

**HILLTOWN TOWNSHIP
SUPERVISORS' MEETING
November 23, 1987**

The meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Robert H. Grunmeier at 7:38 P.M.

Members present were: Robert H. Grunmeier, Chairman
Betty J. Kelly, Vice Chairperson
Vincent Pischl, Supervisor

Others present were: William H. Bennett, Supervisor Elect
James H. Singley, Twp. Manager
Gloria G. Neiman, Twp. Secretary
Francis X. Grabowski, Twp. Solicitor
C. Robert Wynn, Twp. Engineer
George C. Egly, Chief of Police

A. APPROVAL OF MINUTES: Motion was made by Mrs. Kelly, seconded by Mr. Pischl and carried unanimously to approve the minutes of the November 9, 1987 Supervisors' Meeting as written.

B. ACCOUNTS PAYABLE: Current billing in the amount of \$16,066.41 was approved for payment by the Board. Motion was made by Mr. Pischl, seconded by Mrs. Kelly and carried unanimously to pay bills when due.

C. TREASURER'S REPORT: Mr. Singley read the report which is on file at the Township building. Motion was made by Mrs. Kelly, seconded by Mr. Pischl and carried unanimously to accept the report as given, subject to audit.

D. CONFIRMED APPOINTMENTS:

1. Dr. William Agocs, Mc Tish, Kunkel & Associates: Dr. Agocs presented a report to the Supervisors, indicating his findings on investigations made of homes requested by seven residents whose properties are in close proximity to the H & K Quarry on Skunk Hollow Road. Dr. Agocs, who is an expert in geophysics, stated that he based his report on an analysis of data received from the investigations, blasting reports, and seismic records. His report included an explanation of types of explosives currently used and results of blasting through air blast and ground vibrations.

After review of all available evidence and study of records taken from March to August, 1987, Dr. Agocs stated that the H & K Quarry blasts are 50% below the threshold of damage (a particle velocity of 2" per second). Several residents questioned Dr. Agocs regarding cause of cracks in their homes; he again stated that the Quarry is holding their blasts to a minimum and that they are well below the legal limit. He further stated that cracks in those buildings investigated appear to be the result of settling of the houses.

Chairman Grunmeier stated that copies of that portion of the report pertaining to homes which were investigated would be sent to those homeowners (entire report will not be sent, but will be available at the Township Building). Residents also voiced concern regarding the water; the Board agreed to hire a hydrologist to perform a water study in the area.

In answer to a question, Dr. Agocs stated that he has never performed work for H & K Quarry. Chairman Grunmeier thanked Dr. Agocs and Mr. Bauer (investigator) for their report. Residents making comment were: Doris Hendricks, 511 Upper Stump Road; Louise Thorn, Callowhill & Stump Rd.; Nick Lupinacci, 804 Stump Rd.; Ed White, Broad St.; William Godek, 206 Broad Street.

2. John McClure, Esquire - not present.

E. TOWNSHIP MANAGER'S REPORT

1. Old Business:

a) 1988 Budget - Mr. Singley reported that the budget would be advertised for adoption at the 12/14/87 Supervisors' Meeting. Budget will be on display for public review 11/24/87.

b) Advertisement of Used Cars - Bid opening for '83 Chevy will be November 30, 1987.

c) Auto Maintenance - Bid opening for '88 Auto Maintenance contract will be held November 30, 1987.

d) Mr. Singley announced that an executive session was held on November 18, 1987 for discussion of personnel matters relating to contracts.

2. New Business: None.

F. ENGINEERING/PLANNING:

1. Franklin Rice: Mr. Rice presented a sketch plan and requested the Board's direction regarding three proposed flag lots (Lots #3, #4, and #6). Mr. Wynn indicated that (per the Hilltown Township Zoning Ordinance) flag lots are required to be 10 acres in size and this proposal would require a zoning variance. Chairman Grunmeier stated that flag lots of less than 10 acres are not usually approved by the Zoning Hearing Board. The Board directed Mr. Rice to go before the Zoning Hearing Board. Mr. Rice questioned whether public water would be available in that area; the Board tabled discussion until their first meeting in January '88 (1/11/88). A letter will be sent to the Hilltown Township Water & Sewer Authority regarding possible connection to public water.

2. Rt. 113/Diamond Street Traffic Signal: PennDOT has advised they will require an application (in resolution form) for a permit to install a traffic signal at this location prior to performing a traffic study. Motion was made by Mr. Pischl, seconded by Mrs. Kelly and carried unanimously to adopt Resolution #87-68, Application to Install a Traffic Signal at Rt. 113 and Diamond Street.

3. Turner Land Development: Charles Wilson was present to request the Board's approval of an addition to an existing building for truck and farm equipment sales and service, located on Bethlehem Pike, Souderton. Mr. Myers, Zoning Officer, has stated in his review, dated 11/19/87, that the proposed addition will not increase the non-conformity of the property. P.C. recommended approval subject to clarification and approval from the Zoning Officer and outstanding items of Township Engineer's letter of 11/6/87 (including an escrow for public improvements). PP&L has indicated they will pay for moving all poles; permit from PennDOT has not yet been received. Motion was made by Mr. Pischl, seconded by Mrs. Kelly and carried unanimously to grant final plan approval to the Turner Land Development subject to conditions stated in Engineer's review letter of 11/6/87 and requirements stated in the Zoning Officer's letter of 11/19/87.

