

**HILLTOWN TOWNSHIP
WORK SESSION
March 9, 1989 - 10:00 A.M.**

Chairman Grunmeier stated that this work session is being held to discuss, primarily, the David Creciun Land Development, and any other business that may come before the Board.

Present at this meeting: Robert H. Grunmeier, Chairman
Betty J. Kelly, Vice Chairperson
James H. Singley, Township Manager
Gloria G. Neiman, Township Secretary
Francis X. Grabowski, Twp. Solicitor
C. Robert Wynn, Township Engineer
Clarence J. Myers, Twp. Zoning Officer
Jack C. Fox, Chairman of P.C.
David Creciun
Mrs. Jacqueline Creciun
Jahn Landis, Attorney for Mr. Creciun
John Gerner, News Herald

Mr. Wynn presented the following background information: This development was before the Township Planning Commission in 1984 and submitted to the Bucks County Health Department, showing a building with three proposed uses: an eating establishment, a convenience store, and a professional office. Plan proposed a retention basin containing volume of 360 cu.ft. with 1.4 acres of impervious surface and buffer planting along the property boundaries. Street trees were proposed along the frontage. Number of required parking spaces was amended to 49 spaces based on 10/15/84 Cowan Associates' review letter (previous plan had 29 spaces which was not sufficient for the eating establishment).

Jahn Landis stated that the Board approved the use of the hardware store in June 1988. Ms. Landis stated (referring to the plan) that the hardware store would be placed in "C"; the convenience store in "B"; and the eating establishment in "A". The Township Zoning Officer has determined that this will require additional parking spaces.

Regarding the question of uses, Mr. Wynn stated (after reviewing the file) that reviews by Cowan Associates (township engineer at that time), Bucks County Planning Commission, Bucks County Health Department, Urwiler & Walter correspondence, and approval of the Act 537 revision for this site by the Supervisors were all based on three uses: B-5 Eating Establishment; E-1 Convenience Store; and D-3 Office.

Regarding question of parking, Mr. Wynn stated that parking there is additional parking proposed to the rear of the site which is partially located within the retention basin.

Mr. Creciun presented a plan which he stated was approved by the Bucks County Health Department. Mr. Wynn noted that he was not referring to the septic system; but that the parking is encroaching in the retention basin and in the residential district. Mr. Wynn stated that the Township never received "as-built" plans for this property; further, that the buffers and basin are not installed correctly, that the basin is smaller than what is required, and he explained elevation markings on the plan.

Chairman Grunmeier read from 2/27/89 Supervisors' minutes: "Ms. Landis stated they do not agree that the two extra spaces are needed but they would be willing to add them, provided they could be put in within one year after the last occupancy". Ms. Landis stated that this is correct and stated that they would be willing to do so if it is determined by the Board that the additional spaces are necessary at that time. The Zoning Officer has determined that one parking space is required for every 100 s.f. which would require 19 spaces; plan shows 17 spaces.

Mr. Grabowski asked what the three original uses were for the building; Ms. Landis stated, "office, convenience, and eating." Mr. Grabowski asked what is there now; Ms. Landis replied, "hardware and office; hardware is in the office space." Mr. Grabowski questioned whether the Board knew, at the time the hardware store was presented, that it was taking the place of the eating establishment. Ms. Landis referred to minutes of the Supervisors' meeting where this was discussed (6/13/88). Mr. Wynn stated that his recollection of that discussion was that the location of the hardware store was going to be where the office was proposed on the plan; but not necessarily that it was to replace the office use on the property (that it was going to be swapped; with the office in the middle and the hardware store at the end); and that they would continue with the three original uses: B-5, E-1 and B-3 Use. Mr. Wynn further stated that what is now being proposed is different; two E-1 uses and one E-5 use, and no longer have a B-3 use. Mr. Creciun stated that he never made a suggestion as to swapping of uses.

Ms. Landis again discussed parking spaces; Mr. Grabowski stated that the approval was to shift one use to another use; not to substitute one use for another. Mr. Grabowski suggested that a revised plan would be necessary if uses are being substituted. Mr. Wynn also noted there are additional discrepancies in the plan and stated that what is on the site and what has been approved are not the same. At this time, Mr. Creciun presented the "as-built" plans. There followed discussion regarding the impervious surface and buffer requirements.

Chairman Grunmeier stated that there are many questions which must be resolved, and that he would recommend that this go back to the

Planning Commission with a request for a recommendation by the 3/27/89 Supervisors' Meeting, if possible. Mrs. Kelly agreed. Motion was made by Mr. Grunmeier to send the Creciun Land Development plan back to the Planning Commission with notification to them that Mr. Creciun would like to be on the agenda for their meeting and, if possible, that the Planning Commission make a recommendation to the Supervisors by their 3/27/89 meeting.

Mr. Grabowski noted that the outstanding issues are as follows:

1. As-built plans need to be reviewed (plan presented for the first time by Mr. Creciun at this meeting).
2. Basin may not have been installed properly.
3. Buffer may not have been installed properly.
4. Question of parking and how it relates to change of use from an office to a hardware store, and that affects the other required improvements.
5. How does the new use affect impervious surface.

Mr. Singley stated (for the record) that Mr. Bennett (Township Supervisor) was unable to attend this meeting; however, that he did review the file and made a recommendation that this plan be submitted to the Zoning Hearing Board.

Chairman Grunmeier repeated his previous motion that this plan go back to the PC at their 3/20/89 meeting with a recommendation to be given to the Supervisors for their 3/27/89 meeting, if possible. Motion was seconded by Mrs. Kelly and carried unanimously.

Mr. Robert McGraw (a resident in the audience) pointed out that Mr. Bennett was not present at this meeting; however, at the previous Supervisors' meeting (2/27/89) Mr. Bennett stated that he voted "no, because this is not the way the original plan was approved." Chairman Grunmeier read from the 2/27/89 meeting minutes which reflect this motion as follows: "Motion was made by Mr. Bennett to deny the additional parking spaces because the plan is not in conformance with what was originally approved (2 stores and one office)."

Other Business:

Request from Gordon Smith, 4409 Old Bethlehem Pike, Telford, for a building permit to reconstruct a building at that site. The Building Inspector has requested direction from the Board regarding any conditions which may be necessary prior to issuance of the permit.

Mr. Clarence Myers, Township Zoning Officer, stated that Mr. Smith would like a building permit now to start repairs. Mr. Myers stated that this is an unsafe structure with multiple violations. A cease

and desist order was issued some time ago with orders to vacate the building. Mr. Wynn noted that the roof is structurally unsound; and that there are other problems in addition to the structural deficiencies. Mr. Myers noted that a list of all violations were noted in his letter to Mr. Smith. Mr. Wynn made the following suggestion: to condition the building permit and any future occupancy to these items being accomplished by 6/1/89. Mr. Grabowski stated that it should be noted on the building permit that this is not a revocation of the cease and desist order. Motion was made by Mrs. Kelly to have an agreement drawn up and signed by Mr. Smith prior to issuance of the building permit, stating that the zoning violations will be rectified by June 30, 1989; motion seconded by Chairman Grunmeier and carried unanimously. (Mr. Singley stated that he would draw up the agreement).

There being no further business, a motion of adjournment was made by Mrs. Kelly at 10:30 A.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary