

**HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULAR SCHEDULED MEETING
MONDAY, MARCH 21, 2022**

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

1. APPROVAL OF MINUTES – Action on the minutes of the January 18, 2022, meeting – Mr. Rush announced the approval of the January 18, 2022, minutes will be carried over to the next meeting.

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONFIRMED APPOINTMENTS:

a) Popeyes (Hilltown Crossings) Land Development – Gregg Adelman, Esq. – Fast Food Restaurant – Bethlehem Pike: Gregg Adelman, Esq., Kaplan Stewart, was in attendance to present the amended preliminary/final plan containing an existing vacant pad site proposed for construction of an approximate 2,400 SF fast-food restaurant (Popeyes) with drive-thru facilities in the Hilltown Crossings shopping center. Mr. Adelman stated all items in Wynn Associates review letter dated March 3, 2022, are all “will comply”. Chris Dinoulis, Bohler Engineering, and Planning Commission comments were as follows:

1. Revisions will be done to the plan to address access driveway, drive-thru lane, and parking lot concerns as noted in items 2.A, 2.B, and 2.D in the March 3, 2022, engineering review letter.
2. In regard to stacking of vehicles in the drive thru, there is room for eleven to twelve cars.
3. Hours of operation will be Sunday thru Thursday, 10:30 AM to 11:00 PM and Friday/Saturday 10:30 AM to 11:30 PM and truck deliveries to the site will occur during non-business hours.
4. Hilltown Station 60 has submitted correspondence stating they have no issues related to the plan.

5. It was noted there are no waiver requests for the project.

Motion was made by Mr. Henofer, seconded by Mr. Nogami, and carried unanimously to recommend Amended Preliminary/Final approval for the Popeyes (Hilltown Crossing) Land Development plan contingent on the items contained in Wynn Associates Inc. review letter dated March 3, 2022. There was no public comment.

4. PLANNING: None.

5. ORDINANCES/RESOLUTIONS:

a) Draft Omnibus Zoning Ordinance Amendment: Mr. Fulmer stated the Board of Supervisors directed him to go through the Zoning Ordinance to identify potential conflicts, inconsistencies, and typos. The intent was to clean up the Ordinance and not go through it to create new uses or make massive changes. Mr. Fulmer stated the Ordinance Amendment has been

sent to the Bucks County Planning Commission for review/comment, and then will be sent to the Board of Supervisors with both the Township Planning Commission and the BCPC comments and potentially advertised for a Public Hearing at a future Board of Supervisors meeting. Mr. Fulmer discussed the letter dated March 2, 2022, which gives a description of each item that was being changed noting one of the bigger changes is the section on Forestry. