

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
PUBLIC HEARING AND WORKSESSION MEETING
Monday, June 7, 1999
7:30PM**

The June 7, 1999 Public Hearing and Worksession Meeting was called to order by Chairman William H. Bennett, Jr. at 7:40PM and opened with the Pledge of Allegiance.

Also present were: Kenneth B. Bennington, Vice-Chairman
John S. Bender, Supervisor
Gregory J. Lippincott, Assistant Manager/Zoning Officer
Francis X. Grabowski, Township Solicitor
C. Robert Wynn, Township Engineer
Kerry L. Trauger, Chief of Police
David W. Taylor, Code Enforcement Officer
Thomas A. Buzby, Director of Public Works

A. PUBLIC HEARING – Amending the Zoning Ordinance of 1995, as amended, by amending the definition of Net Density, Intent and Purpose of the Rural Residential Zoning District, Single Family Detached Use B1, Single Family Detached Cluster Use B3, Site Capacity Calculations, and Table of Performance Standards – Bulk and Area Standards for Residential Uses.

Solicitor Grabowski advised the purpose of the advertised Public Hearing is to consider a proposed Ordinance, to amend certain sections of the Zoning Ordinance of 1995, as amended. Several months ago, the Board of Supervisors requested that the Planning Commission make recommendations for revision of the Cluster provisions of the existing Ordinance as adopted in October of 1998. A court stenographer is in attendance to take notes of testimony of this hearing. As required in the Municipalities Planning Code, the proposed Ordinance was prepared by the Hilltown Township Planning Commission in conjunction with the Township Engineer, and was advertised in the Intelligencer Newspaper on May 17th and May 24th, 1999. A proof of publication is on file at the Township office. Additionally, a proof of the filing of the Ordinance was also obtained from the Bucks County Law Library, and a letter dated May 14, 1999 that the Ordinance was available for inspection from that date, is also on file at the Township Office. A review of the proposed Ordinance by the Bucks County Planning Commission dated June 2, 1999, has also been received.

Mr. Wynn presented a summary of the proposed Ordinance. To a large extent, Mr. Wynn noted the proposed amendment will restore the Zoning Ordinance with respect to Cluster and Site Capacity Calculation to the former Ordinance that was in effect prior to the October 28, 1998 Amendment adoption.

Article I of the amendment defines net density. There was a conflict between the net density in the front of the Zoning Ordinance and that found under the calculation for site

capacity in both the current and the prior Ordinance. Specifically, Mr. Wynn advised net capacity is calculated two different ways based upon whether or not the site will contain a type of dwelling unit that has open space or a type of dwelling unit that does not have open space. The amendment will define net density as required by the site capacity calculations, which are included within Section 501.

Article II of the amendment revises Section 304.2.1 and its description of Rural Residential Zoning District. This revision is identical to the Zoning Ordinance prior to the last amendment, with the exception of the last sentence, which states that if a Municipal Authority public water and open space are provided in accordance with requirements of the Ordinance, the Cluster option with 30,000 sq. ft. lots is permitted.

Article III of the amendment revises Use B-1, single-family detached dwelling, which is a non-open space/non-cluster type of housing unit. This restores the Use B-1 to the B-1 requirements that were found in the Ordinance prior to the amendment last fall.

Article IV of the amendment revises Use B-3, single-family detached cluster, which is a bit different than the single-family detached cluster that was permitted in the prior Zoning Ordinance in that it permits several different options depending on what district the site is located in. In the CR-1 District, which is the highest density development district, the lot area is a minimum of 10,000 sq. feet. In the CR-2 District, there are two options. Option #1 is 30,000 sq. ft. lots, and Option #2 is 20,000 sq. ft. lots. In the Rural Residential Zoning District, a cluster of 30,000 sq. ft. lots is permitted. Within the development districts which includes CR-1 and CR-2, all single-family detached cluster dwelling units must be served by both public water and public sewer provided by a Municipal Authority. In the Rural Residential District, the single-family detached cluster dwelling units must be served by a public water distribution and supply system provided by a Municipal Authority, and individual on-lot sewage disposal systems.

