

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, April 28, 2003
7:30PM

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Betty P. Snyder at 7:37PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairperson
John S. Bender, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lynda S. Seimes, Township Secretary

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the March 24, 2003 Supervisor’s Meeting – Chairperson Snyder noted the typographical error to page 5, first paragraph, which should read “1. Lynrose Estates Subdivision – This lot line adjustment subdivision to convey 9,000 sq. ft. of area from Lots #1 and #2 within Lynrose Estates Subdivision to the adjoining lands of David and Anne Smith was unanimously **recommended** for preliminary/final plan approval by the Planning Commission conditional upon the following:”

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the March 24, 2003 Supervisor’s Meeting, as corrected. There was no public comment.

Action on the minutes of the April 14, 2003 Supervisor’s Worksession Meeting – Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the minutes of the April 14, 2003 Supervisor’s Worksession Meeting, as written. There was no public comment.

C. CONFIRMED APPOINTMENTS: None.

D. MANAGER’S REPORT – Mr. Gregory J. Lippincott, Township Manager –

1. Mr. Lippincott presented copies of letters both for and against “no parking” regulations along Rt. 113 in the village of Blooming Glen. As requested by the Board, Mr. Lippincott inspected the village of Blooming Glen and saw that some homes would not be able to have any visitors if parking is not permitted along Rt. 113. Some homes have shared driveways, thereby making it impossible for people to park without blocking driveways. Mr. Lippincott’s recommendation would be to continue to allow

parking along Rt. 113. Chief Engelhart noted that there has never been a reportable accident caused by parking conditions along Rt. 113 in the village. Discussion took place. Chairperson Snyder believes that the speed of traffic through the village concerns many, and suggested that some type of traffic calming might be considered. Supervisor Bennington is not in favor of the Township's Traffic Engineer, Andy Heinrich, studying the situation due to the cost involved, however he suggested that PennDot be contacted for their opinion. The Supervisors directed Mr. Lippincott to contact PennDot for their recommendations

2. Mr. Lippincott contacted Senator Conti's office regarding his upcoming June 4, 2003 Town Meeting to be held at the Township Building. The format is informal. Senator Conti intends to speak for a few minutes about what is going on in the State and then will provide for a lengthy Question and Answer segment available for those in attendance.

E. CORRESPONDENCE – Mr. Gregory J. Lippincott, Township Manager –

1. The next Public Hearing to consider H & K Quarry's request for re-zoning will be held on Thursday, May 22, 2003 at 7:00PM at the Middle School located in Silverdale Borough.

2. Correspondence was received from State Representative Kathy Watson regarding the concern and disappointment shared with other neighboring communities over the fact that Bucks County was not included in the Federal Emergency Management Agency's declaration of emergency for the President's Day snowstorm. Representative Watson's letter notes that an appeal was immediately filed by the Bucks County Commissioners, which was denied. The County Commissioners will be or may have already written to FEMA urging them to change the way the eligibility rules are determined, and to take into account factors other than just "measured snowfall." Representative Watson suggested that the Board may wish to contact John Dougherty of Bucks County Emergency Management to determine if municipal letters of support might further the cause. The Supervisors directed Mr. Lippincott to contact Mr. Dougherty.

3. A letter has been received from PennDot, acknowledging the Township's request of March 13, 2003 for permission to erect a traffic signal at the intersection of Diamond Street and Orchard Road for the Summer Lea Subdivision, and will be scheduling an eleven-hour manual traffic count to evaluate the request. The Township has provided PennDot with all the information concerning the density of this development, however until all those dwellings are occupied and daily vehicle trips are generated, Mr. Wynn does not believe the results of this study will be significantly different from the first, since a large portion of the development is still under construction. Discussion took place.

4. Correspondence was received from Mr. McBride, representing the Berry Brow Subdivision, and seeking Board consideration of the following names for the proposed subdivision – for the larger lots – “Reserve at Hilltown” and for the smaller lots – “Hilltown Ridge.”

5. A letter and \$500.00 escrow has been received from legal counsel for the Elliott Building Group to meet with the Township staff to discuss the potential for amending the Township’s Act 537 Plan to allow for public sewer for the Pond View Estates 12-lot subdivision on the Grasse Tract located at the corner of Telegraph Road and Rt. 113. Since the request for public sewer in the RR Zoning District goes against requirements of the Township’s Act 537 Plan, Chairperson Snyder does not feel the Board should agree to the meeting. Supervisor Bender feels somewhat guilty accepting the \$500.00 escrow for discussions about an issue that the Township is adamantly opposed to. If the developer is willing to provide the \$500.00 escrow for this meeting, Supervisor Bennington feels they should be granted authorization to hold this meeting because it is their prerogative and their right to make this request.

Motion was made by Supervisor Bennington to authorize a meeting with Township staff and representatives of the Elliott Building Group to discuss the potential for amending the Township’s Act 537 Plan to allow for public sewer to the Pond View Estates Subdivision. Chairperson Snyder was opposed.

Discussion took place. Supervisor Bennington noted that the Township has never denied a request for a meeting with the Township Staff, and does not feel that this request should be denied.

Public Comment:

1. Mr. John Kachline, chairperson of the Hilltown Planning Commission, believes that there is language in the Hilltown Chase Stipulation Agreement that states no public sewer would be permitted on this particular property. Solicitor Grabowski will review the Stipulation Agreement to determine if that language is contained within.

