

**HILLTOWN TOWNSHIP PLANNING COMMISSION  
REGULAR SCHEDULED MEETING  
MONDAY, MARCH 15, 2021**

The regularly scheduled meeting of the Hilltown Township Planning Commission was called to order by Chairman David Christ at 7:00 PM and opened with the Pledge of Allegiance. Also present were Planning Commission members Brooke Rush, Jon Apple, Eric Nogami, and Township Engineer, Timothy Fulmer. Frank Henofer was absent.

1. APPROVAL OF MINUTES – Action on the minutes of the February 15, 2021 meeting – Motion was made by Mr. Apple, seconded by Mr. Rush, and carried unanimously to approve the February 15, 2021 meeting minutes as written. There was no public comment.

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONFIRMED APPOINTMENTS:

a) Knox Property Preliminary Land Development Plan – Wayne Kiefer, P.E., Showalter & Associates, Inc., was in attendance, along with applicants Matthew and Erika Knox, to present the Knox Property Land Development Preliminary Plan on approximately 5 acres located along the north side of Upper Stump Road within the RR Zoning District which is proposed to be developed for Agricultural and Agricultural Retail uses. The site currently contains a single-family detached dwelling, driveway access along Upper Stump Road, and a raingarden BMP. A detached barn and porch will be constructed for agricultural retail associated with a vineyard. Ten off street parking spaces and sidewalk are proposed in the vicinity of the detached barn. The site is served by on-lot water and sewage disposal facilities. The Township Engineer has approved the stormwater for the site and approval has been received from the Bucks County Conservation District for all of the improvements shown on the plan. Mr. Kiefer reviewed Wynn Associates Inc. engineering letter dated February 2, 2021 stating the applicant will comply with all items listed and discussed the following:

- The applicant will widen the driveway to a width of 24 feet for a distance of 50 feet from the edge of Upper Stump Road to accommodate two-way traffic for vehicles entering/exiting the site.

- Waiver requests were discussed including:

SLDO Section 140-45.F & G, which contains requirements for parking lot design for the full 24 feet driveway width back to the parking lot area. It was noted if passing cars become a problem, there are areas that can be widened for an additional passing lane or bulb. It was noted the driveway width can be put in the restrictive covenant if it should become a conflict or issue.

SLDO Sections 140-28.P, 140-29.D(1), 140-35, 140-36, and 140-37, which require drainage improvements, cartway reconstruction/overlay, cartway widening, curb, sidewalk, and street trees within the frontage of the site. It was noted the fee-in-lieu of road improvements will be discussed with the Board of Supervisors.

SLDO Section 140-22.B.(3), which requires a water resources impact study to be submitted with the land development plan for review relative to the possible impact of groundwater withdrawal

on existing water supplies in the vicinity of the site. Mr. Kiefer stated a water usage estimate will be provided. Mr. Knox stated there is nothing official for the water usage for the winery and his goal is minimal water usage. In regard to the irrigation of the vines, it is also minimal and only used to keep them alive when they were smaller. It will not be used in the future unless it is very, very hot. Mr. Fulmer stated the Department of Health will also be looking at the numbers and design in regard to the holding tank.

Mr. Fulmer stated, since the project is a preliminary plan, the Planning Commission can limit the action to preliminary recommendation or defer action due to the waiver on the water study until the water usage estimate is received. Once the information is received and reviewed, the project could get preliminary/final approval at that time.

Mr. Christ stated he agrees with having a Unilateral Declaration of Covenants, Conditions and Restrictions which will define the use of the property ahead of time so there will not be any gray areas down the road for current owners and future owners. Examples of areas to be defined and memorialized could consist of wine tastings and retail sales, exclusion of weddings, parties, and fund raisers, limiting the number of people at one time, and hours of operation.

Mr. Fulmer suggested Mr. Knox prepare a proposal of reasonable parameters and rules based on the discussion with the Planning Commission.

Mr. Fulmer stated, in regard to existing deciduous vegetation, he suggested evergreen trees be used to supplement the other required buffer plantings. He continued stating to not count the ash trees. After discussion, the Planning Commission agreed to table the plan and consider preliminary/final recommendation when the applicant returns to the Planning Commission with a revised plan and the additional information that was discussed.

Public Comment:

Rachel Fassbender, 17 Skunk Hollow Road, Chalfont, stated she would like to know the occupancy limit in the barn since there are only 10 parking spaces. Mr. Fulmer stated the occupancy is a building code requirement and will request the Building Code Official to write a memo in regard to the occupancy of the building. Ms. Fassbender continued to state she is glad they are thinking about the wells, the area is rural residential, and she does not want a giant operation going on.

Tim Gresham, 25 Skunk Hollow Road, Chalfont, stated he is not keen on retail, he likes the peace and quiet, and does not want the nightmare of the Bishop farm. He is not against agricultural retail. He is against the car noise and headlights. He is concerned with the hours on the weekends with cars, people, etc. and wished the building was not behind the house. It was clarified the building is going to be located in front of the house. He continued to state he agrees with putting limitations on this project.

