

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, September 24, 2001
7:30PM**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairperson Kenneth B. Bennington at 7:30PM and opened with the Pledge of Allegiance.

Also present were: John S. Bender, Vice-Chairperson
Betty P. Snyder, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Lorraine E. Leslie, Township Treasurer

Chairperson Bennington called for a moment of silence to remember those victims of the recent terrorist attack on our country on September 11, 2001.

Chairperson Bennington announced the Board met in Executive Session following their meeting on September 10, 2001 in order to discuss legal and real estate matters, and also prior to this meeting in order to discuss legal and real estate matters.

On behalf of the Supervisors, Chairperson Bennington thanked Township employee, Lisa Faust, for designing the heart shaped flag pins that all the Supervisors were wearing this evening.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the August 27, 2001 Board of Supervisor’s Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the August 27, 2001 Supervisor’s Meeting, as written. There was no public comment.

Action on the minutes of the September 10, 2001 Board of Supervisor’s Worksession Meeting – Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the September 10, 2001 Supervisor’s Worksession meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING: Chairperson Bennington presented the Bills List dated September 25, 2001, with General Fund payments in the amount of \$86,566.28, State Highway Aid payments in the amount of \$3,831.69, and Escrow Fund payments in the amount of \$13,054.71; for a grand total of all payments in the amount of \$103,452.68.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated September 25, 2001. There was no public comment.

D. MANAGER'S REPORT - Mr. Gregory J. Lippincott, Township Manager -

1. Included in the Board's packets is a quote from the Bucks County Planning Commission for Dublin's Open Space Plan, in the amount of \$1,000.00. This Plan will be completed and submitted to the Bucks County Planning Commission for approval at their December meeting. This plan will allow Hilltown Township and Dublin Borough to jointly purchase the property on Frontier Road, and will allow Hilltown and Dublin to obtain the \$140,000.00 of County open space funding that was designated for Dublin Borough.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize the \$1,000.00 payment to the Bucks County Planning Commission for Dublin Borough's Open Space Plan. There was no public comment.

2. There are five escrow releases for the Board's consideration this evening; two of which are cash held by the Township:

A&T Suharu	Voucher #04	\$ 500.41
Kcystone Estates	Voucher #30	\$ 357.40
Kunkin Steel	Voucher #15	\$ 295.64
Kunkin Steel	Voucher #16	\$ 4,570.04
Pleasant View Sub.	Voucher #03	\$ 96,012.90

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize the release of the five escrows as noted above. There was no public comment.

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

1. Mr. Wynn prepared correspondence concerning the Bucks County Transportation Improvement Program through the Bucks County Planning Commission, who updates the Bucks County Transportation Improvement Program every two years. PennDot's twelve-year highway program considers the recommendations of Bucks County. The memorandum further requests that the Township advise of any local concerns regarding highways and intersections, which might be considered to be included within PennDot's twelve year highway program. If the Township desires to submit any proposed projects, the County has an application that must be completed and submitted no later than October 19, 2001.

2. Following this meeting, there is a document for signature by Chairperson Bemington for a resident attempting to determine eligibility for a Penn Vest loan in order to repair his on-lot sewage disposal system.

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

1. Solicitor Grabowski presented the Declaration of Easement of Roadway Frontage for the Anna Mary Moyer Subdivision.

Motion was made by Supervisor, seconded by Supervisor, and carried unanimously to **adopt Resolution #2001-25 to accept the Declaration of Easement of Road Frontage for the Anna Mary Moyer Subdivision.** There was no public comment.

Motion was made by Supervisor, seconded by Supervisor, and carried unanimously to accept a Storm Drainage Easement Access for Lot #2 of the Anna Mary Moyer Subdivision. There was no public comment.

2. Solicitor Grabowski reminded the Board that prior to the October 22, 2001 meeting at 6:30PM, a Hearing will be held to consider a zoning change request based upon a petition that has been filed by Maple Properties. The applicant is requesting a zoning change at the intersection of Rt. 113 and Rt. 313 to allow for the possible construction of a CVS Pharmacy. Recommendations on this application have been received from the Bucks County Planning Commission and the Township Traffic Engineer.