Mr. Wynn advised Article V amends the site capacity calculations to essentially restore those calculations for performance standard subdivisions and cluster subdivisions, to those calculations which were in effect prior to the October 28, 1998 amendment. For clarity, it also separates the site capacity calculations into two different calculations. One is the calculation for Section 501.A, which would be used wherever there is open space required by the residential subdivision, such as single-family detached cluster, performance subdivision, mobile home parks, and retirement villages. Section 501.B contains site capacity calculations that would be used for any agricultural, commercial, institutional, or industrial land development or subdivision, and all other residential uses that are not included in Section 501.A, such as B-1 residential single-family dwellings without open space.

Article VI revises Table 502, which is the Table of Performance Standards, Bulk and Area. Revisions included in this table deal with the maximum net density so that the net density permitted by a single-family cluster in the Rural Residential District or a single-family cluster in the CR-1 or CR-2 District, are essentially the same as the number of units permitted if the site were developed in a non-cluster option. Several of the maximum impervious surface ratios were altered so that they would be consistent, regardless of the lot size. The minimum lot size was also revised in order to be consistent with those requirements for Use B-1 and B-3. Additionally, Mr. Wynn stated there are some footnotes. One is that within the Rural Residential Zoning District, the 50,000-sq. ft. lot requires public water provided by a Municipal Authority. If the lot is not served with public water, an additional 80,680-sq. ft. of land shall remain as deed restricted conservation land until public water can serve the balance of the lot. Additionally, within the Rural Residential District, Mr. Wynn advised there is a footnote that requires the single-family cluster to have public water provided by a Municipal Authority. Within the CR-1 District, both the single-family cluster and performance subdivision options are required to have public water and sewer provided by a Municipal Authority.

Mr. Wynn explained the single-family cluster option was revised in the Rural Residential District to have a minimum required site area of 20 acres. The current Ordinance requirement for the single-family conservation option is 5 acres, and within the CR-1 District, the cluster in the performance subdivision remained at 5 acres for the minimum site area. In the CR-2 District, there are two cluster options and both of those options require a minimum site area of 10 acres.

Mr. Wynn noted that the Hilltown Township Planning Commission recommended approval of the proposed Ordinance amendment with one minor revisiou. Mr. Wynn presented correspondence from the Zoning Officer, Mr. Lippincott, dated May 4, 1999. This correspondence was reviewed by the Planning Commission and deals with the impervious surface ratio within the Village Center District. Mr. Lippincott felt that the .09 ratio for impervious surface for a single-family conventional lot within the Village Center District was too restrictive on homeowners since most of those lots are smaller than the 50,000-sq. ft. minimum. The Planning Commission agreed and recommended that the .09 ratio be increased to .26, which is the same ratio as a single-family 20,000-sq. ft. lot within the Village Center Zoning District.

The Bucks County Planning Commission review, dated June 2, 1999, recommends that the Township not adopt this revised Ordinance until certain concerns were addressed. Those concerns include increases in the minimum lot size and cluster design option. The B.C.P.C. finds the proposed increases in lot sizes to be potentially untenable toward the goal of preservation of land, particularly in the Rural Residential Zoning District. They also note that the Ordinance would only permit a 50,000-sq. ft. lot if public water is provided by an Authority and that cluster option for lots of 30,000-sq.ft. would be

permitted if both open space and public water were provided. Further, the B.C.P.C. commented that the recommended three-acre requirement for lots without public water is an issue that they had previously commented on and they would like to reiterate parts of the former review as it pertains to various court decisions. The Bucks County Planning Commission recommends that Township officials and the Township Solicitor review the basis for the three-acre lot size in the RR District, and to consider if the supporting documentation, such as the groundwater study done several years ago, can justify the minimum lot area in light of the Commonwealth Court decisions. They also note that regarding the cluster design option, it appears the Township might discourage the possibility of developing viable single-family cluster design subdivisions through the Zoning Ordinance amendment. They believe that the regulations concerning cluster as written are obscure and difficult to comprehend, and after working through the calculations, it is uncertain what the incentive would be. In fact, Mr. Wynn commented, if the incentive is the number of dwelling units, there is no incentive because the cluster option was designed by this amendment to be density or unit, not density unit. Mr. Wynn stated there are other benefits to clustering beyond the number of units, such as less public improvements and requirements for utilizing a more viable portion of the site, etc..

The Bucks County Planning Commission notes that cluster development is a planning method that provides flexibility in the siting of house lots on a parcel and a means of integrating common open space into a subdivision. Further, they reference their own Bucks County publication tools and techniques dated 1996, regarding Natural Resource Protection in Clusters, and state that the proposed amendment increases lot sizes in the Districts that allow the cluster design, such as CR-1, CR-2, and RR, as compared to the conservation design options of the current Ordinance. Finally, the B.C.P.C. states they recognize that the previous regulations may have permitted lots for single-family detached homes that would have been too small to implement in Hilltown Township with optimum results. For example, Option 2 allowed lots of 6,000-sq. ft. in the CR-1 District, 7,500-sq. ft. in the CR-2 District, and 12,000/7,500-sq. ft. in the RR District depending on the availability of public water and sewer. The Bucks County Planning Commission commented a more realistic minimum lot size for cluster single-family detached homes would be approximately 10,000-sq. ft., which would enable a developer in a suburban area an opportunity to offer marketable homes with practical backyards and common open space conservation area as well.

For clarification, Solicitor Grabowski noted two additional suggested changes to the proposed Ordinance as discussed this evening:

- Page 5, Article VI, Table 502 – on the row which states “VC – Single Family (second row) under Maximum Impervious Surface Ratio, the .09 would be revised to read .26, because the 50,000-sq. ft. lot area basically does not exist in the VC District. Any lot that does not meet the standards for the 20,000-sq. ft.

are automatically thrown into that category of B-1, which limits the amount of impervious surface permitted on the lot and restricts such things as sheds and driveways.

- Page 5, Article VI, Table 502 – on the row which states “RR – S.F. Cluster”(second row) under the Maximum Density DU/AC column, the 1.65 would be revised to read 1.45.

Public Comment:

1. Mr. John Kachline of 529 Mill Road, a member of the Hilltown Planning Commission, supports the proposed Ordinance and reminded the Board that the main change concerns the cluster option in the Rural Residential District, which is supposed to be Hilltown’s low density zoning districts. In Mr. Kachline’s opinion, the cluster as it was previously written allowed for a density that he feels is too high for the zoning district. Discussion took place concerning the maximum density and base site area calculations in the Rural Residential Zoning District.

2. Mrs. Janice Stemler of 19 Beverly Road is confused by the recommendations submitted by the Bucks County Planning Commission and does not understand where their criticism comes from. Mrs. Stemler supports the proposed amendment as recommended by the Hilltown Planning Commission.

3. Ms. Valerie Blaxall of Rickert Road commented that the Cluster Ordinance as passed in October of 1998 was flawed and contained grievous errors. If the Township wants to consider encouraging cluster development in the future, Ms. Blaxall feels it is imperative to “right the wrongs” at this time and deal with the issue of open space in the future.

Motion was made by Supervisor Bennington, and seconded by Supervisor Bender, to **adopt Ordinance #99-5, amending the Zoning Ordinance of 1995, as amended, by amending the definition of Net Density, Intent and Purpose of the Rural Residential Zoning District, Single Family Detached Use B1, Single Family Detached Cluster Use B3, Site Capacity Calculations, and Table of Performance Standards – Bulk and Area Standards for Residential Uses.** Chairman Bennett was opposed. Motion passed. There was no public comment.

Chairman Bennett commented he was opposed to the adoption of this Ordinance for the following reasons 1) because of the negative review by the Bucks County Planning Commission, 2) because the Ordinance does not give a property owner or developer incentive to provide open space, and 3) because of the requirement for three acre zoning.

***8:18PM – The Public Hearing of June 7, 1999 was adjourned at 8:18PM and the Board of Supervisors recessed until 8:30PM, at which time they resumed the regular worksession meeting of the Hilltown Township Board of Supervisors.**

Chairman Bennett announced the Board met in Executive Session prior to this meeting in order to interview a professional planner and another Executive Session will follow this meeting in order to discuss personnel and legal matters.

Chairman Bennett advised Mr. Daniel Paci has resigned his position on the Planning Commission due to changes in his law practice.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to authorize advertisement of the vacancy on the Hilltown Township Planning Commission. There was no public comment.

B. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

C. APPROVAL OF MINUTES – Action on the minutes of the May 10, 1999 Supervisor’s Worksession meeting – Motion was made by Supervisor Bennington, seconded by Chairman Bennett, and carried unanimously to approve the minutes of the May 10, 1999 Worksession meeting, as written. Supervisor Bender abstained. There was no public comment.

Supervisor Bennington asked Mr. Lippincott to be sure that Mr. Tom Moore is advised that the water problem on Hilltown Pike has been rectified.

Action on the minutes of the May 19, 1999 Supervisor’s Meeting – Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously, to approve the minutes of the May 19, 1999 Supervisor’s Meeting, as written. There was no public comment.

D. APPROVAL OF CURRENT BILLING – Chairman Bennett presented the Bills List dated June 8, 1999, with General Fund payments in the amount of \$38,601.43, State Highway Aid payments in the amount of \$2,287.07, and Debt Service Fund payments in the amount of \$139,102.50; for a grand total of all payments in the amount of \$179,991.00.

Motion was made by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously to approve the Bills List dated June 8, 1999. There was no public comment.

E. TREASURER'S REPORT – Mr. Gregory Lippincott, Assistant Manager – Mr. Lippincott read the Treasurer's Report with the following balances as of May 31, 1999:

General Fund Checking Account	\$112,592.71
Payroll Fund Checking Account	\$ 1,248.37
General Reserve Fund Account	\$646,596.09**
Fire Fund Checking Account	\$ 83,114.38
Debt Service Fund Checking Account	\$354,741.79
State Highway Aid Fund Checking Account	\$238,538.12
Escrow Fund Checking Account	\$267,162.65
Capital Projects – Series 1989	\$ 26,855.46
Capital Projects – Series 1994	\$102,688.64

**\$300,000.00 of the current balance represents 1999 funds temporarily transferred for the benefit of a higher interest rate.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to approve the Treasurer's Report dated May 31, 1999. There was no public comment.

F. HILLTOWN AUTHORITY REPORT – Mr. James Groff, Operations Manager – Mr. Groff read the Authority Report for the month of May, 1999; a copy of which is on file at the Township office.

G. PUBLIC WORKS REPORT – Mr. Thomas A. Buzby, Director of Public Works – Mr. Buzby read the Public Works Report for the period of April 25, 1999 through May 22, 1999; a copy of which is on file at the Township office.

H. POLICE REPORT – Chief Kerry L. Trauger – Chief Trauger read the Police Report for the month of May, 1999; a copy of which is on file at the Township office.

I. ZONING REPORT – Mr. Gregory Lippincott, Zoning Officer – Mr. Lippincott read the Zoning Report for the month of May, 1999; a copy of which is on file at the Township office.

J. BUILDING REPORT – Mr. David W. Taylor, Code Enforcement Officer – Mr. Taylor read the Building Report for the month of May, 1999; a copy of which is on file at the Township office.

K. HILLTOWN FIRE COMPANY REPORT - No one was present at this time.

L. SILVERDALE FIRE COMPANY REPORT – Mr. Chuck Stockert, chief – Mr. Stockert read the Silverdale Fire Company Report for the month of May, 1999; a copy of which is on file at the Township office.

Mr. Stockert thanked the Board for allowing the Silverdale Fire Company to use the vacant dwelling on Township property on Fairhill Road, which has been a valuable training resource.

The Silverdale Fire Company is in the process of raising funds to purchase a rescue pumper in order to provide adequate fire and rescue protection for the district. Mr. Stockert asked for the Township's assistance in purchasing the truck, which has an estimated cost of \$278,000.00.

M. PARK AND RECREATION REPORT – Mr. Nick Lupinacci, Chairman – Mr. Lupinacci read the Park and Recreation Report for the month of May, 1999; a copy of which is on file at the Township office.

With regard to the proposed walking trails, Mr. Lupinacci advised a five-member committee was formed consisting of residents who will represent the Pleasant Meadows development, and will participate in discussions along with the Park and Recreation Board members and Mr. Lippincott. The next meeting will be held on June 16, 1999 at 7:30PM at the Municipal Building to address the issue of security of the walking trails. It is the goal of the Park and Recreation Board to resolve all the outstanding issues and hopefully, present a recommendation to the Supervisors by October, 1999.

