daughter, were in attendance to present the plan. The Planning Commission unanimously recommended preliminary/final plan approval of the Henning Tract Subdivision located on Moyer Road subject to completion of Items #2 through #6 of the March 28, 2007 engineering review. With respect to Item #1.A through E, all waivers were unanimously recommended for approval by the Planning Commission, subject to receipt of capital contributions as referenced in the engineering review.

The applicant has requested the following waivers:

- From requirements for installation of curb, sidewalk, drainage, street overlay, and cartway widening.

In the event these waiver requests are approved, Mr. Wynn recommended that the Township consider receipt of a contribution from the applicant in-lieu-of street improvements to be made to the Highway Capital Fund. Mr. Tucci presented copies of the Hilltown Township Open Space and Proposed Development Plan, showing that most of the lots to the north of the site have already been subdivided, and to the south, there are two tracts of land, one on either side of the road, which are identified as "permanently eased land." Since there does not appear to be a great potential for widening along Moyer Road, and since the cost of total improvements would be quite excessive due to the 400 ft. of frontage along Moyer Road, the applicant is requesting a waiver of these requirements. Chairman Manfredi asked if the applicant is asking the Board to consider relief from the fee in-lieu-of costs as well. Mr. Tucci replied that the applicants are elderly and their impetus for subdividing is for economic reasons in order to sustain their home on Lot #1. Ms. Henning-Matushak explained that her parents are in their late 70's, and moved to this property from a 100-acre farm in 1985. Her father is employed by a neighboring municipality for the past 40 years, though she anticipates that he will be retiring in the near future. Therefore, Mr. Henning must consider funding his retirement

through subdividing the property. The applicants have no intention of further subdividing this property at this time. Supervisor Salvadore explained that while the current owner may have no intention of further subdividing, future owners might. Supervisor McIlhinney suggested that a note be added to the plan stating that if and when Lot #1 is sold, the fee in-lieu-of roadway improvements along the frontage of both lots (with the estimated cost of improvements calculated at the time of sale) is required to be paid. The Board was in agreement.

- From Section 140-59 to defer payment of a fee in-lieu-of dedication of open space.

Pursuant to Sections 140-59 and 60 of the SALDO, a fee of \$1,962.00 is required for proposed Lot #2. Since this fee is required of all new building lots within the Township at the time of subdivision plan approval, Mr. Wynn recommended that the Township deny this request to defer payment. The Board of Supervisors agreed that this request would be denied.

- From Sections 140-27.B(4) and 140-27.B(11) relative to lot line configuration and lot depth to width ratio.
- From Section 140-38.C(5) requiring a HEC I and II Study be performed to determine the limits of the 100-year floodplain.
- From Section 140-38 and related requirements of Chapter 134 (Stormwater Management Ordinance) relative to considering existing improvements on Lot #1 as "meadow condition" in stormwater management design, and deferring stormwater management design/improvements for Lot #2 until the time of building permit application for Lot #2.

With respect to the first part of the request, when the Township has granted relief from stormwater management improvements for existing impervious surface on minor subdivisions, a contribution to the Stormwater Management Capital Fund has been required, which provides for fee of \$750.00 for the first 2,000 sq. ft. or less of impervious surface, plus \$.50 per square foot of impervious surface over 2,000 sq. feet. Mr. Wynn had no objection to the deferment of the design and installation of the stormwater management facilities for proposed building Lot #2 with a note being added to the plan as proposed by the waiver request advising the future lot owner of their responsibility under the Stormwater Management Ordinance.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to grant conditional preliminary/final plan approval to the Henning

Tract Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's March 28, 2007 engineering review, including the deferment of fees in-lieu-of roadway improvements along the frontage of both Lots #1 and #2 until the time of sale of Lot #1; the deferment of fee in-lieu-of Stormwater Management Capital Fund fee of \$750.00 for Lot #1 stormwater until time of sale of Lot #1, with the fee in-lieu-of stormwater for Lot #2 deferred until a building permit application is obtained for Lot #2; and to authorize the Township Solicitor to prepare an Agreement for the deferment of the fees in-lieu-of as noted above. There was no public comment.