3. At the September 10, 2001 worksession meeting, the Board authorized the Township Manager to sign a loan commitment with Quakertown National Bank to refinance the existing loan. As a result of the tragic situation that occurred on September 11, 2001, the Township would like to re-address the situation with Quakertown National Bank, who was the lowest bidder, to get an extension of time on the loan until possibly the middle of December.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize the Township staff to meet with representatives of Quakertown National Bank to further discuss the loan commitment for refinancing of the existing loan. There was no public comment.

G. CONFIRMED APPOINTMENTS:

1. Mr. Richard McBride – Berry Brow Subdivision – Mr. McBride, representing the property owner and the developer of the Berry Brow Subdivision, was in

attendance along the Mr. Jim Blaukovitch, the golf course consultant, to discuss the proposal for open space on the Berry Brow Subdivision.

Mr. Blaukovitch's most recent report dated September 20, 2001 was discussed. Previously, Mr. Blaukovitch submitted a brief report that included golf course feasibility routing studies on a portion of the Berry Brow Farm site, which was presented to the Board of Supervisors. The previous studies dealt only with the property to the west of the entrance road, consisting of approximately 123 acres. An executive (or short) 18-hole golf course, a regulation 9-hole golf course, or an 18-hole par 3 golf course could have been developed on the allotted parcel. However the Board desired to have enough land to develop a regulation length (6,000 yd. minimum) golf course in the future should they so desire. Mr. Blaukovitch's updated report illustrates a regulation 18-hole golf course that could be developed on the allotted open space as shown on Routing Study 1 as presented by Mr. McBride.

Routing Study 1 illustrates an 18-hole regulation length golf course. The parcel of land on which the course is located contains approximately 150 acres. This also includes the entrance road and the proposed retention pond. The golf course is a respectable length of 6,415 yards and a par of 72. Mr. Blaukovitch's report reminds the Board that a routing study only indicates the location and the length of the golf holes. It does not show features such as multiple tees, new plantings, or bunkers. The final course layout may be quite different than that shown once further studies are completed. The course contains adequate space between holes, has a variety of lengths and designs of holes, and works well with the existing terrain.

It was the Township's original concern to have adequate land due to floodplain restrictions and/or underlying rock. The floodplain area has been reduced after discussions with Gilmore and Associates and the course has been routed to avoid as much conflict with potential rock as possible. There may, however, be a few holes that encounter rock, but this amount should not be unusually larger than that found on other courses.

The proposed clubhouse would be centrally located and could be accessed from either Hilltown Pike or Township Line Road. The report includes a photograph looking out towards the proposed course from the clubhouse location on Routing Study 1. The 150 acres of open space shown on Routing Study 1 will accommodate a clubhouse located in other areas on the property, yet still produce a quality golf course. Usable property remains along Hilltown Pike for additional non-golf related recreational development.

The report contains additional drawings, with the following purpose:

- Routing Study A – Issued to the Township as part of the first report,

- showing a regulation 9-hole golf course on 123 acres to the west of the entrance road.
- Routing Study B – Issued to the Township as part of the first report, showing an executive length (4,255 yds) 18-hole golf course on 123 acres to the west of the entrance road.
 - Routing Study C – Issued to the Township as part of the first report showing an 18-hole par 3 course on 123 acres to the west of the entrance road.
 - Routing Study D – Study completed to illustrate the feasibility of a regulation length 18-hole course utilizing additional property to the east of the entrance road. This plan also shows the feasibility of a centrally located clubhouse.
 - Routing Study E – Study completed to illustrate the feasibility of a regulation length 18-hole golf course utilizing additional property to the east of the entrance road. The plan also shows the feasibility of a clubhouse located along Hilltown Pike to the east of the property.
 - Routing Study F – Study completed to illustrate the feasibility of a regulation 18-hole course utilizing additional property to the east of the entrance road. The plan also shows the feasibility of a clubhouse located along Hilltown Pike to the north of the property.

Routing Studies D, E, and F also show various configurations of land required for golf course development on the east side of the entrance road. These three routings were taken to the site for field review by Mr. McBride, Mr. Nicholas, and Mr. Dixon. Each routing was reviewed in depth and the result of the site visit was to create a parcel to the east of the entrance road that would allow access to the proposed future housing development.

- Routing Study F Alt. 1 – This study focused on the parcel to the east of the entrance road and the golf holes configured there. Thirty-two acres of additional land would be required for golf course development and allow for a single row of homes along the northern edge of the property.
- Routing Study F Alt. 2 – This study focused on the parcel to the east of the entrance road and the golf holes configured there. Thirty-two acres of additional land would be required for golf course development and

allow for a single row of homes along the northern edge of the property and also along the entrance road.

- Routing Study F Alt. 3 – This study focused on the parcel to the east of the entrance road and the golf holes configured there. Thirty acres of additional land would be required for golf course development and would allow for a double row of homes along the northern edge of the property. This configuration was acceptable to both Mr. McBride and Mr. Blaukovitch. It allowed for the most options for a variety of recreational development by Hilltown Township.

The final routing study, Routing Study 1, is based on the parcel agreed upon in Routing Study F Alt. 3 and the feasibility of a centrally located clubhouse. Routing Studies F Alt 1 & 2 illustrate an acceptable course with the clubhouse located along Hilltown Pike.

A complete copy of Mr. Blaukovitch's report of September 20, 2001 is available at the Township office for review.

It is Mr. Blaukovitch's opinion that the parcel of land represented in Routing Study 1 would be sufficient to develop a quality, regulation length 18-hole golf course that Hilltown Township would be proud to be associated with should it be the desired use.

Mr. McBride advised that an Ordinance amendment is required to allow for a cluster design different from that currently set forth in the Ordinance, provided that the Board of Supervisors determine that the land mass that is offered is what the Township wants to accept. In this particular situation, the Township will be directing the location, the configuration, and the make-up of the open space, and the applicant will be left with the residue. The developer has committed to the fact that on the upper side of Hilltown Pike, the lots would be a minimum of 30,000 sq. ft., which is permitted in the current RR Cluster Ordinance. On the opposite side of Hilltown Pike, the lots are proposed at a minimum of 15,000 sq. ft., which is 100 ft. wide. Discussion took place.

Mr. McBride explained that in addition to the 150 acres of open space for the golf course, there will be a substantial area that will remain essentially natural. There are 65 acres on the upper portion of Hilltown Pike, and the number of lots proposed in that area will be less than one per acre. An Ordinance amendment allowing for an alternate development approach in the RR Zoning District on tracts containing a minimum of 300-acres, would have to be enacted. This would provide for 55% open space, as does the current Cluster Ordinance, but with the Board's option to accept the 55% open space in a configuration of their choosing, such as might allow for development of a future golf course. If this approach is taken by the Township, Mr. McBride noted that the area of open space would include lands that would otherwise be used for residential development. As such, the

developer would be relegated to the balance of the tract, and limitations on tree clearing or slope encroachment as to the balance of the site would not be applicable. Mr. McBride advised, however that restrictions with regard to wetlands and matters of enforcement by DEP or other outside regulatory agencies would still apply.

Supervisor Snyder asked what types of waivers the developer might require for the lots on the lower portion of the site, with regard to woodlands and slopes, because she is very concerned with stormwater runoff and erosion. Mr. McBride commented that the Township would look to the Township Engineer to satisfy the Board that proper stormwater management procedures are implemented. The developer has no intention of asking for waivers from any wetlands or from any other State permits. Mr. McBride commented that the applicant must abide by all Township Ordinances, other than tree preservation in the area that will be developed for dwellings. A lengthy discussion took place.

Mr. McBride will provide the Board with a draft Ordinance for review and consideration in the very near future.

H. PLANNING – Mr. C. Robert Wynn, Township Engineer --

1. Alloy and Stainless Fasteners (Final) – The Planning Commission unanimously recommended conditional final plan approval to this land development subject to completion of all outstanding items as contained in the September 6, 2001 engineering review, including installation of sidewalk along Bethlehem Pike at a location 15 ft. from the face of the curb, Planning Module approval by PADEP, and verification of availability of sewage capacity from Telford Borough Authority.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to grant conditional final plan approval to the Alloy and Stainless Fasteners Land Development, pending completion of all outstanding items as contained in the September 6, 2001 engineering review, including installation of sidewalk along Bethlehem Pike at a location 15 ft. from the face of the curb, Planning Module approval by PADEP, and verification of availability of sewage capacity from Telford Borough Authority. There was no public comment.