Theater Camp will be held from July 12th through July 16th at the Blooming Glen Playground. On the last day of camp, participants will perform for their families. It has come to Mr. Lupinacci's attention that Bucks County has what is called a "ShowMobile," a portable stage, which is available for use by all the municipalities in the county. There is no fee involved for the rental, however there is a fee for the installation of the stage. The fee is \$30.00/hour for two individuals to install and remove the mobile stage. Mr. Lupinacci is seeking Board approval to reserve the ShowMobile for use at the Theater Camp.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to approve the recommendation of the Park and Recreation Board to expend funds to reserve the ShowMobile from Bucks County for the Friday, July 16, 1999 performance of the Theater Camp participants. There was no public comment.

A Sand Volleyball League has been formed and will be run by Mr. Jon Apple of the Park and Recreation Board, and Mrs. Heather Phillips, a Township resident who has participated at the collegiate level and a highly competitive recreational level of sand

volleyball. There will be eight teams participating on Tuesday and Thursday evenings, beginning June 8, 1999 and running through August 21, 1999.

Mr. Lupinacci is also a member of the Open Space Committee and was recently asked to attend a Pennridge Regional Planning Board meeting. A representative of the Bucks County Planning Commission was in attendance at that meeting, presenting maps and diagrams of trails and open space. Mr. Lupinacci felt it was an informative tool to keep all Pennridge municipalities abreast of the situation, however he is unable to attend these meetings on a monthly basis.

Supervisor Bennington asked if the Park and Recreation Board has given consideration to a Year 2000 celebration. Mr. Lupinacci advised it has been discussed and the thought was that possibly Hilltown could participate with neighboring communities because location and parking would be difficult in the Township.

N. CONFIRMED APPOINTMENTS:

1. Mr. Ray Carbone – Keystone Estates Waiver Request – Mr. Carbone expressed objection to a split rail fence with wire mesh that he is required to install around the detention basin in his development. Following review of several detention basins in the Township, such as those in Hilltown Woods, Foxview Hunt, and Hawk Ridge, Mr. Carbone noted there is much less of a safety concern with the detention basin in the Keystone Estates Subdivision. Mr. Carbone noted the retention basin contains a very gradual slope starting from Lot #1, with two berms on either side. The basin is almost always dry, and even after a storm, there is normally less than 1 or 2 inches of water in the basin the following day.

Mr. Wynn explained the Subdivision Ordinance contains design standards for detention basins to determine which basins must be fenced. It would depend on the depth of water, side slopes, and other design criteria. The Keystone Estates Subdivision plan could have been designed so that a fence would not have been required by the Ordinance, however it was designed in a manner that required a fence. The fence and the location of the fence were shown on the plan. Mr. Wynn would not recommend removing the fence because it does not meet the design criteria of the Ordinance. He does believe, however, that the fence might be modified with the cooperation of the property owner. Mr. Wynn understands why the fence is objectionable, since it runs 25 ft. off the rear of the dwelling to the rear property line. If an agreement could be executed with the property owner, perhaps the fence could be revised so that it could tie into the side of the dwelling on the one corner.

Solicitor Grabowski advised an agreement could be prepared, requiring the signatures of the property owner, agreeing to Mr. Wynn's suggestion for moving the fence. The

agreement would also contain a provision stating that the parties to the agreement would indemnify the Township for allowing this modification to the plan. Discussion took place.

Mr. Donald Basil of 4 Gina Circle, is the property owner of the lot that includes the detention basin in question. Mr. Basil spoke to Mr. Wynn's office concerning this matter, and was told that there are two reasons for the detention basin fence, including the easement restriction and the issue of safety. Mr. Basil commented there is a pond located on a property adjacent to his and one located in a development down the street from his home, that pose a far greater threat than a retention basin that, in the event of a 100 year storm, may hold a few feet of water. The easement for the retention basin runs all the way to Hilltown Pike, and Mr. Basil wondered why the fence wasn't required that entire length, if there was such a great concern about safety. Mr. Wynn explained that the Ordinance requires a fence around the high water level of the basin, not around a stormwater swale, which is what goes out to Keystone Drive. It appears to Mr. Basil that the requirement for the fence around his detention basin was directed at the builder of this subdivision as selective enforcement. Further, Mr. Basil disagrees with the information and description provided by Mr. Wynn's office concerning the retention basin fence. Mr. Wynn wished to clarify that the reason the fence had to be installed was because it was a requirement of the Ordinance and of the plan. The fence was shown on the plan at the time the lot was purchased by Mr. Basil, and Mr. Wynn's office merely enforces the required public improvements, of which the fence is considered a public improvement. Supervisor Bennington disagreed with Mr. Basil that there is any type of selective enforcement involved in this matter, and noted that the fence was shown on the approved subdivision plan prior to Mr. Basil purchasing the property. Discussion took place. The Supervisors unanimously agreed to Mr. Wynn's suggestion to revise the requirement for the fence, to modify the approved plan, and to execute an agreement between the property owner and the Township for this modification.

O. MANAGER'S REPORT – Mr. Gregory J. Lippincott, Assistant Manager –

1. Mr. Lippincott presented the following nine Escrow Releases, six of which are cash held by the Township, for the Board's consideration:

Bricks Villa Phases I & II	Voucher #2A	\$ 218.68
Hilltown Hunt Subdivision	Voucher #43	\$ 594.77
Hipple Subdivision	Voucher #03	\$ 22,314.00
Hipple Subdivision	Voucher #04	\$ 2,231.40
Hipple Subdivision	Voucher #05	\$ 573.34
Longleaf Estates Phase I	Voucher #29	\$ 1,020.79
Orchard Glen Subdivision	Voucher #48	\$ 725.78
Quiet Acres	Voucher #26B	\$ 167.12
Schade Tract	Voucher #15A	\$ 83.75

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

P. CORRESPONDENCE:

1. Correspondence was received from Heritage Building Group responding to Supervisor Bennington's comments of a previous meeting.

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

1. Following a previous public meeting and the post Executive Session, Solicitor Grabowski was directed to prepare correspondence to the Board concerning the status of the Open Space Plan. Mr. Horrocks and Solicitor Grabowski met with one property owner who may be interested in allowing the Township to purchase his property. Solicitor Grabowski is seeking authorization to meet with the Open Space Committee tomorrow evening, June 8, 1999, to advise them of what has occurred. The Supervisors unanimously authorized Solicitor Grabowski to attend the Open Space Committee meeting. Following this meeting, Solicitor Grabowski requested an Executive Session in order to further discuss the status of the open space matter.

2. There is a Conditional Use Hearing scheduled for Monday, June 14, 1999 at 7:30PM for an application filed by H & K Quarry to install a 150 ft. private transmission tower on their property, which is located in the Quarry District. The Hearing has been advertised in the Intelligencer Newspaper, notification has been sent to the adjacent property owners, and a court stenographer will be in attendance.

3. Solicitor Grabowski presented a proposed Resolution for the Board's consideration to state Hilltown Township's intent to join the Bucks County Coalition.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to **adopt Resolution #99-19 to state Hilltown Township's intent to join the Bucks County Coalition, to support their efforts for curative amendment changes, the imposition of impact fees and defining reasonable range as contained in Act 247 of 1968.** There was no public comment.

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

1. Jager Subdivision – Correspondence has been received from the applicant requesting that the time frame for completion of the public improvements for his subdivision be extended until May 7, 2000. Mr. Wynn noted the Letter of Credit received from the applicant extends this time period until June 10, 2000. These

improvements consist of buffer trees and stormwater swale. Mr. Wynn has prepared a punchlist for the applicant and the trees were installed on three of the lots, however some do not meet the minimum requirements with regard to size. One lot has not yet been built upon, and that lot contains no trees at present. Mr. Wynn recommends that the time frame for completion of public improvements for the Jager Subdivision be extended until June 10, 2000, since the Township still retains \$11,880.00 for completion of these improvements.

Motion was made by Supervisor Bennington, seconded by Supervisor Bender, and carried unanimously to extend the time frame for completion of public improvements for the Jager Subdivision until June 10, 2000, as noted above. There was no public comment.

2. Country Roads Subdivision – Mr. Wynn explained the Country Roads Subdivision had some miscellaneous items which were to be accomplished by June 1, 1999. These items consisted primarily of swale and erosion problems, and seeding of open space areas. There has been progress, however it is not complete at this time. The developer is cooperating with the Homeowner's Association, who has also hired a landscaper. Discussion took place. Since progress is being made, Mr. Wynn recommends the Township allow it to continue until completion. The Board was in agreement.