Supervisor Bender seconded the motion. Motion passed: 2:1. There was no further public comment.

F. SOLICITOR’S REPORT – Mr. Francis X. Grabowski, Township Solicitor –

1. Solicitor Grabowski presented the Subdivision Agreement, Financial Security Agreement, and Declaration of Road Frontage Easement Agreement for the Village at Dorchester Subdivision. The developer established an escrow with Progress Bank to guarantee completion of required improvements in the amount of \$1,383,564.43.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to accept the Subdivision and Financial Security Agreements for the Village at Dorchester Subdivision. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2003-21, accepting the Declaration of Road Frontage Easement for the Village at Dorchester Subdivision.** There was no public comment.

2. Solicitor Grabowski presented a Sewage Maintenance Agreement relating to a Small Flow Treatment Facility for the Righter/Ohlin property.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to approve the Sewage Maintenance Agreement for the Righter/Ohlin Small Flow Treatment Facility, as noted above. There was no public comment.

***8:00PM – Chairperson Snyder adjourned the regular meeting of April 28, 2003 at 8:00PM in order to enter into an advertised Public Hearing to consider the adoption of an Ordinance amending the Zoning Ordinance of 1995, as amended, relative to Use B7, Retirement Village.**

Solicitor Grabowski advised that the proposed Ordinance was properly advertised and has been reviewed by the Bucks County Planning Commission via their correspondence dated February 5, 2003. The proposed Ordinance is an amendment to Section 406 of the Zoning Ordinance, Section B7 – Retirement Village, paragraph 8, in order to reduce the maximum density for Use B4 within the PC-1 Zoning District to five dwellings per acre from a density of 8.25 dwellings per acre.

Public Comment –

1. Mrs. Marilyn Teed of Mill Road is opposed to the amendment, noting that she calculated this proposed Ordinance would be a 41% reduction in density. She feels the Township should be considering ways to encourage different types of desirable housing. For instance, the Park and Recreation Board recently discussed the possibility of providing density bonuses to developers so that they would actually be constructing municipal parks. Mrs. Teed suggested the Board consider density bonuses for restoration of historical structures. She feels that retirement villages should be encouraged and that density bonuses should be provided for this type of housing.

2. With regard to Mrs. Teed's comments concerning density bonuses, Mr. Harry Mason of Morgan Lane stated that if this proposal is approved, it might provide the Township with more maneuvering room to offer a density bonus.

Solicitor Grabowski read a portion of the Bucks County Planning Commission review, which states "According to the Table, Performance Standards, Section 502 of the Zoning Ordinance, the proposed reduction is consistent with the existing maximum density for use of B4 within the Country Residential and Village Center Zoning Districts. Amending this Ordinance would provide a standard density for the same use among the various Zoning Districts."

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Ordinance #2003-1, amending the Zoning Ordinance of 1995, as amended to Section 406 of the Zoning Ordinance, Section B7 – Retirement Village, paragraph 8, in order to reduce the maximum density for Use B4 within the PC-1 Zoning District to five dwellings per acre from a density of 8.25 dwellings per acre.** There was no public comment.

***8:07PM – Chairperson Snyder adjourned the advertised Public Hearing and reconvened the regularly scheduled Hilltown Township Board of Supervisor's Meeting of April 28, 2003 at 8:07PM.**

F. SOLICITOR'S REPORT (Continued) –

3. Solicitor Grabowski presented the Pedestrian Path Easement Agreement, the Declaration of Road Frontage Easement Resolution, and the Street Light Acceptance Resolution for the Equestrian Court Subdivision.

Supervisor Bennington asked if the issue of the removal of dirt from the Equestrian Court site as raised by a resident was ever resolved. Mr. Wynn never observed dirt being removed from the site, however the contractor admitted removing several loads of topsoil for his own use, because he was not aware that he wasn't permitted to do so. Mr. Wynn anticipates that Ryan Homes will be asking the Township's permission to remove topsoil because of the amount that will have to be removed for construction of the dwellings, sidewalks, and the roadway. Discussion took place.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to accept the Pedestrian Path Easement Agreement for the Equestrian Court Subdivision. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2003-22, to accept the Declaration of Road**

Frontage Easement for the Equestrian Court Subdivision. There was no public comment.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2003-23, the Street Light Acceptance Resolution for the Equestrian Court Subdivision.** There was no public comment.

4. With regard to the Cable Television Franchise Agreement, which is shown in Solicitor Grabowski's status report, Supervisor Bennington asked if June of 2003 is the time the Township could first begin negotiations. Solicitor Grabowski advised that the Township can begin holding Public Hearings as of June of 2003, however negotiations can begin at any time. Supervisor Bennington asked when the Comcast Cable Franchise Agreement with the Township expires. Solicitor Grabowski noted the Agreement expires at the end of 2006. Discussion took place.

Public Comment:

1. Mr. Joe Marino of Redwing Road feels that negotiations should begin now, since the Township's position might be stronger now before dish and direct TV become more prevalent.

Supervisor Bender asked what steps have been taken to insure that those who subscribe to cable television are being counted as Hilltown Township residents, since our municipality is served by eleven different post offices. Mr. Lippincott explained that when a new development comes into the Township, a listing of new street addresses is forwarded to Comcast so that they can update their database.

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

1. Fedele Subdivision (Preliminary) – Mr. Robert Showalter, the applicant's engineer, was in attendance to present the plan. At their meeting of April 21, 2003, the Planning Commission recommended preliminary plan approval to the Fedele Subdivision, which is an eight lot subdivision located on Fairhill School Road, subject to completion of all outstanding items as contained in Mr. Wynn's April 10, 2003 engineering review, with the following modifications:

- Waivers of Subdivision Ordinance requirements as contained within items 2.A and 2.B of the engineering review regarding lot configuration are recommended to be waived.
- Waiver of street improvements as contained within Item 2.C of the engineering review is recommended to be waived conditional upon the

applicant constructing an eight feet wide paved pedestrian path on the southwest side of Fairhill School Road along the entire site frontage within an easement area to be dedicated to the Township. The plan location behind the existing tree row is to be finalized during final plan review. The applicant is to contact the owner of the adjoining outparcel (TMP #15-22-52 – Robert Kulp) to determine whether he would permit an easement/pedestrian path to be constructed across the frontage of his parcel. Additionally, the applicant will grant an easement on the north side of the PECO right-of-way through the applicant's property to permit future construction of a pedestrian path if desired by the Township. Location and width of the pedestrian path easement through the PECO right-of-way is to be resolved during the final plan review stage.

- As noted within Item #6 of the engineering review, a Water Resources Impact Study prepared in accordance with Section 408 of the Subdivision Ordinance must be submitted with the final plan for review and approval by the Township. The applicant has advised that drilling of wells onsite has been weather delayed.
- Item #7 (Paragraph 3) of the engineering review letter discusses requirements for buffer plantings for the proposed spray irrigation system on Lot #8. Planning Commission recommends a note be added to the plan requiring that the existing wooded vegetation be supplemented with additional plant material, if determined necessary by the Township.
- Item #11 of the engineering review discusses requirements for recreation land/fee in-lieu-of. The applicant has agreed to a fee in-lieu-of land dedication (\$1500.00 per lot for a total of \$12,000.00).
- Final plan must locate the neighboring dwelling on TMP #15-22-82 (Hopkins) and provide adequate buffering to shield the dwelling from headlight glare from the driveway proposed on Lot #3.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to grant conditional preliminary plan approval to the Fedele Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's April 10, 2003 engineering review, and the conditions as specified by the Planning Commission above. There was no public comment.

2. First Service Bank – The Planning Commission also recommended denial of the First Service Bank preliminary land development plan unless an extension was

received by May 16, 2003. That extension has been received and revised plans were submitted for review today.

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

1. Stormwater Management Ordinance – Mr. Wynn advised that the Stormwater Management Ordinance was tabled by the Supervisors at a previous meeting, pending resolution of issues raised by the Hilltown Landowner's Association. Mr. Wynn forwarded proposed revisions to Neil Stein, the attorney for the Landowner's Association, for review. Those proposed revisions are relative to riparian corridor restoration and preservation. Subsequently, correspondence dated April 14, 2003 was forwarded to the Township Solicitor by Mr. Stein, which contained six comments and/or questions regarding riparian corridor preservation, that are now actually called "riparian restoration," along with some other minor revisions that he recommended.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, to direct the Township Engineer to make the appropriate revisions to the proposed Stormwater Management Ordinance as noted above, and to forward the revised amendment to the Township Solicitor for advertisement of a Public Hearing to consider adoption of same at the next available opportunity.

Public Comment:

1. Mr. Jack McIlhinney, Hilltown Landowner's Association, believes their attorney requested another meeting with Mr. Wynn and other Township staff to discuss the issues that were not included in the initial revisions made by Mr. Wynn. Chairperson Snyder explained that the Landowner's Association's attorney is welcome to attend the Public Hearing once it is scheduled to discuss any further revisions he feels are necessary. She noted that Mr. Wynn has addressed all of the issues Mr. Stein previously raised.

2. Mr. Joe Miketta of Hilltown Pike, is a member of the Hilltown Landowner's Association and was present at that meeting with Mr. Stein, Mr. Wynn, and the Township staff regarding the Landowner's Association concerns. Mr. Miketta commented that there were several issues raised by Mr. Stein, not just one. Chairperson Snyder explained that Mr. Stein only raised issues that concerned one section of the proposed Stormwater Management Ordinance.

3. Mr. Bob Showalter asked when the proposed revised Stormwater Management Ordinance might be available for public review. Mr. Wynn believes it will be available for public review within the next few weeks.

Motion passed. There was no further public comment.

2. Central Avenue Road Closing – Mr. Wynn was contacted by representatives of Home Depot today advising that they will be closing Central Avenue beginning May 12, 2003 for two weeks for roadway reconstruction and improvements. The School District and the Police Department will be notified of the road closure.

Discussion took place regarding the anticipated opening date for Home Depot, which at present is set for sometime in early July.

3. Village at Dorchester – The developer is constructing a sanitary sewer line across Keystone Drive at Progress Drive. Progress Drive will be closed during construction, however Mr. Wynn does not have an anticipated date for closure at this time.

I. PROPOSED COMPREHENSIVE PLAN REVIEW – Mr. Charles Guttenplan – Mr. Guttenplan addressed the Bucks County Planning Commission review of the proposed Comprehensive Plan, dated March 5, 2003 (a copy of which is attached to these minutes) with the Board of Supervisors.