2. Orleans/Bennett Sketch Plan – Mr. Ed Murphey, the applicant's legal counsel, and Mr. Greg Glitzer, the applicant's engineer, were in attendance to present the plan. Mr. Wynn's most recent engineering review dated February 5, 2007 was discussed. The sketch plan proposing 42 lots identifies that the site layout is prepared utilizing conservation planning/low impact development techniques in an effort to maximize preservation of natural resources. The site area also includes TMP #15-22-75 (Kelly Tract), which adds approximately 2.07 acres to the overall site area, and facilitates roadway access along Keystone Drive. It was the general consensus of the Planning Commission that the concept was good, but some of the lots should be removed (3 or 4) for a positive Planning Commission recommendation. Additionally, the Planning Commission discussed the desire of the applicant to reduce the cartway width from the 32 ft. wide required (20 ft. was proposed) and to permit parking on one side. The Planning Commission indicated that they would consider reduction in parking probably only to 28 ft. in width, allowing parking on one side except for snow emergencies. The PC reserved further comment subject to review by the Township Engineer and upon submission of more detailed plans relative to emergency services and large vehicle access.

As discussed at prior Planning Commission meetings, the roadway design has been revised to propose a through road system, with intersections along Fairhill School Road and Keystone Drive. The internal roadway has been designed utilizing a series of horizontal curves and internal intersections to reduce vehicular speeds and to discourage through traffic. Mr. Wynn's review questions whether the boulevard access to Fairhill School Road is appropriate or necessary considering the alternate roadway access that is now proposed along Keystone Drive. If the boulevard access is proposed merely to preserve the existing row of trees, Mr. Wynn felt that consideration should be given to relocating the trees within the future road right-of-way, as an alternate to requiring a wider entrance driveway design that would increase the amount of impervious surface area within the site.

For lots of this size, Mr. Murphey noted that the Ordinance requires a 56 ft. wide right-of-way, and a 32 ft. wide cartway, which the Planning Commission had discussed in great detail. When the right-of-way width was questioned by Supervisor McIlhinney, Mr. Wynn explained that if parking is permitted on one side of the street, a 56 ft. wide

right-of-way is required, and if parking is permitted on both sides of the street, the right-of-way width is increased to 60 ft. Further, with a 28 ft. wide cartway or less, there is a 50 ft. wide right-of-way required. It was the applicant's desire to propose a cartway width of 26 ft. with parking permitted on one side of the street. Mr. Wynn believes there was a consensus of the PC to consider reducing the cartway width, though not less than 28 ft. wide, but they also requested a review of the actual horizontal and vertical layout once more detail has been provided to insure that emergency vehicles can maneuver and access the site, while permitting parking on only one side of the street. Personally, Supervisor McIlhinney considers 32 ft. wide an adequate roadway, however he would be amenable to a 28 ft. wide cartway with a drivable and/or parkable shoulder as an alternative, with parking permitted on one side of the street. Supervisor Salvadore expressed concern with the safety issue involved when parking is permitted on both sides of the street. She has learned that there is a traffic calming affect when roads are narrower, and suggested that perhaps that is something the Township should foster for this particular "walkable" community. Supervisor Salvadore would support a 28 ft. wide cartway with a drivable shoulder as suggested by Supervisor McIlhinney. Chairman Manfredi asked the applicant to prepare a comparison of the impervious surface percentage calculation of the 28 ft. wide cartway versus a 32 ft. wide cartway. Lengthy discussion took place.

The applicant intends to seek a variance from the Zoning Hearing Board to propose connection to public water and sewer facilities to serve the site, while picking up any failing on-lot septic systems that may be located along the path of the public sewer extension.

