

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS  
REGULARLY SCHEDULED MEETING  
Monday, July 23, 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  
Lynda S. Seimes, Township Secretary

Chairperson Bennington announced the Board met in Executive Session prior to this meeting in order to discuss legal, personnel, and real estate issues.

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the July 9, 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 July 9, 2001 Board of Supervisor’s Worksession Meeting, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated July 24, 2001, with General Fund payments in the amount of \$52,134.80, Fire Fund payments in the amount of \$14.40, Debt Service Fund payments in the amount of \$28.81, State Highway Aid Fund payments in the amount of \$4,155.71, and Escrow Fund payments in the amount of \$2,637.95; for a grand total of all payments in the amount of \$58,971.67.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated July 24, 2001. There was no public comment.

D. CONFIRMED APPOINTMENTS: None.

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

1. The Open Space Committee recommended the appointment of Mr. Kerry Gingrich of Callowhill Road to the vacancy on that committee.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to appoint Mr. Kerry Gingrich to the vacancy on the Hilltown Township Open Space Committee.

Mr. Joe Marino of Redwing Road feels that applicants for vacancies on various boards should be interviewed for that position during a public meeting. The Supervisors will take this suggestion under advisement.

2. Heritage Building Group has asked if the Board reconsidered the status of the reserved lots at Longleaf Estates. The affected lots include #4, #9, and #14. Mr. Abdalla's correspondence states that this will be a one-time only exchange that would then put the following lots on reserve status pending further EDU availability: #1, #2, #3, #5, #6, #7, #8, #10, #11, #12, #13, #16, #18, #21, and #38.

Chairperson Bennington asked if Heritage Building Group is aware of the Disclosure Ordinance that was specifically adopted to disclose certain information to homebuyers prior to purchasing a dwelling. Mr. Lippincott explained the Disclosure Ordinance to Mr. Robert Bender of Heritage Building Group in the past, who stated that in exchange for this one time only change, they would be willing to pay the \$500.00 fine per lot for violating the Disclosure Ordinance, plus a \$250.00 administrative fee. Chairperson Bennington was very upset that Heritage has not followed the Disclosure Ordinance, and has created such difficulty for these three perspective Hilltown homeowners and the Township itself. A lengthy discussion took place.

If it were not for the two families who had come before the Supervisors to plead their case, Chairperson Bennington would not even consider Heritage's request for an exchange of lots. He believes this sends a bad message to other developers who may try to make the same request in the future. Supervisor Snyder agreed, stating that the \$500.00 per lot fine for violating the Disclosure Ordinance is not much of a deterrent for other developers. She leans toward making a one time only adjustment in this instance, only because she has great sympathy for the perspective homeowners who made their appeal last month. Supervisor Bender has compassion for those perspective homeowners as well, and feels that if the adjustment is made, Heritage must be made unequivocally aware that the Supervisors will entertain no further requests of this type in the future. If the Supervisors agree to Heritage's one time only request, Solicitor Grabowski explained that he will prepare an amendment to the original Development Agreement, which would also be recorded at the Bucks County Recorder of Deeds office, with language stating that this will be the final amendment to the original Agreement. Solicitor Grabowski agreed that it is the potential homeowners in Longleaf who are really the victims.

Public Comment:

a. Mr. Jack McIlhinny feels that the Supervisors should permit this one time only exchange.

b. Mr. Joe Marino of 519 Redwing Road advised that the Township's highest complaint regarding Heritage Building Group is that they absolutely ignore the Township Engineer's punchlist for completion of items in their various developments. Mr. Marino suggested that the Township take Heritage Building Group's escrow funds to complete those outstanding improvements.

c. Mr. John Kachline of 529 Mill Road, who is also chairperson of the Planning Commission, is inclined not to grant Heritage's request for exchange of lots. Month after month, the Planning Commission must review very lengthy lists of outstanding items that Heritage has not yet accomplished on their developments. He suggested that those potential homebuyers take legal action against Heritage Building Group for selling lots that they were not permitted to sell according to their Development Agreement.