Mr. Guttenplan noted that all of the suggestions in the Bucks County Planning Commission review are not required by the Municipalities Planning Code, and as such, should be considered discretionary.

Demographic Analysis and Projections (Page 2): Mr. Guttenplan advised that the BCPC is suggesting additional discussion and more detailed information relative to significant trends and planning implications that were addressed in the document.

- Pg. 2/3, Housing: Mr. Guttenplan noted that some of the data was not updated to reflect latest census information, which was not available at the time the document was prepared. The Board directed Mr. Guttenplan to provide the latest 2000 census information.

With regard to “Rental Units,” the BCPC suggests that the plan be revised to include both statistics and discussion on rental units within the Township. The Board agreed that the information should be included.

- Pg. 3/4, Households and Families, Income, Employment: The BCPC suggested that definitions for household, family household, and non-family household as determined by the U.S. Census Bureau be used to avoid uncertainty and confusion. They also suggested that a study of prior residences would offer insight to why new residents have relocated to the Township. If this information is available from the 2000 Census, Mr. Guttenplan would be willing to provide it. If it is not available, however,

Chairperson Snyder would have no idea how that data could be collected. Mr. Guttenplan will speak with a representative of the BCPC.

Statement of Community Goals and Objectives (Page 4)

- Pg. 4, Patterns of Growth, Village Center: Mr. Guttenplan would be happy to consider any re-wording the Board feels might be useful, however he is concerned since these points were very carefully reviewed and specified by the Task Force on a number of occasions. Supervisor Bennington asked why the Township would want to focus development in the Village Center. Mr. Guttenplan explained that the Plan does not suggest focusing development in the Village Center; rather it suggests development within the development district. The Plan does state that some limited development should be encouraged in appropriate portions of the Village Center. There is also a further recommendation that there should be studies conducted of the Village Centers to determine if and where development would be appropriate. Chairperson Snyder wants it to be clear that development in the Village Center would not take place prior to studies being conducted. She has real reluctance to do this without protections in place for the architectural integrity of those villages. Supervisor Bender, as a member of the Task Force, believes that during the course of their meetings, there was a position that if you were looking at maintaining open space by considering TDR's, there would be a possibility of expanding the Village Center with smaller dwellings that would meet architectural and historical parameters. Supervisor Bennington commented that the Township has only stated that they would review TDR's, and therefore, he does not believe that TDR's could be used as a mechanism for focusing development in the VC or any other Zoning District.

- Pg. 4, Historic Preservation – Village Protection: Chairperson Snyder feels that this comment reinforces the above noted conversation, regarding Village Center protection policies being in place.

- Pg. 4/5, Infrastructure, Ownership of Sanitary Sewage Facilities: Mr. Wynn noted that the Act 537 Plan clearly states that a community system which serves multiple lots in a development must be publicly owned by the Hilltown Authority first and Hilltown Township second. This is different, for instance, from four or five Small Flow Treatment Plants in a row, each of which serves one individual dwelling. Discussion took place.

Solicitor Grabowski reminded the Board that the Comprehensive Plan is a planning tool that is conceptual in nature. Without minimizing the impact of what a Comprehensive Plan does, Solicitor Grabowski explained that from a legal standpoint, the Township would look first to its Zoning and Subdivision/Land Development Ordinances, as well as its Act 537 Plan. The Comprehensive Plan should be thought of as a general concept of

what the Board would like to see overall in the Township. Invariably, Solicitor Grabowski noted that there would be exceptions, as there always are, and that method is accomplished through the Planning Module process for the Act 537 Plan, or if there is a Zoning or Subdivision/Land Development Ordinance provision that applies. Therefore, not everything would be covered in the Comprehensive Plan.

Land Use Element (Pg. 5)

- Pg. 5, Implementation Techniques, Agricultural Preservation Zoning: In addition to the consideration of Transfer of Development Rights (TDR's) the BCPC recommends that Township officials consider agricultural preservation zoning as another method to preserve the rural character of the Township, particularly that portion containing a significant number of farms, prime agricultural soils, and soils with statewide importance. They feel that this method, in combination with TDR's, would preserve farmland as an economic and open space resource, while still providing protection of property values for landowners. Mr. Guttenplan is aware that the Township previously considered this technique, and for the moment, rejected it. He noted that the MPC was amended to address agricultural preservation and now states that land use "shall protect prime agricultural land." A recent PA Supreme Court ruling has provided support for agricultural preservation zoning with the need for assuring that subdivision of tracts under such zoning is not overly restricted on the resulting development lots.

Supervisor Bennington asked the intent of TDR's and Agricultural Preservation Zoning in the proposed Comprehensive Plan. Mr. Guttenplan believes that TDR's were recommended as a tool to consider and study further for a number of reasons - with natural feature preservation being one of them. It would also help to control location of growth and to insure that it took place in the development areas as much as possible. Even though the number of units is relatively low in the RR Zoning District, Mr. Guttenplan stated that those fewer units consume a higher portion of ground. Agricultural Preservation Zoning was another issue for further study. If the draft document states that the Township should consider further review of TDR's and Agricultural Preservation Zoning, Supervisor Bennington would be agreeable, however if the document states that the Township is specifically going to do it, he has a problem with it. Mr. Guttenplan replied that what the BCPC is saying is that in addition to further consideration of TDR's, the Township should also consider studying Agricultural Preservation Zoning. Chairperson Snyder recalls that part of the reason the issue of Agricultural Preservation Zoning was tabled was due to the inaccurate soils maps provided by Bucks County. At the time, the Township was unable to identify where prime and secondary soils were located because the certified soil maps from the County were in the process of revision. As far as philosophy, Chairperson Snyder is for anything that would assist the Township with preserving prime and secondary soils, and therefore, it would be just another tool the Township could use to protect agricultural land and soils.

