

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
CONDITIONAL USE HEARING
AT&T WIRELESS
Monday, October 30, 2000
6:30PM**

Chairperson of the Hilltown Township Board of Supervisors Kenneth B. Bennington called the Conditional Use Hearing for AT&T Wireless to order at 6:30PM.

Also present were: John S. Bender, Vice-Chairperson, Board of Supervisors
E. Diane Parks, Supervisor
Gregory J. Lippincott, Township Manager
Francis X. Grabowski, Township Solicitor
C. Robert Wynn Township Engineer

The application before the Supervisors has been filed by AT&T Wireless, PCS of Philadelphia requesting approval under Hilltown Township Zoning Ordinance to erect and operate a telecommunications tower and other ancillary equipment on property currently owned by Landis Block Company located at County Line Road and Chestnut Street in Hilltown Township. This Conditional Use Hearing is being held under the provisions of the Township Zoning Ordinance and also the Municipalities Planning Code, within the appropriate 60-day time period. A Public Notice of this hearing appeared in the Doylestown Intelligencer. Notice was also sent by first class mail to all of the property owners within 500 ft. of the subject site.

The applicant is represented by Mr. Sklaroff, his experts, and representatives of AT&T Wireless. Under the Township Zoning Ordinance and the Municipalities Planning Code, this Public Hearing provides the ability for anyone in the audience to ask questions, make comments, and actually become a party to the proceedings. There are three individuals in the audience this evening, including Mr. Harry Mason and Mr. and Mrs. Keeley, who, by their own admission, are present as spectators and do not wish to participate in the proceedings.

Mr. Sklaroff presented an Offer of Proof of all of the testimony that would be given by his client and his expert witnesses to the Board of Supervisors. Once the Offer of Proof was complete, the individuals who would testify to those facts would be sworn in and affirmed that this in fact was their testimony.

A. OFFER OF PROOF - Mr. Sklaroff introduced the applicant's witnesses - Kevin Shoosmith, structural engineer from Henkels and McCoy; Peter Tolischus, the applicant's land planner; and Robert Sharp, AT&T Wireless radio frequency engineer.

Mr. Sklaroff presented the application for the installation of a 110 ft. steel monopole, with a 12 ft. by 28 ft. shelter to house communication equipment. That proposed shelter building would be protected by an 8 ft. high chain link fence and would be screened on

two sides by proposed landscaping. The applicant has proposed landscaping by existing vegetation on two sides, however Mr. Sklaroff noted that the Township Engineer has expressed concern regarding the north and west exposure. The applicant is prepared to commit, however, to either new vegetation or existing vegetation at the direction of the Township. The proposed monopole and shelter are contained entirely within the premises of Landis Block Company. Mr. Wynn pointed out that the Conditional Use application must be modified since the parcel in question does not consist of 5 acres as shown on the plan, but rather 130,000 sq. ft. (or approximately 3 acres). This facility will be utilized to aid AT&T Wireless's PCS grid and network; and is needed to fill a gap that presently exists in order to service this community. As typical for these types of facilities, Mr. Sklaroff noted there would be 9 antennas proposed to be placed on the monopole, each measuring approximately 4.3 ft. in length by 8 inches in width and approximately 3 inches thick. The very top of the antennas will achieve an elevation of 112.14 ft. The setbacks are shown on the plans at 141 ft. for the front yard from the right-of-way line. Mr. Sklaroff explained that there has been some question as to whether that should be measured from the centerline of the road or not. Mr. Sklaroff commented that however it is measured, it is within what is permitted in the Ordinance. The setbacks from the property line to the concrete foundation of the shelter is 15 ft., and the other side yard property line setback would be approximately 132.3 ft. The Ordinance requires a setback of the full length of the monopole, which in this case, required the applicant to obtain a variance from the Zoning Hearing Board, who did grant a variance to this requirement. Therefore, Mr. Sklaroff believes the applicant has satisfied all of the concerns set forth by Mr. Wynn.

Mr. Sklaroff advised that Mr. Fox of the Planning Commission was concerned that there is a common driveway proposed for two separate parcels – the Landis Block parcel and this parcel. The applicant wants the Supervisors to understand that the applicant's proposal site will see very little traffic, perhaps once or twice a month, for routine inspection and maintenance of the facility.

Mr. Sklaroff also presented a soils report to the Township Engineer for review.

B. DISCUSSION:

1. Chairperson Bennington asked if the Zoning Hearing Board decision was based upon the side yard or front yard requirements. Mr. Sklaroff's associate, Ms. Soledo replied that it was a side yard requirement that was granted a variance. Chairperson Bennington is confused as to why the front yard requirement is now in question. Solicitor Grabowski explained that the front yard setback concern was raised by the Township Engineer in his review of the matter. Mr. Wynn explained that there was a discrepancy between two of the plans, however the information contained on the

plan and the distance as it is measured on one sheet of the plan is accurate and consistent with the Zoning Hearing Board testimony. Therefore, the issue is now a non-issue.

2. Chairperson Bennington notes that two individuals were parties to the AT&T Wireless Zoning Hearing – Mr. Watts and Ms. Grim, and he wondered if they indicated why they requested to be party to the hearing. Ms. Soledo believes Mr. Watts and Ms. Grim were concerned about the aesthetics of the monopole and whether it might be obtrusive to the surrounding area.

3. Chairperson Bennington asked if there is an existing tower available in the area for the applicant to utilize rather than constructing a new tower. Mr. Sklaroff replied that there is not. Further, the applicant has made provision on this proposed tower for co-location in the event another provider wishes to serve the community. Chairperson Bennington asked if the applicant would be willing to make their monopole available for use by the local police and fire department in the event they wished to place an antennae on that tower. Mr. Sklaroff replied that the applicant would be willing to provide space on the monopole for use by local emergency services.

4. Chairperson Bennington inquired as to whether the applicant would provide a light on top of the monopole if approved by the F.A.A. Typically, Mr. Sklaroff replied that this monopole is low enough that it does not require a light. Chairperson Bennington realizes that, however in the past, he has requested a light at the top of the monopole in previous Conditional Use hearings and applicants have always agreed to that request if the F.A.A. grants approval. Mr. Sklaroff replied that the applicant would be willing to provide a light if that is the Township's preference.

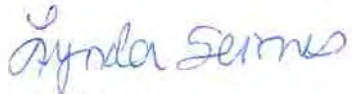
C. SWEARING IN OF WITNESSES - The witnesses listed previously by Mr. Sklaroff were sworn in by Solicitor Grabowski, verifying that the testimony they would have given this evening if requested, would have been accurate and precisely what Mr. Sklaroff has provided to the Board of Supervisors so far in his summary.

It was Solicitor Grabowski's recommendation to table the AT&T Wireless Conditional Use Hearing for a decision to be made within the next 45 days, possibly to be announced at the next Board of Supervisor's Worksession meeting. The Board of Supervisors unanimously agreed.

D. PUBLIC COMMENT: None.

E. ADJOURNMENT: The AT&T Wireless Conditional Use Hearing was adjourned at 7:02PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

*(These minutes were transcribed from notes and tape recordings taken by Mr. Greg Lippincott, Township Manager. A complete transcript taken by a court stenographer is on file at the Township office).

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
Monday, October 30, 2000**

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
E. Diane Parks, Supervisor
Gregory J. Lippincott, Township Manager
C. Robert Wynn, Township Engineer
Francis X. Grabowski, Township Solicitor
Lynda S. Seimes, Township Secretary

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

A. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

B. APPROVAL OF MINUTES – Action on the minutes of the September 25, 2000 Supervisor’s Meeting – Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the September 25, 2000 Supervisor’s Meeting, as written. There was no public comment.

Action on the minutes of the September 27, 2000 Joint Meeting – Supervisors and HTWSA – Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the minutes of the September 27, 2000 Joint Meeting with the Supervisors and HTWSA, as written. There was no public comment.

C. APPROVAL OF CURRENT BILLING – Chairperson Bennington presented the Bills List dated October 31, 2000, with General Fund payments in the amount of \$52,041.97, State Highway Aid Fund payments in the amount of \$8,693.12, and Escrow Fund payments in the amount of \$171.54; for a grand total of all payments in the amount of \$60,906.63.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the Bills List dated October 31, 2000. There was no public comment.