Supervisor McIlhinney advised that certain types of open space are of limited value to the Township and the tax base of the Township, due to the maintenance that is required. He suggested that Lots #1, #2, #7, #8, #9, #10, #26, #30, #31, #32, #33, #34, #35, and #36, be extended the full depth to the adjacent properties, thereby crossing the walking trail in some places, and then deed restricting the rear portions of those lots. Further, he noted that the area between Lot #10 (after its been extended) out to Fairhill School Road, which is an area of approximately 3 acres, would be a potential extra lot that could take access from Fairhill School Road. This way, Supervisor McIlhinney explained that the area would still remain as viable open space but it would be deed restricted, owned and maintained by those property owners, and not the responsibility of the Township. Supervisor Salvadore preferred the plan the way it has been presented, and commented that it is her understanding of conservation design is to maximize the open space for the use of the residents of that community.

Discussion took place concerning internal sidewalks. Mr. Murphey advised that the Planning Commission had recommended sidewalks along both sides of the internal streets. Chairman Manfredi does not feel that sidewalks on both sides should be

necessary throughout the development, since there are several sections of the development where lots do not front on both sides of the roadway.

Public Comment:

1. Mr. Kirk Hansen, member of the Planning Commission, does not recall that the PC had recommended sidewalks on both sides of the street throughout the entire development, simply because it does not make good planning sense. Mr. Murphey referred to the March 5, 2007 Planning Commission Worksession meeting minutes, which state "Sidewalks should be provided throughout and on both sides of the street except along the road frontage of Lots #24-29, # 42, and SWM2."

2. Mrs. Nancy Boice of Mill Road prefers more narrow streets without sidewalks on both sides, which would reduce impervious surface and would provide for a traffic calming effect. She further cited the Equestrian Court Subdivision near her home, which has not experienced any problems due to the lack of sidewalks.

3. Mrs. Marilyn Teed of Mill Road grew up next to Cedars Country Store, which held flea markets on its site, utilizing a field in the rear of the store for parking. The topsoil was stripped from the field and a soil modification was done, which provided for a compacted parking surface. She suggested that the applicant do a soil modification for the shoulders, which would address Supervisor McIlhinney's suggestion for drivable shoulders or grass pavers.

4. Mr. Gene Cliver of Telegraph Road asked Mr. Murphey if the Township purchased the 42 acres of open space from the developer. Mr. Murphey replied that the Township did not pay for anything, and that the applicant is not obligated to consider this type of low impact conservation development, though they were encouraged to do so. If the applicant determines that this plan makes sense for the Township and for themselves, they will pursue the plan and willingly offer the 42 acres of land as open space.

5. Mr. Dean Tessarvich of 328 Fairhill School Road had first heard rumors that only 23 single family dwellings would be constructed on this site, and therefore felt comfortable constructing a million dollar estate on his 7-acre parcel. However, he is now shocked to see that 42 lots are proposed on the Bennett/Kelly tract. Mr. Tessarvich wondered why the applicant hasn't taken advantage creating an access through the existing lane to Fairhill Road, and expressed concern with the amount of traffic that will be filtered onto Fairhill School Road.

Mr. Murphey explained that during the earlier versions of the sketch plans, the applicant considered taking access from the existing lane to Fairhill Road, however from a geometric standpoint, it is a poor location to provide a meaningful full-time ingress and

egress point. Further, Mr. Wynn advised that using the lane as an access was ruled out for several reasons - because it is offset from Cherry Lane, because there is no right-of-way land available to do improvements along Fairhill Road, and because there are several dwellings located close to that access which hampers sight distance. The Planning Commission encouraged the access to Keystone Drive in order to distribute traffic to two roads rather than filtering it all to Fairhill School Road.

6. Mr. Mark Funk of Broad Street supported Supervisor McIlhinney's suggestion of extending those particular lots back to the neighboring property line, which would permit deed restricted open space.