Supervisors Bennington and Bender agreed that it should be included, with the caveat that it will be considered for further review.

- Pg. 5, Rural Residential Density: The BCPC review notes that TDR discussion on pg. 36 of the draft Comprehensive Plan suggests decreasing the permitted density within the RR Zoning District in order to provide a greater incentive to developers. BCPC feels this provision would potentially decrease the density of the RR District below one dwelling unit per 3 acres in areas not served by public water, which may be considered overly restrictive. Instead, the BCPC recommended providing additional density bonuses within the receiving areas rather than reducing density in the sending areas.

Mr. Guttenplan advised that the Task Force discussed this concept on a number of occasions, and it was their feeling that the possibility of reducing the density in the RR should be considered. The Task Force was not in favor of density bonuses, which is why it was written as such. Solicitor Grabowski feels the Township should be sensitive to the number of court cases that speak to extraordinary justification for minimum lot sizes, which have been discussed at 2 acres or even less. The Township must also be sensitive to what the Supreme Court ruled in the Bedminster case concerning 1-acre minimums, since Bedminster is now in the process of re-advertising and going through the procedure for a revised proposal for a lot that is less than one acre. While Solicitor Grabowski understands what the Task Force is trying to do from a planning concept, the courts say differently. Chairperson Snyder is uncomfortable with the language, because she feels it somehow strays over the line of philosophy and almost points the Township in a specific direction. Personally, she feels that the Township must be very careful about those types of recommendations in the Comprehensive Plan, because they are too specific, too pointed, and too direct for a philosophy-type document for which the Township does not have the legal underpinnings to justify that type of language. Solicitor Grabowski agreed that the Comprehensive Plan is a conceptual plan, and noted that the specificity of the plan recommendations should be considered and addressed in the Zoning Ordinance, not in the Comprehensive Plan.

Mr. Guttenplan commented that the Task Force came to the conclusion early on when discussions of TDR's first surfaced, that it is a very complex issue that they felt had some merit, yet they could not come to a decision as to a series of recommendation for a TDR Ordinance, if there was going to be one, through this document. The Task Force agreed that a follow-up study would be required to even determine the feasibility of TDR's. Chairperson Snyder agreed, and felt that they would or would not grow naturally out of those studies, but in her opinion, the Comprehensive Plan is not the place for them.

Supervisor Bennington asked if the study of TDR's was a high priority issue with the Task Force. Mr. Guttenplan replied that it was one of the highest priorities determined by the Task Force.

Compatibility with County and Contiguous Municipalities (Pg. 5/6)

The BCPC suggested some clarification of the surrounding municipalities, which Mr. Guttenplan believes can be done through conversations with their governing boards, because he feels that in some cases, there may be misunderstanding with zoning and planning. He intends to update the document to reflect those clarifications. This includes Bedminster, East Rockhill, Plumstead, and West Rockhill Townships, along with Perkasio Borough.

Natural Resources/Open Space Element (Pg. 6)

- Pg. 6, Geology and Groundwater Hydrology – Pennridge Water Resources Plan, and Pg. 6, Topography and Surface Hydrology – Tohickon Creek, Perkiomen Watershed, and Fairhill Ridge; and Pg. 6, Soils – Updated Soils Survey: Mr. Guttenplan noted there is some discussion regarding the Pennridge Water Resources Plan, which contains additional information concerning geology, mapping, topography, surface hydrogeology, and soils issues. It was the decision of the Task Force that the information was to be extracted from the 1991 Comprehensive Plan, and not updated. Mr. Guttenplan noted that while it might be very nice to do, it would entail a great deal of work to include at this point. In several places in the draft document, the Task Force refers to the Pennridge Water Resources Plan, however it has not been included as a whole in the draft plan. A summary has been included, noting what it was and what its recommendations are, but the Task Force did not include details or maps extrapolated from it. Since this study is not yet complete, Supervisor Bennington feels a reference should be made, however it should not be included as a whole in the Comprehensive Plan.

Chairperson Snyder would like to see information included regarding the three watersheds in the Township, since the current map for the 1991 Plan shows only two watersheds.

The BCPC comments that the U.S. Natural Resources Conservation Service re-certified the Bucks County Soils Survey in December 2002. They feel that the Township should ensure that the soil references in the Soils Section of the Comprehensive Plan account for the re-certification. In particular, the hydric soils associations should be confirmed, particularly for the Bowmansville association, which is now referred to as Bowmansville-Knauers association.

- Pg. 6/7, Open Space Inventory – Calculation of Open Space/Recreation Need: Mr. Guttenplan commented that the Township’s recreational and open space questionnaire without responses was listed in the appendix, however, the questionnaire with responses is what is intended to be included. He also feels that a summary of what the conclusions were with regard to recreation and open space should be included. The Supervisors agreed.