D. CONFIRMED APPOINTMENTS –

1. Mr. Joey Walsh – Recreational Facilities Request – Mr. Walsh of 1321 Rt. 113 in Blooming Glen stated that in the past 20 years, in-line skating has become an increasingly popular sport, a fact most recently evidenced by the professional athletes

pushing this sport in ever more challenging directions. One of the most popular branches of this growing sport is aggressive in-line skating, the style where many children are being chased from the streets for participating in. Mr. Walsh believes the solution to this problem is building a skate park that would keep the kids happy and off the streets. Ramps for skateboarders and BMX stunts could be constructed. Mr. Walsh suggested three options to accomplish this need, all of which consist of constructing outdoor skate parks. The first option would be to build a local skate park where skaters could go right in to skate, just as one could go right into a playground to use the swings or a football/baseball field. The second option is to have someone working in a small building outside the park to monitor the skaters. The third possibility would be to have everything that the second option has, with the caveat that an admission fee is charged. Mr. Walsh noted that the third option would be difficult because children do not have the funds available to pay for park use several times per week. Mr. Walsh presented information for the Supervisor's review including a listing of basic items found in a skate park, and a suggested video that speaks to the benefits to neighborhoods by constructing a skate park. Mr. Walsh believes this would be a wise and needed investment for Hilltown Township.

Supervisor Parks asked if Mr. Walsh researched whether or not other towns or communities offer public facilities such as this. Mr. Walsh stated that many towns and communities are constructing skate parks. Supervisor Parks asked if use of these types of parks is usually free or if there is a fee involved. Mr. Walsh noted that there are some skate parks that are free, however it depends on what the municipality or borough requires. Mr. Walsh has visited a skate park in another community and a \$10.00 fee was charged for approximately 2 hours of use. Discussion took place.

Chairperson Bennington commented that Perkasio Borough has proposed construction of a state-of-the-art in-line skating/hockey facility, and is attempting to obtain grant funding to do so. Hilltown Township has actually sent a letter of support for Perkasio Borough's attempt to construct this facility. The Supervisors are also concerned about the liability involved. Chairperson Bennington suggested that Mr. Walsh make a presentation at the next Park and Recreation Board meeting on Thursday, November 9, 2000 so that they can provide a recommendation to the Board of Supervisors. Mr. Walsh was agreeable and will attend the November 9, 2000 Park and Recreation Board meeting.

E. MANAGER'S REPORT – Mr. Greg Lippincott, Township Manager –

1. The Year 2001 Budgets are available for the Supervisor's adoption this evening. This is a balanced budget with no tax increase. The General Fund Budget is in the amount of \$3,769,717.00, the Fire Fund Budget is in the amount of \$125,101.00, the State Highway Aid Budget is in the amount of \$254,448.00, and the Debt Service Budget

is in the amount of \$289,500.00. Upon recommendation of the Township Treasurer, the budget has not been altered to include the \$10,000.00 requested by the Park and Recreation Board at a previous meeting. That \$10,000.00 will be taken from the newly created Park and Recreation Fund with a current balance of \$4,500.00, and funds in the amount of \$12,500.00 presently held in the Orchard Glen Subdivision escrow account for park and recreational facilities, per Heritage Building Group's Subdivision/Land Development Agreement.

Mr. Lippincott explained that Hilltown Township's Budget consists of 18 mills, with General Fund at 9 mills (or 50% of the budget), Fire Fund at 3 mills (or 17% of the budget), and Debt Service Fund at 6 mills (or 33% of the budget). In comparison, the Penridge School District is at 289.5 mills, and Bucks County is at 57 mills. The major source of revenue of Hilltown Township is 41% from Earned Income Tax. The Township will also be receiving a \$65,000.00 grant for the creation of walking paths, construction of which is slated for 2001. Community Development Block Grant funds are also included in this budget, and will be focused on road paving and restoration of historical properties. The 2001 Budget reflects the transfer of funds from Hilltown's Reserve Funds for construction projects, specifically a new Township Maintenance Facility to replace the current facility located at Rt. 113 and Diamond Street.

Chairperson Bennington noted that in the eleven years that he has been a Supervisor, there has only been one tax increase of 1 mill for the Fire Tax several years ago. Further, Supervisor Parks complimented the Township Staff on preparing the 2001 Budget so early and on the presentation of the Budget itself, which she feels is very easy to understand. Supervisor Bender agreed and thanked Mrs. Leslie and the Township Staff for their hard work and perseverance. Supervisor Parks is very impressed that the Budget is being adopted so early in the year, which, to her knowledge, has never happened in the past.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to adopt the 2001 General Fund Budget in the amount of \$3,769,717.00. There was no public comment.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to adopt the 2001 Fire Fund Budget in the amount of \$125,101.00; to adopt the 2001 Debt Service Fund Budget in the amount of \$289,500.00; and to adopt the 2001 State Highway Aid Fund Budget in the amount of \$254,448.00. There was no public comment.