4. Good Site Plan: Proposed truck terminal with 22,000 s.f. building on 5.5 acre tract located on Central Avenue; discussion tabled from last meeting in order to allow Supervisors an opportunity to investigate the site. Plan was previously denied due to non-conformance with parking requirements; revised plan is for a truck terminal and applicant has submitted a statement of use of operations. Mr. Good stated that this is an over the road trucking business,

utilizing approximately 55 tractor trailers with no tankers and no hazardous materials being transported. Mr. Good stated that hours of operation could be 24 hrs. a day. Mr. Pischl questioned exiting and entrance from the intersection of Central Avenue and Old Route 309, and Mr. Wynn stated that visibility is very poor at this location. Mrs. Kelly indicated she was not in favor of 24 hr. operation and that operation should not be allowed at night. Mrs. Kelly asked how many trucks are proposed in the future; Mr. Good replied that amount of trucks would be limited by size of property. There followed discussion regarding amount of trucks in service; Mr. Good indicated his company specializes in trucks with full loads and there would be no transfer of goods. In answer to Mr. Grunmeier's question, Mr. Good replied that there would be no hazardous materials transported. Outstanding items are: (1) Escrow agreement for improvements to Central Avenue; (2) Paving transition to be indicated on plan; (3) Final approval of Telford Bcrough Authority; (4) Ultimate right-of-way of Central Avenue dedicated to Hilltown Township; (5) Waiving of 15' parking space requirement. Motion was made by Mr. Pischl to approve the Good Site Plan subject to conditions listed in Township Engineer's letter of 11/3/87; waiving 15' parking space requirement to 10'; motion seconded by Chairman Grunmeier. Mrs. Kelly indicated her opposition and again stated that she does not feel the trucks should be allowed to operate 24 hours a day. Mr. Grabowski indicated that the Zoning Ordinance does not specify hours of operation in the PI District. Mr. Pischl asked if limiting of hours would be a hardship; Mr. Good indicated that it would. A vote was taken with Chairman Grunmeier and Mr. Pischl being in favor; Mrs. Kelly opposed. Motion passed 2 to 1.

5. Bergen Subdivision - By letter of 11/16/87, Township has been offered a 60 day extension (in light of condemnation proceedings); with a deadline of 2/8/88.

G. SOLICITOR'S REPORT:

Motion was made by Mr. Pischl, seconded by Mrs. Kelly and carried unanimously, to grant Mr. Grabowski authority to defend the Township's position on two pending appeals to the PA Commonwealth Court: (1) Bux-Mont Refuse Services, Inc. and (2) Pileggi/Hilltown Village Shopping Center.

H. PUBLIC COMMENT

1. Jay Poggi, 333 Thistle Lane, questioned requirements of sheds for cluster housing. Mr. Poggi was told that update of the Zoning Ordinance is planned for the coming year; however, if he wishes to construct the shed at this time, it must be done according to the present ordinance.

2. Toni McMillan, Bethlehem Pike, Telford - Mrs. McMillan questioned status of Janos Liptak property. Mr. Grabowski stated that Mr. Liptak was served with another cease and desist order last week. Mrs. McMillan asked to be notified prior to Mr. Liptak's next appearance in court and volunteered to be a witness; Mr. Grabowski indicated he would welcome her testimony.

3. William Godek, 206 Broad Street - In answer to Mr. Godek's question regarding area in which the hydraulic study would be performed, Mr. Singley replied that a separate study would be performed in the area of the Quarry at the residents' request. Mr. Godek also questioned how the Quarry District would be incorporated in the forthcoming zoning revisions; Chairman Grunmeier answered that the P.C. would work with an outside entity when updating the Zoning Ordinance. Mr. Singley replied that the timetable for this update would depend upon Community Development requirements and review of RFP's; probably by mid-summer (June or July 1988).

4. In response to a question from Mr. White, Chief Egly indicated that the Police Department is investigating speed limits around the Quarry and that his recommendation to the Board would be 40 mph on Broad Street and 35 mph on Skunk Hollow Road.

5. In answer to Mr. Nick Lupinacci's question regarding amount of trucks allowed on the Good site, Mr. Wynn replied that they would be limited to the amount of allowable impervious surface.

I. CORRESPONDENCE

1. Clarence J. Myers, Township Zoning Officer, has indicated that he will resign effective 11/25/87. Chairman Grunmeier commended Mr. Myers on his fine work and stated that he has asked Mr. Myers if would work on a part-time basis to complete the house numbering system within the Township; Mr. Myers indicated he would be available after January 1, 1988 to perform this task. Motion was made by Mr. Pischl, seconded by Mrs. Kelly and carried unanimously to retain Mr. Myers on a part time basis to undertake the house numbering system in Hilltown Township. Chairman Grunmeier requested that a letter be sent to Mr. Myers commending him on a job well done and wishing him success in pursuing the house numbering project.

2. The Board agreed to meet with George Metzger on Wednesday, December 2nd to discuss the upcoming newsletter.

J. PRESS CONFERENCE - At this time a conference was held to answer any questions or concerns of those reporters present.

There being no further business, a motion of adjournment was made by Mr. Pischl at 9:45 P.M.

Respectfully submitted,



Gloria G. Neiman
Township Secretary