d. Mr. John Burns of Telegraph Road agreed with Mr. Kachline that the Township should just say no to Heritage's request. While it is a difficult situation for those perspective homeowners, Mr. Burns believes they should have researched the builder and their product prior to putting down a deposit on their home.

e. Mr. Chuck Kulesza of Diamond Street noted that if the Township is going to do a favor for Heritage Building Group, then they should reciprocate with some concrete favor for the Township; not just a promise that they will fulfill the requirements on their previous developments.

Chairperson Bennington asked if the punchlist items for Longleaf Estates I have been completed. Mr. Wynn replied that it is not nearly completed. Heritage never did actually receive a final punchlist because they were doing curb and sidewalk repairs on their own from previous damage. The roads are not yet paved, nor are they ready for paving because there are still outstanding items from the Authority's standpoint that must be accomplished prior to paving. There are still a few monuments missing, and basin work to be accomplished, as well.

Chairperson Bennington asked Mr. Wynn for his personal opinion of whether or not the Township should grant Heritage's request for exchange of lots. Mr. Wynn explained that there was a reason for withholding the fifteen lots on the original plan. Fourteen of those lots back up to the open space area and are located across the street from any occupied houses. The remaining lot contains Heritage's construction trailer, which is located at the

beginning of Phase II, adjacent to the PP&L utility lines. The lots that Heritage wishes to exchange for Lots #4, #9, and #14, will remain vacant with dwellings on either side of them. Once those homeowners move in next to these vacant lots and have their lawns established and landscaped, another dwelling will be built between the two existing homes, which will create quite a disturbance since the houses are only 20 ft. apart. Mr. Wynn reminded the Supervisors that the original fifteen lots held for sewage capacity were chosen by Heritage Building Group, not the Township. Therefore, Mr. Wynn feels that the original 15 lots that were to be held for future sewage capacity plan should remain. Solicitor Grabowski agreed with Mr. Wynn.

f. Mr. Bob Weikel, the Realtor for one of the individuals who unknowingly purchased a lot that was being held for sewer connections, appealed to the Board to consider the human element in this situation. These individuals have been lied to and displaced by Heritage Building Group. While he agrees that Heritage should be punished for their actions, he hopes that the Supervisors would consider the three innocent families who have gone to a great expense to provide a deposit for their "dream home" in this development, without having the complete story disclosed to them by Heritage.

Motion was made by Supervisor Bender, seconded by Supervisor Snyder, and carried unanimously to permit a one-time only exchange of lots in the Longleaf II Subdivision, which would put the following lots on reserve status pending further EDU availability: #1, #2, #3, #5, #6, #7, #8, #10, #11, #12, #13, #16, #18, #21, and #38; with the additional requirements as specified by Mr. Wynn and Mr. Lippincott. There was no public comment.

3. The Bucks County Department of Community Development has done a reallocation of Community Development funding since they received more funding from HUD than expected. The Board is not required to hold another Public Hearing if this money is added to an existing grant application. At a previous meeting, the Board reduced the amount of funding by \$7,500.00 to the Hartzel Strassburger property in order to conduct the Blooming Glen historical study. Mr. Lippincott recommended that the \$8,500.00 of excess funding go to the Hartzel Strassburger project.

Mr. Wynn is also seeking authorization to establish the bid opening for this project on Monday afternoon, August 27, 2001 so that the Board could award the bid at their meeting that evening.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize the addition of \$8,500.00 of excess funding from the Bucks County Department of Community Development Block Grant to the Hartzel Strassburger project, as noted above; and to authorize the bid opening for this project on Monday

afternoon, August 27, 2001, so that the Board could award the bid at their meeting that evening. There was no public comment.

4. There are eight escrow releases for the Board's consideration, four of which are cash held by the Township:

Bricks Villa Phases I & II (Combined)	Voucher #17A	\$	161.32
Harleysville National Bank Land Dev.	Voucher #01	\$	534.72
Hilltown Plaza Outparcel	Voucher #05	\$	283.36
Keystone Estates	Voucher #29	\$	259.67
Kunkin Steel	Voucher #12	\$	161.46
Kunkin Truck Terminal	Voucher #06	\$	135.37
Longleaf Estates Phase II Subdivision	Voucher #18	\$	507.74
Pileggi Land Development	Voucher #04	\$	493.05

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

5. Mr. Lippincott presented a Resolution establishing fees for storage of construction equipment/trailers and vehicles on Township-owned property, for the Board's consideration.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2001-21, instituting fees for storage of construction equipment/trailers on Township-owned property at a rate of \$200.00/day, and establishing fees for storage of vehicles on Township-owned property at \$75.00/day.** There was no public comment.

6. Congressman Greenwood has scheduled a Congressional Sub-Committee meeting concerning MTBE here at the Municipal Building on Wednesday, August 8, 2001 from Noon until 3:00PM. Mr. Lippincott will obtain more information for the Supervisor's consideration.

7. The Township has received a 30-day extension from the Elliott Building Group for the Hilltown Chase project, until August 31, 2001.

8. The Township has received an extension from the developer of the Berry Brow Farm Subdivision until November 19, 2001.

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

1. Correspondence was received from Mr. Coll, the Borough Manager of Souderton Borough, expressing concern regarding the proposed Home Depot project. The North Penn Regional Development Association has held meetings to discuss the impact of increased traffic along the Rt. 113 corridor, which would be caused by this development. Souderton Borough is not opposed to the Home Depot, however they are extremely concerned about the increased traffic congestion, particularly through the Rt. 113/County Line Road intersection.

While Chairperson Bennington agrees that Hilltown Township should be a good neighbor, he does not recall that any of these neighboring municipalities alerting Hilltown to development going on in their municipalities, which also created a great deal of additional truck traffic through Hilltown Township. Discussion took place.

2. Correspondence was received from Mr. Ed Wild representing the Silverman Family Partnership, who is the equitable owner of a property located at the corner of Quarry Road and Rt. 313. It appears that access to the property can only realistically be achieved through Quarry Road frontage. Mr. Wild is seeking a recommendation from the Board as to whether there is opposition to access through Quarry Road, and requesting a meeting with the administrative staff and his clients to discuss the property. Discussion took place.

The Supervisors directed Mr. Lippincott to request additional information from Mr. Wild prior to a decision being made for scheduling an informational meeting with Township staff.

3. A request for a pre-design meeting with Mr. Wynn and the professional staff was received from Cowan Associates, representing Faulkner Ford, to discuss the feasibility of constructing a new 10,500 sq. ft. building at 3470 Bethlehem Pike.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize a pre-design meeting with Mr. Wynn and the Township professional staff with Cowan Associates, representing Faulkner Ford, to discuss the feasibility of constructing a new 10,500 sq. ft. building at 3470 Bethlehem, upon receipt of a \$500.00 escrow. There was no public comment.

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

1. The hearing for the Maple Properties petition for rezoning of a parcel located at Rt. 113 and Rt. 313 from RR to PC II for construction of a CVS Pharmacy, has been tentatively scheduled to be held at 6:30PM prior to the October 8, 2001 Board of

Supervisors Worksession meeting. Solicitor Grabowski advised that the Bucks County Planning Commission's review of this matter has been received, and the Hilltown Township Planning Commission will be providing their review at a meeting in the near future.

2. Solicitor Grabowski explained that in 1999, the Township refinanced its outstanding Bonds, by borrowing \$2.1 million dollars from Union National Bank at a lesser interest rate than was previously being paid. There was a significant savings at the time of approximately \$100,000.00 that the Township enjoyed by refinancing. The loan that was accomplished is at 4.85%. Rates have been falling and may fall even more within the next month, and therefore, Solicitor Grabowski suggested that it may be appropriate for the Township to consider refinancing once again to lower the interest rates. Doing so would reduce the amount of mortgage payments that the Township makes, which may be very significant depending on the interest rate. When the refinancing was accomplished two years ago, the time frame for repayment was set at 17 years, which was the actual amount of time outstanding on the previous bonds. Possibly the Township may wish to consider reducing future refinancing. Solicitor Grabowski has been working with Mr. Lippincott and Mrs. Leslie to determine the amount of current debt service payments, and who suggested that Requests for Proposals be sent to five or ten banks to give them the opportunity to provide quotes on refinancing the outstanding funds.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to authorize that the Request for Proposals for refinancing be sent as specified above. There was no public comment.

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

1. Seylar Elementary School – Mr. Barry Wert, the applicant's engineer, was in attendance to present the plan. The Planning Commission unanimously recommended preliminary/final plan approval for the Seylar Elementary School Land Development, conditional upon completion of outstanding items as contained within the June 27, 2001 engineering review. Additionally, the Planning Commission unanimously recommended waivers of Land Development Ordinance requirements as noted below:

- From Section 513, which requires installation of concrete sidewalk along Callowhill Road within the frontage of the site.
- From Section 505.16, which requires that the cartway of Callowhill Road be leveled and overlaid within the frontage of the site, where reconstruction is not required.

- From Section 515.1.A, which requires that street trees be installed along Callowhill Road within the frontage of the site.
- From Section 516.6.H(5), which requires that all basin bottoms be designed with a four ft. wide parabolic concrete flow channel from the storm sewer endwall to the outlet structure. This waiver is requested to permit the detention basin bottom to be designed with a wetland environment, as recommended by Mr. Wynn.
- From Section 516.6.H(6), which requires that maximum depth of detained runoff shall be 24" for storm events up to the 10-year storm and 36" for the 100-year storm event. According to information in the Stormwater Management Report, maximum depth of detained runoff exceeds required depth by approximately 6" in the 10 and 100-year storm events. The basin is proposed to be contained within a 6 ft. high chain link fence as detailed on sheet 15 of 15. Mr. Wynn advised that the School District will consider the use of a 4 ft. high split rail fence with wire mesh backing, or a 4-ft.high vinyl strip fence.
- From Section 516.6.H(8), which requires that an access ramp of 10:1, ten feet wide, be provided within the stormwater management basin to allow maintenance equipment to reach the basin floor. As designed, stormwater management basin side slopes will be constructed at a 4:1 slope along the perimeter of the basin bottom.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to recommend preliminary/final plan approval to the Seylar Elementary School Land Development, pending completion of all outstanding items in Mr. Wynn's engineering review dated June 27, 2001. There was no public comment.

2. Forsythe Subdivision – This lot line adjustment subdivision located on Blooming Glen Road/Quarry Road/Minsi Trail was unanimously recommended for final plan approval by the Planning Commission, subject to the following:

- Parcel A containing 7.671 acres is to be conveyed to the adjoining TMP #15-29-26. The parcel must be consolidated into a single deed with a single outboundary description so as not to create a separate non-conforming lot.
- Proposed property monumentation must be installed as shown on the plan and be certified in writing by the responsible surveyor.

- Right-of-way area of Blooming Glen Road, Quarry Road, and Minsi Trail must be dedicated to the Township pursuant to Section 505 of the Subdivision Ordinance.

Additionally, the Planning Commission unanimously recommended approval of waivers as requested by the applicant, which includes relief from cartway widening, curb, and sidewalk along the frontage of the tract.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to grant final plan approval to the Forsythe Subdivision, pending completion of all outstanding items as noted above. There was no public comment.