3. Bricks Villa Subdivision (a.k.a. Hilltown Woods Subdivision) – Mr. Wynn advised the Hilltown Woods Subdivision also has a few miscellaneous items to be completed by the developer, such as the swale located at the entrance to the development from Rt. 113 which required re-grading and some other areas along the right-of-way that needed to be topsoiled, fertilized, seeded, and mulched. These areas were not adequately stabilized during the acceptance of the dedication in January of this year. The developer hired a landscaper to do the work, however it was unacceptable on two separate occasions. Very recently, the developer hired a new landscaper who has completed a great deal of work, but is not yet finished. The landscaper has re-graded the swale and has added screened topsoil to various areas that were eroded. Since there is progress being made, Mr. Wynn recommends that the Township allow it to continue until completion. The Board was in agreement.

S. MYLARS FOR SIGNATURE: None.

T. PUBLIC COMMENT:

1. Mr. John Gallagher of Brinkley Drive was in attendance to discuss an incident, which took place over the Memorial Day weekend. Mr. Gallagher's son noticed that his bedroom window was cracked and that a bullet had penetrated into the dwelling.

Mr. Gallagher questioned the validity of the Firearms Ordinance for Hilltown Township, #95-1. Mr. Gallagher quoted Section IV of Ordinance #95-1, which follows:

“No persons, firm, or corporation shall, except in the defense of person or property, fire or discharge any firearm within the Township of Hilltown. An exception would be for target shooting in an area in which it would be safe to conduct such target shooting. This shall include an area in which the discharge of said firearms does not constitute a danger to persons or property.”

It is Mr. Gallagher's opinion that this particular section of the Ordinance is vague and needs to be more specific. Discussion took place.

Solicitor Grabowski suggested a review of the Firearms Ordinance take place and that possibly it could be revised to address more specific requirements for target shooting. The Board was in agreement.

2. Mrs. Maureen Lyons of Country Roads has contacted the Township Manager on several occasions since 1998 to express her concern about the mailbox located at the entrance to the Country Roads development, which impedes the sight distance for those leaving the development. The mailbox for 716 Walnut Street is located past the curb line, according to Mrs. Lyons. There is also a tree growing right over that mailbox which blocks the view of motorists exiting the development. Discussion took place.

Mrs. Lyons also advised there is a green Ford truck parked continuously on Country Roads, towards the cul-de-sac and past the Misty Meadow intersection, which is uninspected and has no current vehicle registration. Mrs. Lyons has spoken to both Officers Brown and Dreyer about this issue, however nothing has been done. Chief Trauger will investigate the matter.

3. Mr. Charles Schaffer of 109 Schultz Road advised that when he purchased his property in the Hilltown Woods development, there was a natural swale located to the rear. The developer has since increased the swale to make it wider and deeper. Now Mr. Schaffer's neighbor to the rear has hired someone to fill in the swale, without a permit. Mr. Schaffer and his neighbors are very concerned about the potential for run-off on the rear of their properties due to the swale being filled in.

Mr. Wynn had noticed the lot grading that was taking place and contacted the Bucks County Conservation District, as well as the Zoning Officer. Mr. Lippincott explained a Notice of Violation was sent to that property owner, however they have since begun filling in the swale once again. Mr. Lippincott and Mr. Wynn will re-inspect the site

tomorrow to determine whether or not a disturbance of the wetlands is taking place, along with the violation of filling in the swale.

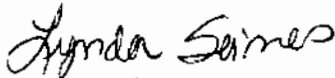
U. SUPERVISOR'S COMMENTS:

1. Supervisor Bennington reminded those in attendance that on June 29, 1999, a representative of Governor Ridge's office will be in Warrington at 7:30PM to discuss the issue of open space in Pennsylvania and encouraged residents to attend.

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

W. ADJOURNMENT: Upon motion by Supervisor Bender, seconded by Supervisor Bennington, and carried unanimously, the June 7, 1999 Public Hearing/Worksession meeting of the Hilltown Township Board of Supervisors was adjourned at 9:50PM.

Respectfully submitted,



Lynda Seimes
Township Secretary

(*These minutes were transcribed from notes and tape recordings taken by Mr. Gregory Lippincott, Assistant Manager).