2. McKnight Subdivision (Minor) – Mr. Kirk Klaus, the applicant's engineer, was in attendance to present the plan. The Planning Commission unanimously recommended preliminary/final plan approval for the minor subdivision located at the southwest corner of Rt. 113 and Keystone Drive, conditional upon completion of all outstanding items as contained within the September 11, 2001 engineering review, and also recommended waivers from Subdivision requirements as contained within Items 1B, 1C, and 1D of the engineering review. The waiver request under 1.A (Section 516.3) has

been withdrawn by the applicant who will comply with the Stormwater Management Ordinance or conform to the exemption requirements as permitted by Section 105 of the Ordinance.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to grant preliminary/final plan approval to the McKnight Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's engineering review dated September 11, 2001, along with the waivers listed under Items 1B, 1C, and 1D of the September 11, 2001 engineering review. There was no public comment.

3. Car Sense (Preliminary) – The time frame for action on this preliminary land development located on Rt. 309 just north of Peruzzi Toyota expires on October 13, 2001. The Planning Commission recommended denial of the land development plan based upon the engineering review and the Bucks County Planning Commission reviews unless an extension is received by October 13, 2001. Additionally, the Planning Commission unanimously recommended that a full traffic impact study not be required for this site but that the applicant be required to submit a trip generation and site access study as recommended by the Township Traffic Consultant within correspondence dated September 7, 2001.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to require the applicant of Car Sense to submit a Trip Generation and Site Access Study as recommended by the Township Traffic Consultant within correspondence dated September 7, 2001. There was no public comment.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to deny the Car Sense Land Development unless a written extension is received by October 13, 2001. There was no public comment.

4. Braccia Subdivision (Minor) – The Planning Commission unanimously recommended denial of the minor subdivision located on Hilltown Pike due to non-compliance with Zoning Ordinance and Subdivision Regulations as contained within the engineering review dated November 29, 2000. This application was received by the Township on September 11, 2000. No revised plans have been submitted by the applicant since plans dated November 2, 2000. The Planning Commission in their motion did not recommend acceptance of further extensions for this plan. Additionally, the applicant was advised of the Planning Commission recommendation and the Supervisor's consideration of the plan at this meeting.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to deny the Braccia Subdivision due to non-compliance with Zoning Ordinance and Subdivision Regulations as contained within the engineering review dated

November 29, 2001; and to deny acceptance of further extensions for this plan. There was no public comment.

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

1. Pedestrian/Bike Path Proposals – Bids were opened for the Pedestrian/Bike Path (Bid #2001-7) at 10:00AM on September 21, 2001, as follows:

<u>Bidder</u>	<u>Total Base Bid</u>	<u>Total Base Bid & Alternate</u>
Robert G. Ciccone	\$206,178.25	\$210,528.25
Kehoe Construction, Inc.	\$210,402.50	\$215,452.50

Mr. Wynn explained that all original bids that were opened approximately a month ago, were rejected when the low bidder withdrew his bid. The second lowest bid was higher than the Township had budgeted for the project, and therefore, the project was re-bid. Only two bids were received this time, and unfortunately, the lowest bidder was higher than anticipated. Discussion took place.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to reject the two bids for Bid #2001-7 for the Pedestrian/Bike Path because they were beyond the funds budgeted by the Township for this project, and to re-bid this project in the Spring of 2002. There was no public comment.

2. Keystone Estates – Mr. Wynn provided an update regarding improvements at the Keystone Estates Subdivision located on Keystone Drive. The developer of Keystone Estates Subdivision requested that the Township accept dedication of the public improvements for this development. Mr. Wynn noted that the Board has 45-days to act on this, and recommended that any action on this request be tabled due to outstanding “clean-up” items and ongoing erosion problems that must be resolved.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to table the request of the developer of Keystone Estates for the Township to accept dedication of the public improvements for this development, as noted above. There was no public comment.