7. Mr. Mike Fedele of Fairhill School Road suggested that the width of the access roads coming in from Fairhill or Keystone Roads be more narrow since no parking will be permitted along that boulevard for the first 400 ft. until the first building lots which are located further into the development. The applicant was enthusiastic about this suggestion, and Mr. Wynn noted that there would also be less tree disturbance involved.

8. Mrs. Nancy Boice who lives at the corner of Rt. 152 and Mill Road, which has a turning radius of approximately 18 ft, noted that the edge of her property is routinely run over and rutted due to traffic having difficulty with executing the turn.

There was no further public comment. The plan was tabled pending submission of additional information.

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

1. SALDO Draft Amendment – Street Access/Street Classification – Mr. Wynn presented a draft amendment to the street access/street classification section of the Subdivision/Land Development Ordinance for the Board's consideration and review.

2. Wawa Land Development – Rt. 113/Bethlehem Pike – Maintenance Period for Required Improvements –The maintenance period for any improvements required at the site located at Rt. 113 and Bethlehem Pike ended on April 24, 2007. A maintenance punchlist dated April 4, 2007 was forwarded to the applicant with no response received until last Thursday, when he met with the applicant at the site. The maintenance period is guaranteed by both a Letter of Credit and a cash escrow. The punchlist included replacement of dead trees, broken sidewalk, installation of "No Parking" signs on both highways along the frontage of the site, cleaning the parking lot inlet filters, etc. The developer anticipates that all of the remaining punchlist items will be completed within approximately 3 weeks. No action is required.



3. CVS Pharmacy – Landscaping Replacement – Mr. Wynn has received no response to correspondence forwarded to Midlantic regarding landscaping at the CVS site located at Rt. 113 and Rt. 313. Specifically, many of the landscape plantings required pursuant to the approved land development plan died last summer and were to be replaced in the fall. No response has been received from the developer regarding their replacement or schedule. Mr. Wynn requested authorization for the Township Solicitor to forward correspondence to Midlantic regarding possible default action by the Board of Supervisors in the event the developer does not adequately respond to the replacement of the required landscaping. Of particular concern are the dead buffer plantings along the common property boundary with the adjoining residential property. The owner of that property has been in contact with Mr. Wynn requesting that the dead landscaping be replaced.

Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to authorize the Township Solicitor to begin taking the necessary steps to notify the developer of the CVS Pharmacy (Midlantic Real Estate) located at the intersection of Rt. 113 and Rt. 313 of possible default action by the Township in the event the developer does not adequately respond to the replacement of the required landscape plantings as noted above. There was no public comment.

4. Harry Kratz Subdivision – Request to extend timeframe for completion of required improvements – The applicant has requested authorization to extend the timeframe for completion of the required improvements, which include a shared driveway entrance and stormwater management, until July 12, 2007.

Motion was made by Supervisor McIlhinney, seconded by Supervisor Salvadore, and carried unanimously to extend the timeframe for completion of the required improvements for the Harry Kratz Subdivision, including the shared driveway entrance and stormwater management until July 12, 2007 as noted above. There was no public comment.

5. Chairman Manfredi requested that Mr. Wynn prepare a memo to the Board of Supervisors documenting and reviewing the history involved with the Ron McHose property drainage issues.

6. Chairman Manfredi requested that Mr. Wynn investigate and prepare a memo to the Board concerning the drainage problems in front of the driveway at John Strauss's property on Hilltown Pike near the intersection with Rt. 152, across the street from the Crossroads Tavern.

Public Comment:

1. Mr. John Strauss of 1945 Hilltown Pike has tried for two years to convince PennDot to investigate the drainage problem at his driveway along Hilltown Pike. In the 1930's, a pipe was installed under the roadway – either by PennDot or by the owner of Mr. Strauss's farmhouse at the time, which has filled with dirt over the years. PennDot indicated that the pipe was not theirs and that it was not their problem. Mr. Strauss is very concerned with the standing and ponding water situation, which has gotten progressively worse over the years.