2. Included in the Supervisor's packets is a listing of individuals up for reappointment to the various Township boards and commissions. The Supervisors

suggested that those particular individuals be asked to provide letters of interest in reappointment.

3. At the September 27th joint meeting of the Board of Supervisors and the Authority Board, an informal agreement was made to waive land development for construction of the proposed sewage treatment plant. Mr. Lippincott requested that the Board make a formal motion supporting that waiver, if so inclined.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to waive land development fees for construction of the proposed sewage treatment plant for the Hilltown Township Water and Sewer Authority. There was no public comment.

4. The Supervisors and Planning Commission members are invited to attend the Comprehensive Plan Task Force meeting to be held on Wednesday, November 1, 2000 at 7:00PM, at which time the Task Force will provide an update on their progress so far.

5. The D.C.N.R. Grant Application for the purchase of open space was mailed on Friday, October 27, 2000.

F. CORRESPONDENCE – Mr. Greg Lippincott, Township Manager –

1. Correspondence has been received from Mr. and Mrs. Tim Urbany requesting another year extension to remove the post and rail fence that was installed on their property in violation of deed restricted open space requirements. Discussion took place. The Supervisors agreed to grant another year extension to Mr. and Mrs. Urbany for removal of the post and rail fence, with the understanding that this will be the last extension that will be granted.

2. Letters of support of the Keystone Grant Application were received from the following local businesses – Solar Atmospheres, Inc. and Richter Drafting.

3. Correspondence was received from Reverend Dennis Hartman of the Pennridge Ministerial Association concerning the Healthy Communities/Healthy Youth Initiative that is underway in the Pennridge Community and seeking representatives from each of the area municipalities. The next meetings will be held on Wednesday, November 15th at 2:30PM at the Pennridge Central Middle School, and on Wednesday, December 20th at 2:30PM at the Pennridge South Middle School.

4. A request has been received from Alloy and Stainless Fasteners located at Bethlehem Pike and Reliance Road for a review by the Township Engineer and staff for

their sketch plan proposal. The applicant is willing to provide a \$500.00 escrow fee for this cursory review.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to authorize review by the Township Engineer and staff of a sketch plan proposal by Alloy and Stainless Fasteners, with the posting of a \$500.00 escrow, as noted above. There was no public comment.

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

1. Solicitor Grabowski presented the Pileggi Land Development Agreement and Financial Security Agreement for the Board's consideration.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to accept the Pileggi Land Development and Financial Security Agreements. There was no public comment.

2. Solicitor Grabowski presented Financial Security and Land Development Agreements for the A&T Subaru Dealership, located on Bethlehem Pike near its intersection with Pheasant Hill Road. There was apparently some difficulty with PennDot with regard to relocating the entrance road by approximately 30 feet, which has since been accomplished.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to approve the Land Development and Financial Security Agreements for A & T Subaru. There was no public comment.

In conjunction with that, Solicitor Grabowski presented an offer by A&T Subaru to provide for an easement of road frontage to the Township.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #2000-36, to accept the Declaration of Easement for A&T Subaru/Chevrolet, Inc.** There was no public comment.

3. Solicitor Grabowski explained that behind this building, there is an existing AT&T telephone cable that has been there for approximately 30-40 years, which traverses the rear portion of the property and has interfered with the Township's plans for the proposed maintenance building on that site. Historically, the line was the main feed for all telecommunications between New York and Washington, D.C. for many years, including the "hot line" to the White House. This cable has been abandoned for several years because of the invention of fiber optics and satellites, however the easement still exists. Mrs. Leslie was given the task of dealing with AT&T, and was able to discuss this

matter with a gentleman in Atlanta, who acknowledged the existence of the easement and the cable. AT&T has finally agreed to the relocation of the easement. An agreement has been received from AT&T providing for the relocation of the easement to the rear portion of the property, along the setback. AT&T has also agreed to terminate the existing easement, and Solicitor Grabowski presented that document for acceptance this evening.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to accept the agreements by AT&T to terminate the existing easement behind the Municipal Building, by which the Township will accept that easement; and to grant a relocated easement to AT&T, to be located along the setbacks at the rear of the Municipal Building site. There was no public comment.