3. St. Phillips Orthodox Church Cemetery – Ms. Cheryleen Strothers, the applicant's engineer, was in attendance to present the plan. This preliminary land development plan was unanimously recommended for approval by the Planning Commission subject to completion of outstanding items as contained within the June 29, 2001 engineering review, and buffer plantings around the perimeter of the site being grouped in openings and resolved during the final plan submission. The Planning Commission also recommended approval of waivers from cartway widening, curb, sidewalk, and street lights, which were unanimously approved; with a waiver of installation of a basin fence also recommended for approval by a 4:3 vote.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to grant preliminary approval to the St. Phillips Orthodox Church Cemetery Land Development, pending completion of all outstanding items as noted in Mr. Wynn's June 29, 2001 engineering review. There was no public comment.

4. Anna Moyer Subdivision – Mr. Tim Browning, the applicant's Realtor, was in attendance to present the plan. Mr. Wynn's July 5, 2001 engineering review was discussed. This 6.22-acre site located within the Rural Residential Zoning District on Rt. 152, northwest of Creamery Road, is proposed to be subdivided into two lots. Lot #1 will contain 3.18 acres and an existing single family dwelling, garages, and sheds. Lot #1 is served by onsite well and sewage disposal system. Lot #2 is a 3.04-acre building lot proposed to be served by on-lot well and sewage disposal system.

The Planning Commission unanimously recommended final plan approval to the Anna Moyer Subdivision, subject to completion of outstanding items as contained in the July 5, 2001 engineering review, along with the following modifications:

- Item 1 discusses a requirement to connect the proposed lot to public water located along the frontage of the site. The applicant's design engineer

advised that the waterline will be added to the plan to verify that the proposed dwelling is not within 150 ft. of the waterline and therefore, connection to public water is not required.

- Stormwater management will be resolved between the design engineer and the Township Engineer, and will involve a modified infiltration bed with overflow to the rear drainage swale.
- A 50 ft. wide watercourse easement will be provided for the intermittent stream located in the rear of the lots. It is recommended that the applicant be granted a waiver from preparing a study to determine the high water level of the 100-year storm for this intermittent stream.

The Planning Commission recommended granting waivers for the following:

- Section 504.2.K – Lot depth to width ratio. As proposed, the lot depth to width ratio is approximately 3.28 to 1.
- Sections 505.16 & 506.2.B – Cartway widening, overlay, and drainage improvements.
- Sections 512 & 513 -- Curb and Sidewalk
- Section 528 – Streetlights.

The applicant also requested a waiver from contribution of a fee in-lieu-of dedication of recreation land as required by Section 805 of the Subdivision Ordinance and Resolution #99-15, which establishes a fee in the amount of \$1,500.00 for the proposed building lot. The Planning Commission deferred action on the waiver request and advised that the applicant should discuss this issue with the Board of Supervisors. Mr. Browning explained that Mrs. Moyer is an 80+-year old widow who has been told by her doctor that she cannot live alone, and therefore, she has secured a room at the Mennonite Home. Mr. Browning reminded the Board that this is a minor subdivision, and whatever principle Mrs. Moyer gains from the sale of this property will be put towards the purchase of a room at the Mennonite Home and for living expenses. Mrs. Moyer's family has lived in Hilltown Township for over 100 years, and Mr. Browning does not feel that she should be required to pay a fee-in-lieu of dedication of recreation land. While Supervisor Snyder sympathizes with Mrs. Moyer's situation, she was reluctant to set a precedence by granting this particular waiver request. Supervisors Bender and Bennington agreed. A lengthy discussion took place. The Supervisors agreed to give consideration to amending this Ordinance requirement for minor subdivisions only and will revisit this issue in the future.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to deny the waiver request for fee-in-lieu of dedication of recreation land for the proposed building lot for the Anna Moyer Subdivision. There was no public comment.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to grant conditional final plan approval to the Anna Moyer Subdivision, pending completion of all outstanding items as noted in Mr. Wynn's July 5, 2001 engineering review. There was no public comment.

