

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULARLY SCHEDULED MEETING
MONDAY, FEBRUARY 8, 2021**

The regularly scheduled meeting of the Hilltown Township Board of Supervisors was called to order by Chairman John McIlhinney at 7:00 PM and opened with the Pledge of Allegiance. Also, in attendance were Supervisor Caleb Torrice, Township Manager Lorraine Leslie, Township Engineer Tim Fulmer, Township Solicitor Steven Harris, Chief of Police Christopher Engelhart, and Finance Director Marianne Egan. Vice-Chairman James Groff was not present.

1. ANNOUNCEMENTS: Chairman McIlhinney stated there was an executive session prior to the meeting to discuss land acquisition.
2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.
3. CONSENT AGENDA:
 - a) Minutes of the January 25, 2021 Board of Supervisors Meeting
 - b) Bills List – February 9, 2021
 - c) Financial Report – January 31, 2021

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to accept and approve items 3(a) thru 3(c) on the Consent Agenda as written. There was no public comment. Chairman McIlhinney stated one of the Supervisors is missing this evening and, hopefully, he is recovering.

4. CONFIRMED APPOINTMENT: None.
5. LEGAL:
 - a) Zoning Hearing Board Appeal 2021-001 – HTWSA – Variance Request: Solicitor Steven Harris stated the Hilltown Township Water & Sewer Authority is requesting a variance to construct a well site within a floodplain on a 2-acre eased area in the Regency Development. No date for the hearing is set.
 - b) Zoning Hearing Board Appeal 2021-002 – Dogtown – Variance Request: Solicitor Harris stated Jenifer Joseph, Dog Town, LLC, requests a variance to operate an overnight dog kennel located at 1553 Bethlehem Pike (Hilltown Crossing Shopping Center). No date for the hearing is set.
Chairman McIlhinney stated the Board of Supervisors will decide if they wish Solicitor Harris to attend these hearings after the hearings are scheduled.
6. PLANNING: a) Fray Subdivision: Township Engineer, Tim Fulmer, stated at their January 19, 2021 meeting, the Planning Commission recommended Preliminary/Final plan approval for the Fray Minor Subdivision located along the south side of Dublin Road within the

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RR Zoning District, into two single family detached dwelling lots (one existing and one proposed dwelling). The recommendation was conditioned upon completion of items contained in the engineering review dated December 18, 2020. Subsequently, the applicant submitted several revised plans/documents to address review comments and Planning Commission recommendations, which were reviewed in the February 2, 2021 letter. Ms. Kelly McGowan, Esq., stated all of the comments in Wynn Associates review letter dated February 2, 2021 were "will comply". Ms. McGowan continued to review the Holmes Cunningham Engineering letter dated November 30, 2020 (Revised January 29, 2021) and discussed the following waivers:

- SALDO Section 140-28.P, 140-29.D(1), 140-35.A, and 140-36.A – the applicant is requesting a waiver from providing fee-in-lieu and from providing cartway reconstruction/overlay, drainage improvements, cartway widening, curb and sidewalk along Dublin Road within the frontage of the site. The cost of the required improvements along the frontage of the proposed building lot is \$17,845.00 of which the applicants are offering \$5,000.00 as a fee-in-lieu given the small scope of this project which essentially is a single building lot.
- SALDO Section 140-37.F – the applicant is requesting a waiver to permit construction activity within a tree protection zone measured 15-feet from the trunk of a tree or the dripline, whichever is greater. The property contains a significant amount of existing tree vegetation and the proposed disturbance has been minimized to the best extent practical for construction of a new dwelling.
- SALDO Section 140-38.B(10) – the applicant is requesting a waiver from providing a 20-foot setback from a storm discharge outlet. The proposed infiltration berm is a small residential scale structure for the single building lot with 6" outlet pipe and underdrain outlet pipe discharging towards the street drainage system.
- SALDO Section 140-38.C(2) – the applicant is requesting a waiver from providing Class III reinforced pipe of minimum 18-inch pipe size and minimum 0.5% slope. The proposed storm pipe is a small-scale residential infiltration facility discharge pipe of 6-inch plastic material and no slope.
- SALDO Section 140-37.G – the applicant is requesting a waiver from providing replacement trees and from a fee-in-lieu where 137 trees are required to be replaced per this section. A tree inventory has been performed for size, but additional information is required to determine species and health of trees once the season allows for vegetative growth. The proposed replacement requirement may be reduced once it is determined if Ash species or unhealthy trees exist within the area of disturbance. The proposed driveway has been located to meander between existing trees, and disturbance has been limited around the dwelling, septic and stormwater management areas. Being that the building lot is entirely heavily wooded, it would not be practical to plant new trees in this area.
- SALDO Section 140-27.B(4) – the applicant is requesting a waiver to allow a bend within the proposed lot line and maintain the existing pole barn as part of lot 1, thereby requiring an irregular shape lot for lot 1.

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- SWMO Section 134-20.C – the applicant is requesting a waiver to allow the existing impervious on the property to be analyzed as existing impervious cover for purposes of stormwater management calculations.

Chairman McIlhinney verified the applicants agree with the capital contribution in lieu of recreation land dedication in the amount of \$2,685.00. Ms. McGowen confirmed the applicants agree with the capital contribution in lieu of recreation land dedication. Chairman McIlhinney also stated he agreed with the \$5,000.00 fee-in-lieu for the cost of required improvements along the frontage of the proposed building lot since Dublin Road is a state highway.

Supervisor Torrice stated he has no issues with the waivers but questioned waiving the entire fee-in-lieu for the replacement trees. Mr. Fulmer stated the applicant has not verified the healthy trees and will not be able to do so until the Spring. He estimates the cost could be \$300.00 each.

Motion was made by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously to grant preliminary/final plan approval for the Fray Subdivision contingent on the items contained in Wynn Associates, Inc. review letter dated February 2, 2021 and the Holmes Cunningham Engineering letter dated November 30, 2020 (Revised January 29, 2021) including the capital contribution in lieu of recreation land dedication in the amount of \$2,685.00 and excepting the capital contribution in the amount of \$5,000.00 fee-in-lieu for the cost of required improvements along the frontage of the proposed building lot along Dublin Road. There was no public comment.

7. ENGINEERING: None.

8. UNFINISHED BUSINESS: None.

9. NEW BUSINESS: None.

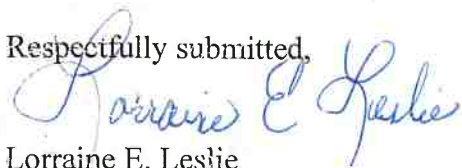
10. SUPERVISOR'S COMMENTS: None.

11. PUBLIC COMMENT: None.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Supervisor Torrice, seconded by Chairman McIlhinney, and carried unanimously, the February 8, 2021 Hilltown Township Board of Supervisors meeting was adjourned at 7:21 PM.

Respectfully submitted,



Lorraine E. Leslie
Township Manager

(*NOTE: These minutes were transcribed from notes and recordings and should not be considered official until approved by the Board of Supervisors at a public meeting).