***8:00PM – TWO PUBLIC HEARINGS**

Public Hearing #1 - Based upon a traffic study and recommendation by the Hilltown Police Department, Solicitor Grabowski explained that a proposed Ordinance was prepared that would reduce the speed limit of motor vehicles on Conestoga Way to 20 m.p.h. from Summit Street to Reliance Road. This Ordinance was advertised in the Doylestown Intelligencer, per requirements of the Second Class Township Code. A copy of the Ordinance is also on file with the Bucks County Law Library.

Public Comment: None.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Ordinance #2000-9, reducing the speed of motor vehicles on Conestoga Way to 20 m.p.h. from Summit Street to Reliance Road.** There was no public comment.

Public Hearing #2 - A proposed Ordinance was prepared to declare a Snow and Ice Emergency on Township roads, for the prohibition of parking and restriction of driving motor vehicles on Snow Emergency Routes, at the recommendation of the Township Director of Public Works. Solicitor Grabowski explained that if this Ordinance is adopted, it provides that parking would be prohibited on all Township roads once a Snow Emergency has been declared by the Township Manager, upon recommendation by the Director of Public Works and Chief of Police.

Since Hilltown Township Public Works will begin plowing/salting Silverdale Borough roads this winter, via an agreement with the Borough, Chairperson Bennington asked if Silverdale Borough will also pass a similar Ordinance. Mr. Lippincott noted that Silverdale Borough has agreed to adopt a similar Ordinance. Chairperson Bennington was under the impression that Hilltown's Public Works Department also plows and salts some roadways in Dublin Borough. Mr. Lippincott explained that our Public Works

Department maintains just one road for Dublin Borough, and he will provide them a copy of the proposed Ordinance for adoption, as well. Chairperson Bennington noted that this proposed Ordinance only applies to the roadways, the sections in the previously proposed Ordinance also referred to shoveling sidewalks, however those sections have been eliminated from this proposed Ordinance.

Public Comment:

1. Mr. Harry Mason of Morgan Lane asked who will determine when a Snow Emergency will be declared and how the public would be notified. Further, Mr. Mason asked what basis would define a Snow Emergency. Mr. Lippincott will declare the Snow Emergency, at the recommendation of the Director of Public Works; and the public will be notified via KYW Radio and other local radio stations, similar to how the Penridge School District notifies of early dismissal or cancellation of school. Mr. Lippincott will contact other local municipalities who have similar Snow Emergency Ordinances in place, such as New Britain Township and Warwick Township, to determine how they notify their residents. Chairperson Bennington suggested that notification be placed on the Township's website as well. Mr. Lippincott explained that Snow Emergency Route signs would also be installed on all Township roadways notifying of this adopted Ordinance.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to **adopt Ordinance #2000-10, to declare a Snow and Ice Emergency on Township Roads for the prohibition of parking and restriction of driving motor vehicles on Snow Emergency Routes.** There was no public comment.

*Chairperson Bennington adjourned the Public Hearings and reconvened the regularly scheduled Board of Supervisors meeting of October 30, 2000 at 8:10PM.

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

1. Vanthuyne Subdivision – This lot line adjustment subdivision located on Green Street was unanimously recommended for preliminary/final plan approval by the Planning Commission subject to the following conditions:

- Pursuant to Section 402.3.D of the Subdivision Ordinance, a revision date must be included on the revised plan.
- The ultimate right of way of Green Street must be dedicated to the Township as an easement as offered by Note #17 on the plan.

- Existing driveways serving both lots are stone and must be reconstructed in compliance with requirements of Section 511 of the Subdivision Ordinance. A driveway permit must be obtained from the Township prior to reconstruction.
- Concrete monuments shown on the plan must be installed prior to plan recordation.
- Waivers requested by the applicant relative to street improvements and identification of USGS contours were unanimously recommended for approval.

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

2. Montgomeryville Cycle Land Development Waiver Request -- The Planning Commission unanimously recommended approval of the applicant's request to waive submission of land development for a proposed 60' X 120' product storage building to be constructed on an impervious area of their site located at Rt. 309 and Rt. 309 spur within the LI Zoning District.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to grant land development waiver to Montgomeryville Cycle Center. There was no public comment.