5. Steeplechase Subdivision – The time frame for review of this application expires on August 19, 2001. Although the design engineer had advised that a written extension in the review period would be forwarded to the Township, none has been received to date, and accordingly, the Planning Commission unanimously recommended denial of the plan based upon non-compliance with Zoning Ordinance and Subdivision Regulations as outlined in Mr. Wynn's June 11, 2001 engineering review. The Planning Commission's motion recommends that in the event an extension in the review period is received prior to the August 19, 2001, the denial action is void.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to deny the Steeplechase Subdivision, based upon non-compliance with Zoning Ordinance and Subdivision Requirements as outlined in the June 11, 2001 engineering review, with the provision that in the event extension of the review period is received prior to August 29, 2001, the denial is voided. There was no public comment.

6. Wietecha Subdivision – The time frame for review of this minor subdivision located on Mill Road expires on August 19, 2001. As submitted, the plan proposes to create a new building lot with no road frontage. The Planning Commission unanimously recommended denial of the subdivision plan due to non-compliance with Zoning Ordinance and Subdivision Regulation requirements as noted within Mr. Wynn's engineering review dated May 29, 2001, unless an extension is received by the applicant not later than August 19, 2001.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to deny the Wietecha Subdivision due to non-compliance with Zoning Ordinance and Subdivision Regulation requirements as noted in Mr. Wynn's engineering review dated May 29, 2001, unless an extension is received by the applicant not later than August 19, 2001. There was no public comment.

7. Proposed Zoning Ordinance Amendment – Bed and Breakfast – The majority of the Planning Commission approved a motion, (6:1 with Mrs. Snyder

opposed) to recommend the draft Bed and Breakfast Zoning Ordinance Amendment be forwarded to the Bucks County Planning Commission for review.

Mr. Wynn explained that the proposal as directed by the Planning Commission clarifies that the Bed and Breakfast use will only be carried on by members of the immediate family who reside in the owner's primary dwelling; and that the use and occupancy must be in a primary dwelling rather than in a barn or carriage house, for example. Chairperson Bennington thought that the Board's direction was to save barns and other outbuildings. Supervisor Snyder explained that her opposition to the motion at the Planning Commission meeting was because she felt input should have been received from the Zoning Officer prior to a draft being sent to the Bucks County Planning Commission. Mr. Lippincott, who is also the Zoning Officer, advised that at a past meeting the Board of Supervisors supported the idea of bed and breakfast establishments being put in barns, carriage houses or other outbuildings, and that direction was given to the Planning Commission. Supervisor Bender agreed, and noted that the Supervisors want to encourage bed and breakfasts by finding ways of expanding that use. Mr. John Kachline, the chairperson of the Planning Commission, commented that the Planning Commission's idea for this proposed Ordinance had been before the Supervisors on at least three different occasions, but they had never given the Planning Commission any further input at those times. Therefore, the Planning Commission felt the Supervisors were agreeable to their proposal. Mr. Kachline noted that he also had told the Supervisors that the Planning Commission intended to revise the conversion portion of the Ordinance in order to address barns, carriage houses, and other outbuildings for bed and breakfast establishments and for other uses. The Planning Commission does not envision bed and breakfasts as a stand-alone business. Supervisor Bender does recall that the Planning Commission intended to revise the Conversion Ordinance eventually, however he suggested that both the Bed and Breakfast Ordinance, and the Conversion Ordinance be considered in tandem. Further, Mr. Lippincott suggested that the Bed and Breakfast Ordinance as proposed by the Planning Commission be reviewed by the Township Solicitor and the Township staff prior to sending it to the Bucks County Planning Commission for their review. A lengthy discussion took place.

The Supervisors directed the Planning Commission to address the Bed and Breakfast Ordinance at the same time they consider revision of the Conversion Ordinance, as noted above.