There was no further public comment.

7. Supervisor Salvadore noted that several trees within the Village at Dorchester Subdivision appear to be splitting, and has asked Mr. Wynn to investigate.

H. OLD BUSINESS: None.

I. NEW BUSINESS:

1. Due to the recent proliferation of Conditional Use Hearings for cell towers, Supervisor McIlhinney suggested that the Board consider possible revisions to the Zoning Ordinance regarding cell tower setback requirements in the RR Zoning District, or even the elimination of cell towers being permitted in all Zoning Districts except the Light Industrial and Heavy Industrial Zoning Districts. Discussion took place. Solicitor Grabowski will prepare a memo on this subject for the Board's consideration at a future meeting.

2. Motion was made by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously to **adopt Resolution #2007-16, permitting Hilltown Township to participate in the PACC (Pennsylvania Capital City Automotive and Equipment Contract) for the purchase of pressurized crack fill machine, brush chipper, and leaf loader at contract prices.** There was no public comment.

3. The Conditional Use Hearing for Verizon Wireless will be scheduled for Thursday, May 31, 2007 at 7:00PM, which is prior to the regularly scheduled business meeting of the Board of Supervisors.

J. SUPERVISOR'S COMMENTS:

1. Supervisor McIlhinney advised that the Economic Development Committee met last Friday, April 27, 2007. Township Planner, Ms. Judy Stern-Goldstein

provided an update of the Village Center, Planned Commercial I and Planned Commercial II Zoning Districts, and intends to provide the Board with a recommended course of action to update the Zoning Ordinance with respect to these 3 zoning districts.

2. Chairman Manfredi is a member of the Bucks County Association of Township Officials' Transportation Committee. The Committee met with Governor Rendell last month, and was assured that there will be increased communications with the State. The Transportation Committee, in conjunction with BCATO, intends to work through the Bucks County TMA to develop an infrastructure to communicate all issues by reaching out to neighboring municipalities.

3. Chairman Manfredi attended the Bucks County Squad Chief's Association meeting several weeks ago, where the topics of discussion included the EMS Tax, newsletters, various legislations, etc.

4. The Pennridge Water Resources Plan Status Update, as well as the PACC (Pennridge Area Coordinating Committee) meeting minutes for the past several months have been provided to the Board for review. Chairman Manfredi noted that PACC is not officially sanctioned by any governing body, and therefore, he had suggested that the PACC consider the creation of either a council of governments or some other formal entity. Further, Chairman Manfredi also suggested that a summit be held for the governing bodies of every municipality within the Pennridge School District, along with representatives of the Bucks County Planning Commission, to discuss not only the PACC Water Resources Plan, but whether or not the members wish to formalize some sort of relationship with the neighboring municipalities. Chairman Manfredi assured the Board that he is not suggesting the formation of a regional Planning Commission rather it is his hope that a more formal structure of the Pennridge Area Coordinating Committee could occur.

Supervisor McIlhinney disagreed with Chairman Manfredi, noting that he believes it is the goal of the PACC to create a regional Planning/Zoning Commission, which in his opinion would take the power from the hands of Hilltown Township. Several years ago, the PACC had encouraged area municipalities to join, and then based upon the number of members who joined determined the amount of time it would take to withdraw from the group. Supervisor McIlhinney has very little interest in pursuing this matter because he feels it would surrender the individual rights of this Township and its citizens to some group that is beyond our borders. He does not see the benefit to making a more formal structure of the Pennridge Area Coordinating Committee. Chairman Manfredi commented that his suggestion was for the full Boards and/or Councils of the participating municipalities to meet and discuss possible options, such as creating a council of governments, which does not compel or obligate the municipalities to anything. Supervisor McIlhinney recalls a time approximately three years ago, when he

attended a PACC meeting as a private citizen where he was told that PACC would like to create a council of governments so that individual citizens would not be permitted to attend and participate in their meetings. Supervisor McIlhinney is convinced that the Pennridge Area Coordinating Committee actively supports and encourages regional planning and zoning. Chairman Manfredi advised that the PACC does not have any by-laws because it is not a formal organization rather it is simply a committee consisting of area municipalities and the Pennridge School District. Supervisor Salvadore agreed that the Hilltown Board of Supervisors should meet with the full Boards and Councils of the other PACC members to discuss and consider Chairman Manfredi's suggestion to form a council of government. However, she also agrees with Supervisor McIlhinney that Hilltown Township should not commit to anything that would relinquish its rights and authority with respect to planning and zoning. Lengthy discussion took place.

5. With respect to the Traditional Neighborhood Management Ordinance, Chairman Manfredi received correspondence from the Wentworth Property Management Group relative to the Green Meadows Community Services Association and the issue of enforcement. Mr. Bennington was directed to provide copies of this correspondence to the remaining Supervisors and Solicitor Grabowski.

6. Chairman Manfredi asked the status of the request from the owner of the Roman Delight Restaurant for connection to public sewer. Mr. Bennington replied that matter was previously tabled until such time as the Pondview Estates Subdivision moves forward.

7. Chairman Manfredi asked the status of the request by the Summer Lea Homeowner's Association for an identification sign for the development. Mr. Bennington advised that the matter was reviewed by the Planning Commission at their last Worksession meeting, though no formal recommendation was provided.

Public Comment:

1. Mr. Joe Marino, member of the Planning Commission, recalls that the Summer Lea Homeowner's Association was directed to provide the PC with an example of the specific identification sign they were proposing, however that has not occurred.

2. Mrs. Marilyn Teed of Mill Road commented that the representative of Summer Lea had noted that private clubs were permitted to have an identification sign. That being the case, Mrs. Teed wondered if a Homeowner's Association could be defined as a "club," and therefore entitled to erect a sign.

There was no further public comment.

8. Supervisor Salvadore asked for the status of the preemption device that was to be installed at the traffic signal near the McDonald's and Burger King location. Mr. Bennington advised that funds were budgeted and it will proceed.

K. PUBLIC COMMENT:

1. Mrs. Marilyn Teed of Mill Road read from a prepared statement into the record. Mrs. Teed's statement is transcribed verbatim as follows

"The MPC says about land development...and it says that it can be developed in accordance with Section 503(1.1), which I have copied here. I will give you this copy. It allows for exclusions for land development and...Item 2....or double I....says 'the addition of an accessory building, including farm buildings on a lot, or a lot subordinate to an existing principle building.' And then our Hilltown Zoning Ordinance has that exactly the way it was worded there, but the Hilltown SALDO has 'not greater than 600 sq. ft. in area' just interjected in there, so I think that is an inconsistency.

I was told in a meeting in 2002 by Frank Grabowski, Greg Lippincott, and Dave Shafkowitz that I had to go through land development to put a shed on my property or to put up a personal garage for my personal use, or a pole barn for my nursery. I have seen many, many pole barns being put up over the years and I have never seen anyone come in for a land development. For some reason, some people are made to go through land development – why is that? I don't know. I was also told I was in violation for having a shed without a permit. After I came in to apply for the permit, I was given a citation 8 months after I applied for that permit for not already having the very permit I applied for. And yet Mr. Samuels was told that all he had to do was to come into apply for the buildings he had already erected, so some people are given that option to apply afterwards and I was not. I was shown in the Ordinance recently, within the last 2 months, at a Planning Commission meeting, I was shown in the Ordinance by Ken Bennington that there is a portion in the Ordinance which now addresses the filing of a complaint. I was not able to be shown such written Ordinance back in 2002, and I don't remember if and when that Zoning Ordinance was amended. Since the Zoning Ordinance was changed illegally in 2001, and I discovered that in 2002, and that was about the removing of the A2 sentence, I have to question every new appearance. So I am just bringing up these things so you know about them and you can check on those. Also, during an interview I said something about the rear setback being changed....the rear setback was changed for accessory use buildings through an amendment to the Accessory Building Ordinance, it was not a change in the rear setback performance standards. And one last thing I want to say, since I have to squeeze this in 2 ½ minutes....there is a lot of gossip going on in this Township, I've been hearing things here and there, and since I know everybody on the Township committees get these minutes, I want it in there that I am a very open person, I am very forthright, and if anyone has any comment to make to