3. Souderton Baseball Land Development Waiver Request -- The Souderton Area Baseball League seeks a waiver of land development submission to construct a new field house at the Warren Royer Post #234 baseball field on Central Avenue. The Supervisors previously approved this request on June 28, 1999, however since no building permit application was submitted to the Township within one year of that approval, the Zoning Officer referred the waiver request back to the Planning Commission and Board of Supervisors for consideration. The Planning Commission unanimously recommended approval of the waiver request noting that construction of the new field house must comply with the Stormwater Management Ordinance as it relates to additional impervious surface on the site. The applicant has also requested relief from land development waiver submission fees for this project, and Mr. Wynn advised him that the Board of Supervisors must address this matter.

Mr. Brian Pifer, the applicant's brother, was in attendance to present the Land Development Waiver Request. In addition to requesting waiver of Land Development

fees, Mr. Pifer advised that the applicant is also requesting waiver of Stormwater Management Ordinance fees, and Zoning/Building permit fees. These additional requests for waiver of fees were not presented to the Planning Commission. Mr. Wynn advised that requests for waiver of fees must be submitted in writing. Further, Mr. Wynn commented that Stormwater Management Ordinance information should be submitted to the Township for review, prior to requesting waiver of those fees and requirements. Mr. Pifer was directed to provide that requested written information and then appear at the November 27, 2000 Supervisor's meeting, for a ruling from the Supervisors.

4. Geyer Subdivision – This lot line adjustment subdivision with frontage on Rt. 113 and Cherry Road was unanimously recommended for preliminary/final plan approval by the Planning Commission subject to the following conditions:

- Waivers requested of Subdivision Ordinance requirements within correspondence dated August 23, 2000, from Cowan Associates, Inc. was unanimously recommended for approval.
- The ultimate right-of-way of Rt. 113 and Cherry Road must be dedicated to the Township as an easement in accordance with Section 506 of the Subdivision Ordinance.
- Existing uses on the site must be clearly identified on the plan. Both lots contain single-family dwellings, while TMP #15-1-68-1 contains Geyer's Greenhouses, which is Use A-2, Nursery, permitted within the CR-2 Zoning District.
- Concrete monuments must be set at all proposed property corners as required by Section 522.2 of the Subdivision Ordinance and be installed prior to plan recordation.
- Area proposed to be conveyed to TMP #15-1-68-1 must be consolidated with the adjoining parcel into a single deed with a single outboundary description at the time of plan recordation to prevent creation of a new building lot.

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

5. Longacre Tract – The preliminary plan for 32 single-family dwellings on 49+ acres located within the Rural Residential Zoning District on Rt. 113 was unanimously recommended for denial by the Planning Commission due to non-

compliance with Zoning Ordinance and Subdivision Regulation requirements as contained within the engineering review dated August 29, 2000, and the Bucks County Planning Commission Review dated August 28, 2000; unless an extension is received in writing by the applicant not later than November 13, 2000. Mr. Wynn advised a written extension was received from the developer until February 11, 2001. The Board may recall that there were comments concerning filling of the wetlands on the site. There is a very small quarry site on the property, which the developer's engineer identified as a wetland area. It is Mr. Wynn's understanding that the owner of the property was required by the developer to remove refrigerators and other trash from the site, and in doing so, placed fill material in the area designated as wetlands. Mr. Wynn photographed the site as it currently exists and prepared correspondence to the developer, with copies being sent to the owner, the Bucks Conservation District, etc., to notify of the fill being placed in the wetland areas. Consequently, the Bucks Conservation District contacted Mr. Wynn to advise they were turning the matter over to PADEP for review. The Township Zoning Officer has also notified the owner and developer of a Zoning Violation.

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

1. Calvary Church Land Development – Improvements required by Calvary Church Land Development have been accomplished and Mr. Wynn recommends commencement of the maintenance period. The applicant executed a Land Development Agreement for their parking area, which included the widening of Rt. 113 along the frontage and expansion of the detention basin in the rear, as well as some other drainage improvements. The applicant is requesting that escrow funds be reduced to \$10,000.00 and that the maintenance period be terminated as of September 30, 2001.

Motion was made by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously to accept completion of the maintenance period for Calvary Church Land Development and to reduce the escrow from \$25,000.00 to \$10,000.00 until September 30, 2001, as recommended by the Township Engineer. There was no public comment.