8. Hilltown Chase Subdivision – The review period for this subdivision requires the Supervisors action not later than July 31, 2001, however as Mr. Lippincott reported earlier, a one-month extension has been granted until August 31, 2001. The Supervisors directed Mr. Wynn to notify the developer that they will be on the August 27, 2001 Supervisor's meeting agenda.

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

1. Calvary Church Land Development – The Calvary Church Land Development Agreement was for Rt. 113 widening, the detention basin, and landscaping; and the maintenance period for those improvements expires on September 30, 2001. Mr. Wynn recently inspected the site and recommends that the Supervisors release the balance of the Letter of Credit for Calvary Church Land Development and accept completion of the maintenance period.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to release the balance of the Letter of Credit for Calvary Church Land Development and to accept completion of the maintenance period. There was no public comment.

2. Lynrose Estates Subdivision – The Letter of Credit for this project expires on August 16, 2001. Mr. Wynn has been told by both the applicant and Union National Bank that a revised, updated Letter of Credit would be forthcoming prior to the deadline. However, since the next Supervisor's meeting is only three days prior to the expiration of that Letter of Credit, Mr. Wynn recommended that the Supervisors authorize the Township Solicitor to demand the Letter of Credit, in the event a revised Letter of Credit is not received in a timely manner.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to seize the Letter of Credit for Lynrose Estates Subdivision, if a revised Letter of Credit is not forthcoming prior to August 16, 2001. There was no public comment.

3. Frank Eckert Land Development – Mr. Wynn advised that there were some funds retained through a Land Development Agreement for construction of a drainage swale to address drainage improvements at the intersection of Rt. 152 and Rickert Road. The drainage improvements were completed and stabilized. Correspondence dated July 11, 2001 was received from Mrs. Beaver, requesting that the balance of funds in the amount of \$2,414.23, which is being held in cash by the Township, be released and that they be relieved of being required to maintain that amount for 18 months as per the Land Development Agreement. The applicant notes that the entire drainage system and swale as constructed is on her property and will be maintained as part of her property. In this instance, Mr. Wynn recommended that the Board consider releasing the \$2,414.23 to the applicant.

Motion was made by Supervisor Snyder, seconded by Supervisor Bender, and carried unanimously to release the balance of escrow funds in the amount of \$2,414.23 for the Frank Eckert Land Development, as noted above. There was no public comment.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mr. Bob Grasmeder of 20 Beverly Road noted that someone had been mowing the field on the Hilltown Chase property. Mr. Lippincott explained that a concerned neighbor took it upon himself to mow the property for health and safety reasons.

2. Mr. Pat Kelly of 1279 Rt. 113 and Mr. David Laboski of 1277 Rt. 113 were in attendance to express safety concerns with regard to traffic at the intersection of Rt. 113 and Blooming Glen Road. A great deal of truck traffic passes through that intersection in the early morning hours at high rates of speed. Discussion took place. The Supervisors directed Mr. Lippincott to request that Chief Trauger establish a speed trap in that area during the early morning hours, and to utilize the new traffic notification sign near that intersection as well.

3. Knowing all the history of the Hilltown Chase Subdivision and the difficulties being experienced with the developer, Mr. Bill Rieser of 508 Telegraph Road is very worried about the general disregard for regulations and other resident's rights by the Elliott Building Group. Mr. Rieser shares a 1,110 ft. boundary with the Hilltown Chase Subdivision, and hopes that he can count on the Township to enforce all the subdivision regulations concerning this property.

Mr. Rieser asked if sidewalks are proposed within the Hilltown Chase Subdivision. Mr. Wynn replied that sidewalks are required one side of the street through the development.

Chairperson Bennington noted that Mr. Lippincott had heard from the Bucks County Conservation District that DEP has placed an administrative hold on all building by the Elliott Building Group due to the violations in both Hilltown Township, Doylestown Township, and one other Bucks County municipality.