me, I would welcome them coming to my face and saying it to my face. I'd be happy to talk to them about anything they want to ask me."

2. Ms. Anne Marrero of 1904 Hilltown Pike, which is near the intersection of Hilltown Pike and Broad Street, questioned the waterline that was installed last summer for the Toll Brothers development. Ms. Marrero recently learned that there are no curb stops along Hilltown Pike where that waterline was installed. Supervisor McIlhinney explained that the waterline for the Toll Brothers development was installed in accordance with the standards in effect at the time of plan approval. This past year, the Board of Supervisors indicated that whenever a water line is run past existing dwellings, laterals and curb stops must be installed for the possible future connection of those dwellings. Ms. Marrero was not made aware that a waterline was even being installed along the frontage of her property, and was disappointed that residents were not notified. Supervisor McIlhinney commented that with the recent change in regulations, all residents would be notified of a waterline installation and further, the curb stops and laterals would automatically be installed. Discussion took place.

3. Mrs. Jeanine Petteruti, 1206 Rt. 152, questioned the Board's earlier comments regarding the Township Planner's recommendation to update the Zoning Ordinance with respect to the Village Center districts, and asked the Board to elaborate on what Ms. Stern-Goldstein has been directed to do. Supervisor McIlhinney explained that Ms. Stern-Goldstein has been hired as the Township Planner, and her initial duties are to review possible improvements to the Village Center District, specifically Hilltown Village and Line Lexington, at the request of several residents approximately 3-4 years ago. He noted that Ms. Stern-Goldstein's initial review will focus on the Zoning and Subdivision/Land Development Ordinances in conjunction with the VC, PC-1, and PC-2 Zoning Districts, and to make recommendations to the Board of Supervisors as to how to proceed. Mrs. Petteruti asked how much funding has been allocated the Township Planner. Chairman Manfredi noted that consultant fees have been budgeted, though he is not aware of the specific amount at this time. He explained that the Township also applied for a \$30,000.00 planning grant to assist with the expenses to proceed with the actual implementation of whatever plan is finalized. Mrs. Petteruti advised that an association has been formed to address the concerns of the residents in Hilltown Village, and asked when they could expect to meet with Ms. Stern-Goldstein to discuss and review their ideas. As the Township moves forward with developing the Village Center areas, Chairman Manfredi advised that any association, group, or individual would be considered a stakeholder in the Public Hearing process, which would occur once a plan has been developed.

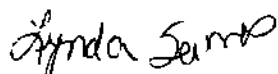
4. Mr. Gene Cliver of Telegraph Road does not believe that there is a fair and free democracy in Hilltown Township, and once again expressed concern with what he perceives as a lack of affordable housing for the common working person.

Supervisor McIlhinney disputed the claim that there was no affordable housing available in Hilltown, noting that there is a wide spectrum of housing available which ranges from government subsidized low income housing to the million dollar homes Mr. Cliver has mentioned.

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

M. ADJOURNMENT: Upon motion by Supervisor Salvadore, seconded by Supervisor McIlhinney, and carried unanimously, the April 30, 2007 Hilltown Township Board of Supervisors meeting was adjourned at 10:17PM.

Respectfully submitted,



Lynda Seimes  
Township Secretary

(\*These minutes were transcribed from tape recordings and are not considered official until adopted by the Board of Supervisors at a public meeting).