Craig Cirafesi, 173 Winterberry Lane, Chalfont, stated he is concerned about the draw down on the water, sewer, and buffer. He continued to state he definitely would like to see a covenant because it will protect everyone. The code is very hard to understand what the guidelines are and how the operation is monitored. He would like to be on board but needs to understand. The more detail that can be included in the agreement, the better. He is concerned about the buffer and would like to see a potential fence since the wood line is old and there are lot of trees down already.

b) Fox Minor Subdivision Plan – Mr. John Fox P.E., was in attendance, along with Elizabeth Fox, to present their 2-lot Fox Minor Subdivision Plan (previously part of the Witkowski Subdivision), located on approximately 11 acres at 304 Schultz Road. The property is within the RR Zoning District and is proposed to be subdivided into two single family detached dwelling lots. Lot 1 (1.57 acres) contains an existing single family detached dwelling, detached garage, and driveway access along Schultz Road. Lot 2 (9.26 acres) is proposed for construction of a single-family detached dwelling with driveway access along Schultz Road. The project will be served by public water facilities owned by Hilltown Township Water and Sewer Authority and on-lot sewage disposal facilities. Mr. Fox reviewed Wynn Associates, Inc. review letter dated March 2, 2021 and discussed the following:

- Waiver requests were discussed including:

SLDO Sections 140-28.P, 140-29.D(1), 140-35, and 140-36, which require cartway reconstruction/overlay, drainage improvements, cartway widening, and curb and sidewalk along Schultz Road within the frontage of the site. Mr. Fox stated he will speak to the Board of Supervisors in regard to a capital contribution of \$5,000.00 in lieu of road improvements.

SLDO Section 140-27.B(4), which requires lot line orientations to be perpendicular/radial to the street line.

SLDO Section 140-16.D, which requires submission of plans/calculations for grading, stormwater management, and erosion/sediment control to be included as part of the subdivision plan application. Mr. Fox stated he is agreeable to executing a Unilateral Declaration of Covenants, Conditions, and Restrictions to memorialize the requirement of submission of those documents with the building permit application as well as noted on the plan. Mr. Fulmer stated he is also agreeable that the deferment of the driveway design (SLDO Section 140-34.A) until building permit application be included in the Unilateral Declaration of Covenants, Conditions, and Restrictions.

Mr. Fox stated he will comply with the new document that Mr. Groff (HTWSA) supplied in regard to the water connection as well as obtaining the approval from the Bucks County Department of Health for the micro mound sewage system which requires a \$3,000.00 escrow and the execution of a Sewage Disposal Operation and Maintenance Agreement with the Township.

Mr. Fox stated he will comply with the monument requirements, the dedication of the ultimate right of way of Schultz Road within the frontage of the site, and the submission of the capital contribution in-lieu-of recreation land dedication in the amount of \$2,685.00.

Mr. Fox stated all of the engineering/drafting items will be addressed in their revised plan.

Mr. Fox stated drainage easement documents will be submitted for review and preparation by the Township Solicitor.

Motion was made by Mr. Rush, seconded by Mr. Nogami, and carried unanimously to recommend conditional Preliminary/Final plan approval for the Fox Minor Subdivision contingent upon the items contained in Wynn Associates Inc. review letter dated March 2, 2021 along with the submission of the waiver request letter. There was no public comment.

4. PLANNING: None.

5. ORDINANCES/RESOLUTIONS: None.

6. OLD BUSINESS: None.

7. NEW BUSINESS:

a) Application to Join the Hilltown Township Agricultural Security Area – Mr. Fulmer stated an application from Mr. Thomas Linke has been received for parcel numbers: 15-028-129 (20.868 acres) and 15-028-127 (5.62 acres) to be considered for inclusion in the Agricultural Security Area for Hilltown Township. Mr. Fulmer explained the procedure stating there is an advertisement for a hearing in front of the Board of Supervisors for them to formally consider the request, but, before that, the Board of Supervisors look for a recommendation from the Planning Commission as to their thoughts. Mr. Fulmer stated Mr. Linke meets the area requirement. He continued to state the landowner would get certain protections as far as complaints and nuisance issues. Planning Commission concerns included use of the word “nursery” for the property, the 25-foot mound of dirt on the property, and the dirt and stones in the road.

Motion was made by Mr. Nogami, seconded by Mr. Rush, and carried unanimously to defer taking action on the Thomas Linke application for inclusion into the Agricultural Security Area pending the submission of more information on what is occurring on both properties.

Public Comment:

Caleb Torrice, Supervisor, stated they have to be careful not to confuse the issue. They are not ruling on agricultural activity. Whatever activities are being done on the property is not what they are ruling on right now . . . just focus on the nursery part. He continued to state the pile is topsoil and is included in a nursery.

Mr. Nogami stated he is not familiar what exactly is going on, on the property, but he does not see what it appears to be, as agricultural, even though it is called a nursery.

b) 1223 Keystone Drive Planning Module – Mr. Fulmer stated he has filled out Component 4A of the Planning Module for the 2-lot subdivision located at 1223 Keystone Drive and Mr. Christ has executed it on behalf of the Planning Commission.

8. PLANS TO ACCEPT FOR REVIEW ONLY: Mr. Fulmer stated a sketch plan to develop an industrial building may come in for a vacant property on Bethlehem Pike near the intersection with Reliance Road, along with possible resubmission of plans for 1223 Keystone Drive, and Knox Winery.

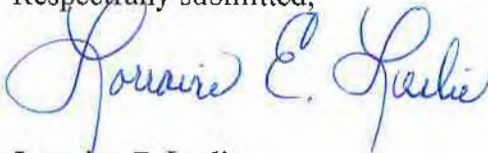
9. PUBLIC COMMENT: None.

10. PLANNING COMMISSION COMMENTS: Mr. Apple suggested the Planning Commission get involved with looking at ordinances regarding wineries and these types of establishments as far as what the Township has, and to plan for the future to be incorporated in a sensible manner. Mr. Rush clarified the Weidner extension and the status of the Braccia subdivision.

11. PRESS CONFERENCE: None.

12. ADJOURNMENT: Upon motion by Mr. Apple, seconded by Mr. Nogami, and carried unanimously, the March 15, 2021 Hilltown Township Planning Commission meeting was adjourned at 8:18 PM.

Respectfully submitted,



Lorraine E. Leslie

Township Manager/Treasurer

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