2. Our Lady of Sacred Heart Church – Inspection of the site will be made later this week. Mr. Wynn discussed the status of the required improvements. There are some minor items remaining to be accomplished on the site that could be accomplished under the maintenance period, such as ponding in the detention basin and minor erosion. The larger issue is that the landscape plan as specified in the Land Development Agreement proposes a great deal of plantings along the property boundary, more than is required by the Ordinance. Mr. Wynn explained that the applicant has not installed those plantings, and it is his understanding that the applicant intends to provide correspondence to the Township requesting that the number of plantings be reduced. That correspondence has not yet been received. The Supervisors unanimously agreed to table this plan pending receipt of additional information.

3. Country Roads Subdivision – Solicitor Grabowski advised that correspondence from Mr. Wynn's office was sent to the developer concerning outstanding items that needed to be accomplished prior to the end of the maintenance period. The Letter of Credit for Country Roads Subdivision would also have expired tomorrow, October 31, 2000. The applicant was required to provide an escrow to guarantee replacement of the street trees until June 30, 2001, and was also required to reimburse the Township for approximately \$6,700.00 of funds used to accomplish work within a swale area on the rear yards on certain lots in the subdivision. After repeated contact with the developer, the Township made a decision many months ago to have the work on the swale area completed. There were also outstanding engineering inspection fees that had not been paid by the developer as of last week. Knowing that the Letter of Credit for Country Roads Subdivision expired tomorrow, Solicitor Grabowski and Mr. Lippincott traveled to Philadelphia last Friday to make demand on the Standby Letter of Credit at First Union Bank. A wire transfer of those funds was received by the Township today in order to escrow the \$2,500.00 for the street trees. The payment of the Township's expenses involved in the swale work has been paid, with the condition that should there be any litigation, and if the Township wins, the developer will pay the Township's legal fees.

4. Pileggi Land Development – Work commenced on this land development located on Rt. 313 on October 12, 2000, without notification to the Township or to the Bucks Conservation District, as required by the plan and the Land Development Agreements. Since that time, Mr. Wynn met at the site on October 20, 2000 with the contractor, the developer, and representatives of the Bucks Conservation District. The applicant has been permitted to simultaneously work on both Rt. 313 and the detention basin.

5. South Perkasio Road Status Report – Mr. Wynn explained that there are two culverts involved that required both Bucks Conservation District approval and a GP4 Permit from DEP to discharge stormwater runoff into the floodplain area. The Township received the GP4 from DEP, at which time notification was received from the Pennsylvania Natural Diversity Inventory Bureau advising that the project potentially impacted a species of pear shrub in the State of Pennsylvania, which was identified in 1989 as being alive, but damaged, along Callowhill Road south of South Perkasio Road. Mr. Wynn advised that this particular project is not located anywhere in that vicinity, so the matter has since been resolved. All of the permits have now been received, and the one pipe can now be installed at any time that is suitable for the Director of Public Works. With regard to the other pipe, Mr. Wynn met with the property owners, who wanted the pipe moved a bit and wanted the end wall in stone instead of concrete. The property owner's main concern was primarily with liability, which is being addressed by Solicitor Grabowski.

J. MYLARS FOR SIGNATURE: None.

K. PUBLIC COMMENT:

1. Mr. Harry Mason of Morgan Lane questioned the Board's earlier decision to allow a fence to remain on Township open space, which was a similar request made by Mr. Adolph Jager at a previous meeting that had been denied. Supervisor Parks noted that Mr. Jager's request was to fence an open space area for grazing of livestock, that the Supervisors have asked other property owners not to do. Further, Mr. Lippincott noted that the request made earlier this evening referred to open space that was deed restricted to the property owner, not Township open space as Mr. Jager is requesting to fence.

2. Mrs. Maureen Lyons of 65 Misty Meadow spoke to a board member of Deep Run Sports Association, who suggested that instead of Heritage Building Group's proposal to construct three playfields on Telegraph Road within the Orchard Hill Subdivision, those fields could remain as green meadow. Mrs. Lyons does not believe that anyone would want to rent an apartment or purchase a townhouse or multi-plex unit that would be adjacent to playfields with the noise that would be generated every Saturday and Sunday morning. If this suggestion was followed, perhaps Heritage Building Group could provide the funds that would be used to grade and construct those three playfields to the Township, for future construction of playfields at another, more feasible location. Chairperson Bennington noted that the Township, and Deep Run, as well, have been crying out for additional soccer fields. The land in the Orchard Hill Subdivision proposed to be constructed as three playfields could help meet those needs, and therefore, the Township can then purchase land to remain as open space. A lengthy discussion took place.