- Pg. 7, Pennridge Area Greenway Plan; and Dublin Open Space Recreation Plan: The BCPC feels that the 2000 Pennridge Area Greenway Plan should be included along with the 1998 Open Space Preservation Plan, which is referred to extensively throughout the draft Plan. Frankly, Mr. Guttenplan was not aware of these documents when the draft Plan was being prepared. The Supervisors suggested that the Pennridge Area Greenway Plan and the Dublin Open Space and Recreation Plan be reviewed and should be referenced in the draft Plan. Chairperson Snyder believes that there will be a great deal of consistency with all three plans. Supervisor Bennington expects that all of the municipalities, before they approved their open space and recreation plans, would have considered their Comprehensive Plans and those of surrounding municipalities.

Natural Resources/Open Space Implementation Strategies (Pg. 7)

- Pg. 7, Natural Areas Inventory: In June of 1999, an inventory was undertaken to identify and rank the most significant natural areas remaining in Bucks County, including those in Hilltown. This is another document that the Task Force was not aware of. Mr. Guttenplan noted that the Natural Features Map and the analysis were based on the 1991 Comprehensive Plan information. The Supervisors directed Mr. Guttenplan to conduct a simple review to determine that Hilltown’s information coincides with the County’s.

- Pg. 7, Pennridge Water Resources Plan: The BCPC suggests that it might be helpful to review protection measures for various natural features. Again, the Task Force did not comprehensively review this document because they intended to carry over all the existing information from the 1991 Comprehensive Plan. Mr. Guttenplan will review the Pennridge Water Resources Plan to determine if there is any further information that should be included.

Transportation and Energy Conservation Element (Pg. 6/7/8/9)

- Pg. 7/8, Current Road Conditions: This is an issue the Task Force discussed several times in an attempt to determine how much information should be included, and what the Township’s exposure and liability might be if it were to note hazardous areas that may or may not be addressed. Therefore, the Task Force chose to cut some of the information back because they did not feel it was the appropriate place to

be documented. Chairperson Snyder stated that one of the recommendations was to form a committee to study Act 209 and other transportation issues. Supervisor Bender advised that the formation of this Transportation Committee was the highest priority recommendation. Chairperson Snyder hesitates getting too specific in the Comprehensive Plan, in advance of the future Transportation Committee's investigation and efforts. Supervisor Bennington is opposed to identifying hazardous intersections in this document, since it could potentially open the Township to lawsuits. Mr. Guttenplan explained that is why such information was not included in the draft document.

Supervisor Bender asked for clarification of the location of the "Piedmont Expressway." Mr. Guttenplan replied that it is the proposed Rt. 309 Connector project that is under great discussion at this time.

- Pg. 8, Traffic Calming: If the Task Force and Mr. Guttenplan feel that this issue has been sufficiently addressed, Chairperson Snyder suggested the information included would be fine.

Implementation - Capital Improvement Program, Township-wide Traffic Plan, Development District Concept, Master Cycle Plan, and Public Transit (Pg. 8/9): The BCPS notes that these recommendations were made in the 1991 Comprehensive Plan, and that status of these recommendations should be updated. From Mr. Guttenplan's point of view, this is a policy issue to be determined by the Board of Supervisors. The Task Force had considered revising the recommendations map and the transportation plan map, but ultimately came to the conclusion that the 1991 recommendations map was still appropriate.

Chairperson Snyder asked if the Capital Improvement Plan would be a part of GASB 34 when it goes into effect. Mr. Lippincott explained that it would be an inventory only.

Supervisor Bennington asked if this includes both local and State road improvements. Mr. Guttenplan replied that they are not specific, however he believes it is mostly local road improvements. The Master Bicycle Plan would impact both State and local roads. Chairperson Snyder would hope that the proposed Act 209 Advisory Study Committee would address, many of these issues such as formulating policy and philosophy, as well as making recommendations for improvements. Mr. Guttenplan suggested that perhaps a brief summary of what the Transportation Committee is and the definition of "off-site improvements" should be included. The Supervisors agreed. A lengthy discussion took place concerning the specific requirements of Act 209 with regard to off-site improvements, and the pros and cons involved with taking part in Act 209. Mr. Guttenplan believes that less than 1/3 of the communities in the southeastern portion of Pennsylvania have become involved with Act 209 due to its stringent requirements. Mr. Guttenplan suggested that Mr. Heinrich, the Township's Traffic Engineer, discuss the Act

209 process more thoroughly with the Board of Supervisors. Supervisor Bender wished to make it clear that possible formation of the Act 209 Committee was really an afterthought by the Task Force, who had originally recommended the appointment of a Transportation Committee to review and study traffic issues in the Township. Chairperson Snyder felt that a description of Act 209 and its implications should be included in the draft Plan.

With regard to Public Transit, Mr. Guttenplan will provide a brief outline of these services and other public transit issues that affect Hilltown Township.

Housing Element (Pg. 9)

- Pg. 9 – Build Out Analysis – Multifamily/Rental Housing: Given the predominance of single-family detached and comments about housing mix standards in the implementation strategies section, the BCPC recommends that the analysis be based on the past trends of demand of each basic type of housing type.

Community Facilities Element (Pg. 9/10/11)

- Pg. 9 – Inventory of Existing Municipal Services and Community Facilities – Fire Companies: The correction as noted will be made.

- Pg. 9/10 – Ambulance Service: Supervisor Bender noted that Dublin Regional EMS should be added. Chairperson Snyder advised that Grandview Hospital Ambulance Service should be deleted.

- Pg. 10 – Health Care Facilities: This issue will be addressed.

Water Supply and Sewage Facilities (Pg. 10)

- Pg. 10, Water Authorities: The BCPC mentions the Blooming Glen Estates Subdivision privately owned centralized water system that serves 11 homes south of the Village of Blooming Glen, but notes that there is no such development south of the village. Supervisor Bender advised that the Blooming Glen Estates Subdivision is indeed located south of the village of Blooming Glen.

- Pg. 10, Service Providers: Supervisor Bender advised that the Hilltown Water and Sewer Authority provides service to the location noted, by purchasing bulk water from Dublin Borough.

- Pg. 10, Facility Capacity: Chairperson Snyder stated that this information is provided within Hilltown's Act 537 Plan, and a reference to that in the Comprehensive Plan should be sufficient.

- Pg. 10, Wellhead Protection: Chairperson Snyder believes that the PACC is presently in the process of reviewing and considering a Regional Wellhead Protection Ordinance for various Authorities. She realizes that this issue will become even more important over the course of the next ten years. The Supervisors directed Mr. Guttenplan to reference the PACC water study in the draft Plan, which they feel should be sufficient.

Stormwater Management (Pg. 10/11): Mr. Guttenplan noted that this is an area of the draft that could certainly be updated if the Board so desires. Chairperson feels that it would be an exercise in futility to make all of the BCPC's recommended revisions since the Ordinance is being updated. She suggested that perhaps the revisions from the May of 2000 Stormwater Ordinance could be considered.

Action Plan (Pg. 12)

- Pg. 12, High Priorities 3 and 9: Mr. Guttenplan noted that the Task Force was aware of the redundancy, and it was made by their choice.

- Pg. 12, Medium Priority 18 and Low Priorities 27 and 35: Corrections will be made as requested.

- Pg. 12, Medium Priority 23: Corrections will be made as requested.

- Pg. 12, Medium Priority 24: Clarification will be made as requested.

- Pg. 12, Low Priority 31: Clarification will be made as requested.

- Pg. 12, Low Priority 36: Mr. Guttenplan advised that the Planning Commission made the decision to make the Line Lexington Village area study a low priority. The Task Force suggested that it be considered a high priority as recommended by the BCPC. Chairperson Snyder was willing to go along with the Task Force's recommendation.

Other Issues (Pg. 12/13/14)

- Pg. 12, Economic Development: Mr. Guttenplan believes that an Economic Development Plan should be a document separate from a Comprehensive Plan. Often, an Economic Development Plan is part of a Revitalization Plan, and is well beyond the scope of what has been undertaken for the Comprehensive Plan. Supervisor

Bennington noted that promoting business and industry for the Township's economic growth should be encouraged. He felt that some language should be included in the Comprehensive Plan advising that Hilltown Township is interested in attracting and retaining businesses. Discussion took place.

- Pg. 12/13, Non-Residential Development: Mr. Guttenplan advised that the Task Force did take non-residential development issues into consideration and it is so noted in the Plan by the various zoning districts available for that type of development.

- Pg. 13, Financial Element: This is not a requirement of the MPC, and Mr. Guttenplan is not certain how relevant this information would be. He noted that this type of study might be more appropriate if the Township were ever to consider developing an Economic Development Plan in the future, however he does not feel it is appropriate for this document. Discussion took place. The Supervisors agreed.

- Pg. 13, Historic Resources and Preservation: Supervisor Bennington asked how many municipalities in southeastern Pennsylvania have established a Historic Preservation District or adopted a Historic Preservation Ordinance. Mr. Guttenplan would guess that approximately 1/3 of southeastern Pennsylvania municipalities have adopted such an Ordinance or participate with a Historic Preservation District. Discussion took place. Chairperson Snyder believes that at some point, the Township will have to make a decision as to whether or not they wish to adopt such an Ordinance and how elaborate a system they may want to put into place. Further, she feels that it should be a decision made by the residents of this Township, not necessarily by the Board of Supervisors.

Considering the amount of discussion that went into this subject, and the various places it is noted in the Plan, the Supervisors do not feel that it is necessary to add a separate, specific plan element that is called "Historic Resources and Preservation."

- Pg. 13/14, Solid Waste Management: While it is a nice suggestion, Chairperson Snyder was reluctant for the Township to go to the expense, the time, and the difficulty of researching and developing this information without the Task Force's input at this time. Discussion took place. Supervisors Bennington and Bender agreed with Chairperson Snyder.

- Rt. 113 Heritage Corridor Plan: Mr. Guttenplan will provide a very brief description of the Rt. 113 Heritage Corridor Plan for insertion in the Plan.

Figures and Maps (Pg. 14/15)

- Pg. 14, Population Comparison, Figure 2: The Task Force discussed these charts and graphs at great length over several meetings. The Supervisors agreed that the charts and graphs would remain as submitted.
- Pg. 14, Age Cohorts, Figures 3a, 3b, and 4: Same as above.
- Pg. 14, Median Value Owner-Occupied Units, Figure 9: Revision will be made as requested.
- Pg. 14, Topography and Surface Hydrology, Map 4: Was discussed earlier. Revisions will take place as necessary.
- Pg. 14, Slopes and Contours Map: Was discussed earlier. Revisions will take place as necessary.
- Pg. 14/15, Soils Maps: Was discussed earlier. Revisions will take place as necessary.
- Pg. 15, Communities Facilities Map: Revision will be made as requested.
- Pg. 15, Existing Land Use Map: Mr. Guttenplan explained that the BCPC has a difference of opinion about four or five areas on the existing Land Use Map. He believes the Task Force came to the conclusion that when the Township prepared that map in 2000 it was accurate; it was a snapshot in time; and it is relied upon, however it is not and should not be considered an official Zoning Map. Chairperson Snyder agreed.
- Pg. 15/16, Future Land Use Map: Mr. Guttenplan believes that this issue was briefly discussed at the last meeting. Chairperson Snyder is opposed to revising the designations on the various parcels from Light Industrial Zoning in particular, as BCPC suggests.

Editorial Comments (Pg. 16/17): Revisions will be made as requested.

Public Comment:

1. Mrs. Marilyn Teed of Mill Road asked if tonight's discussion is considered part of the Comprehensive Plan Public Hearing process. Chairperson Snyder explained that tonight's discussion was simply a worksession for the Board to work with the Township's Professional Planner. Mrs. Teed was under the impression that the Public Hearing process had already begun. Chairperson Snyder replied that it has, however the

discussion this evening was a worksession, not a Public Hearing, which must be advertised according to the Second Class Township Code.

2. Mr. Jack McIlhinney of the Hilltown Landowner's Association noted that the corrections and revisions the Board directed Mr. Guttenplan to make this evening are very extensive. He asked if a package would be provided so that the general public can update their draft Plans for further discussion. When the Supervisors ultimately schedule a Public Hearing to consider adoption of the proposed Comprehensive Plan, Solicitor Grabowski stated that a revised draft Plan would be available for public review.

Before a new draft Plan is prepared, and in order to avoid page number confusion, Chairperson Snyder suggested that Mr. Guttenplan attend the May 12, 2003 Supervisor's Worksession meeting to respond to the Hilltown Landowner's Association comments and questions, which are based upon the current draft of the Comprehensive Plan. Mr. McIlhinney would like the Hilltown Landowner's Association's questions and comments addressed at a Public Hearing, so that it is a part of the record. Solicitor Grabowski explained that any resident's comments are always a part of the minutes of the meeting. There is no stenographer present at regular public meetings, nor would there be at an advertised Public Hearing. Mr. McIlhinney wanted to insure that the Landowner's Association's comments and questions are included and attached to any revised draft Comprehensive Plan. Solicitor Grabowski advised that those comments and questions would be heard and considered by the Board of Supervisors. Mr. McIlhinney assumed that even though tonight's discussion was not an official "Public Hearing," the minutes of this meeting would be included in a file of the Comprehensive Plan. Chairperson Snyder explained that the Township is not required to keep a record of how the Comprehensive Plan was arrived at, though the Township does keep a record of the comments that were received which have been incorporated in the draft document. Mr. McIlhinney noted that there is an Appendix A in the current Draft document, which contains comments and reviews by the Hilltown Planning Commission, and therefore, he would assume that anything else that comes forward would also be attached to the document. Mr. Guttenplan commented that whatever is incorporated in the final Comprehensive Plan, such as the Appendix A, was yet to be determined by the Board of Supervisors. Mr. McIlhinney believes that Landowner's Association's comments and questions should be made part of the document.

3. Mr. Joe Miketta of Hilltown Pike, stated that when he was interviewed for the vacant position on the Planning Commission in October of 2002, Mr. Beer challenged him with regard to the Agricultural Preservation Zoning District, stating that it was a dead issue, however it now appears that the Supervisors are going to bring it back into the Comprehensive Plan by mentioning it as an option. Chairperson Snyder commented that Mr. Beer is entitled to his opinion.

Mr. Miketta asked who on the Bucks County Planning Commission was the main reviewer of the draft Comprehensive Plan. Mr. Guttenplan does not recall, however he is aware that there were a number of individuals working on the review.

Mr. Guttenplan will be present at the May 12, 2003 Supervisor's meeting to address the questions and comments as raised by the Hilltown Landowner's Association, in a worksession setting as was the case this evening.

J. MYLARS FOR SIGNATURE: Balmer Lot Line Adjustment

K. PUBLIC COMMENT:

1. Mr. Jackson Teed of Mill Road asked the status of scheduled road repair to Mill Road. Chairperson Snyder is certain that Mill Road will be patched, however she suggested that Mr. Teed ask the question of Mr. Buzby, Director of Public Works at the May 12th worksession meeting. Mr. Lippincott believes that any major roadwork on Mill Road will be done after the Equestrian Court Subdivision is complete.

L. SUPERVISOR'S COMMENTS:

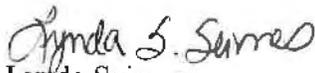
1. Chairperson Snyder announced that the Board met in Executive Session prior to this meeting in order to discuss personnel matters, and will meet in Executive Session following this meeting to discuss real estate matters.

2. Supervisor Bennington advised that the Civic Association would be holding Candidate's Night here at the Township Building tomorrow evening, Tuesday, April 29th at 7:00PM.

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

N. ADJOURNMENT: Upon motion by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously, the April 28, 2003 Hilltown Township Board of Supervisor's Meeting was adjourned at 10:47PM.

Respectfully submitted,


Lynda Scimes
Township Secretary