3. Kunkin Steel (Cherry Lane) – Improvements are complete at the Kunkin Steel site on Cherry Lane. PennDot approval has been received for improvements made at Cherry Lane/Bethlehem Pike intersection. The applicant has requested that the Township accept completion of improvements as required under the Kunkin Steel Land Development Project located on Cherry Lane. Mr. Wynn explained that Kunkin Steel has two different Agreements with the Township – one is for the truck terminal located at Central Avenue and Bethlehem Pike, and the other is for the improvements Kunkin made

at the time they expanded their building at Cherry Lane. Those particular improvements included improvements to the entrance to the site on one of their driveways, and improvements to the intersection of Cherry Lane and Bethlehem Pike.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to accept completion of the improvements and commencement of the 18-month maintenance period to reduce the escrow amount to 15% for the Kunkin Steel (Cherry Lane) Project, as noted above. There was no public comment.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mrs. Jean Bolger of Rt. 152 questioned the proposed Ordinance that must be adopted for the Berry Brow Subdivision project, and is concerned that spot zoning would be a result if it were to be adopted. Chairperson Bennington explained that the proposed Ordinance would be written specifically for properties of not less than 300 acres, of which there are very few properties in Hilltown that would meet that requirement. To Chairperson Bennington's knowledge, the Berry Brow property is the only one at this time that it would apply to. Supervisor Bender noted that the 300 or more acre requirement could also be achieved by piecing various individual properties together. Mr. Wynn stated that if someone could assemble another 300 acres, and met all of the requirements and conditions of the Ordinance, that would apply to that property also.

2. Mr. Bill Anglim of Rickert Road asked if the Planning Commission could be afforded some sort of legal counsel during discussions of developments. From personal experience, Supervisor Snyder commented that there have been times where it would have been wonderful to have a solicitor present at a Planning Commission meeting to offer advice when legal counsel for a developer is in attendance presenting a plan. She can see, however, that there are financial considerations involved with authorizing legal counsel for the Planning Commission. Since the Planning Commission is a recommending body only, and due to the financial investment involved, Supervisor Bender would have to give careful consideration to this suggestion. Mrs. Bolger felt that legal counsel should attend Planning Commission meetings when those board members are required to make decisions without the benefit of legal advice. Chairperson Bennington explained that the Planning Commission does not make decisions; they make recommendations. The Supervisors agreed to consider Mr. Anglim's suggestion.

3. Mr. Jack McIlhinny agreed with Supervisor Bender, and noted that clarifying ambiguities in the Zoning Ordinance and Subdivision/Land Development

Ordinance would be much more practical than providing legal counsel to the Planning Commission.

L. SUPERVISOR'S COMMENTS:

1. Chairperson Bennington announced that the Board of Supervisors and the Hilltown Township Comprehensive Plan Task Force will hold a joint public meeting on Wednesday, October 3, 2001 at 7:00PM.

2. Approximately 6 months ago, Chairperson Bennington recalls that Mr. Harry Mason raised a concern with a hand painted sign indicating "Rt. 152 North" that had been erected on Hilltown Pike and Rt. 152, coming from the New Britain/Chalfont area. At the time, Mr. Lippincott contacted PennDot to have an official sign erected at that intersection, however that has not yet been done. Mr. Lippincott will again contact PennDot for the status of that request.

3. Mr. Lippincott advised that correspondence was received from Mr. Timothy Landis, a home-schooled student, who volunteered to pull weeds and mulch the landscaped area at the Hilltown Civic Park near the veteran's memorial area. Supervisor Bender noted that Mr. Landis completed that work this past week and did an excellent job. The Supervisors expressed their appreciation to this young man for his efforts.

4. Supervisor Snyder wondered if the Township should consider construction of a driving range on the Berry Brow property in order to generate revenue to maintain the open space area on that property until such a time that construction of a golf course is considered. Discussion took place.

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

N. ADJOURNMENT: Upon motion by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously, the September 24, 2001 Hilltown Township Board of Supervisors Meeting was adjourned at 8:25PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from tape recordings taken by Mrs. Lorraine Leslie, Township Treasurer).