3. Mr. Jon Kutzner of 52 Narothyn Road, president of Deep Run Sports Association, noted that they do not hold practices or play games on Sunday mornings. Further, it was made very clear at a previous Park and Recreation Board meeting, that those proposed playfields in Orchard Hill would be multi-purpose fields to be used for football and lacrosse as well. Mr. Kutzner noted that those fields would not be for the exclusive use of Deep Run. Chairperson Bennington commented that to obtain these three playfields at the Orchard Hill Subdivision so quickly allows the Township to take a great deal more time to plan and investigate recreational possibilities at the newly purchased 54-acre Forest Road property.

Mr. Kutzner provided a Township residency report based on Deep Run Sports Association membership. Deep Run has 1,700 families that are members, with 700 of those families being Hilltown Township residents. That translates to approximately 1,000 Hilltown children that play sports through the Deep Run program. Supervisor Parks commented that works out to well under half of the membership being from Hilltown

Township. Mr. Kutzner noted that the only sports program that is actually restrictive is Little League Baseball requirements, with that District comprised of only residents of Hilltown, Silverdale, Dublin, and Bedminster. Chairperson Bennington has suggested to the Supervisors of Bedminster Township that they should also be providing playfields for Deep Run's use, and now these numbers prove his theory. When Mr. Kutzner joined the Deep Run board approximately 9 years ago, the family membership was approximately 900, with 400 families that lived in Hilltown. Discussion took place.

4. Mr. John Snyder of 2018 Mill Road thanked the Board for the time they allotted him at the last meeting to recognize the passing of Mr. Peter Darde, a longtime member of the Hilltown Volunteer Fire Company.

L. SUPERVISOR'S COMMENTS:

1. Supervisor Parks reminded all in attendance that Election Day is Tuesday, November 7, 2000. She totally supports the Open Space Referendum that is on the ballot for Hilltown Township and encouraged everyone to review the facts in order to make an informed decision.

2. Supervisor Bender attended the DEP meeting concerning well contamination held here at the Township Building on October 12th. Either today or tomorrow, DEP is supposed to release their remediation plan. The Supervisors are looking forward to receiving a copy of that plan because they are very concerned about the contamination problem that affects some Hilltown residents.

3. Chairperson Bennington explained that the Township held a Business and Industry Luncheon on Wednesday, October 25th, for all businesses that operate in Hilltown Township. It was a very successful event orchestrated by Mr. Lippincott, Mrs. Seimes, and Mrs. Leslie. Chairperson Bennington attended the event and noted that there was not only positive feedback, but negative feedback as well, which is what we were hoping for. It is the Supervisor's intent to hold a similar luncheon next year. Surveys were sent to those businesses that participated in the hopes of discovering what the Township can do to attract more businesses to the Township, as opposed to housing units, which funnel additional children into the school system.

4. Chairperson Bennington participates in the Pennridge Area Coordinating Committee, which is composed of all the communities in the Pennridge area. Discussion has taken place concerning conducting a hydrogeological survey of the entire area. Chairperson Bennington, Mr. Dave Nyman of East Rockhill Township, and Mr. Eric Shaffhausen of Bedminster Township were appointed to the Steering Committee, and are charged with interviewing the engineers who will be conducting the study. The Bucks County Planning Commission has been instrumental in driving this hydrogeological

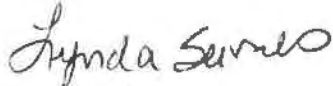
study and Chairperson Bennington hopes that things will move forward in January of 2001. He believes that the results of such a study could be used to try to control development, especially if PACC can prove that there is not enough water available.

5. Chairperson Bennington encouraged all Township residents to vote in the upcoming election.

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

N. ADJOURNMENT: Upon motion by Supervisor Parks, seconded by Supervisor Bender, and carried unanimously, the October 30, 2000 Board of Supervisor's meeting was adjourned at 9:04PM.

Respectfully submitted,



Lynda Seimes
Township Secretary