Approximately one month ago, Mr. Rieser had mentioned a sump pump on Lot #35 of the Hilltown Chase property that was directed toward his property. Mr. Wynn explained that this sump pump pipe is on a lot that is not proposed for a basement. This is one of the many revisions necessary on the Hilltown Chase plan prior to receiving approval.

Having read Mr. Wynn's engineering review for Hilltown Chase, Supervisor Snyder commented that the Township is very aware of stormwater management, runoff and control issues on that site.

4. Mrs. Maurcen Lyons of 65 Misty Meadow asked if the sidewalks on one side of the street in Hilltown Chase will continue on through to Beverly Road. Mr. Wynn explained that the sidewalk will stop at a tract of land that is being dedicated to the Township for recreation, which is located right at the existing cul-de-sac bulb on Beverly Road. Mrs. Lyons feels that sidewalks should be proposed through Beverly Road as well.

5. Mr. Joe Miketta of Hilltown Pike has been working with the Delaware Riverkeepers since his last discussion with the Supervisors. He is considering inviting the Delaware Riverkeepers to a Landowners Association Group meeting to explain the Neshaminy River Conservation Plan that is proposed, however he is concerned about inviting them because water quality is an issue on the Neshaminy Creek further down from Hilltown Township. Mr. Miketta fears that the regulations will become even more strict in the upper part of the watershed in order to keep the water clean in the rest of the basin. Mr. Miketta is aware that Supervisor Snyder serves on the committee of the Delaware Riverkeepers Neshaminy River Conservation Plan. He intends to approach Ms. Tracey Carlucci of the Delaware Riverkeeper to request that he be notified when those meetings are held so that he can attend. Mr. Miketta was told by Ms. Carlucci that the Riverkeepers are presently monitoring the water quality close to where Railroad Creek goes into the west branch of the Neshaminy Creek near Chalfont, which he is not happy about. Mr. Miketta feels that water monitoring may point to problems that we may not want to discover, such as failing septic systems, which in his opinion opens a Pandora's box of what can be done about it. Supervisor Snyder asked if Mr. Miketta doesn't think failing septic systems should be repaired. Mr. Miketta commented that he would not want to be the one to tell residents the cost to repair systems. If septic systems are failing, Supervisor Snyder stated that people must be responsible to repair them. Supervisor Snyder offered to contact Mr. Miketta when she gets notice of meetings, and suggested that perhaps they could go to the meetings together.

Mr. Miketta questioned the proposed Subdivision Ordinance amendment addressing P-loop streets that is now before the Bucks County Planning Commission for comment. Mr. Wynn explained that the proposed Ordinance amendment was drafted based upon different comments from the Planning Commission or the Board of Supervisors over time. The concept behind limiting the number of dwellings on a P-loop street is similar to the concept of limiting the number of dwellings on a cul-de-sac street, in that there is only one access point in and out of the street. As Mr. Miketta understands it, that part of the Ordinance amendment has a limit of 25 dwelling units on a P-loop street, based on the number of car trips that go in and out, at approximately 250 trips. Upon review of various Bucks County Planning Commission manuals, Mr. Miketta noted that they suggest 500 car trips. Mr. Wynn advised that 500 car trips are suggested for a sub-collector street, but not for a local access road. The Township's requirements for a cul-

de-sac street are more restrictive than the Performance Standards manual by Bucks County. A lengthy discussion took place.

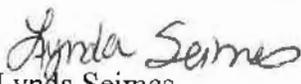
L. SUPERVISOR'S COMMENTS:

1. Supervisor Snyder encouraged residents to view the two new artwork prints that were donated by Mr. Lippincott and his wife that currently hanging in the administrative offices. Both prints are Saturday Evening Post covers; one of an old farm on Forest Road and the other of the Moyer Pond in Blooming Glen. Both prints were done by an artist named John Falter in 1945.

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 July 23, 2001 Hilltown Township Board of Supervisors meeting was adjourned at 9:32PM.

Respectfully submitted,

  
Lynda Seimes  
Township Secretary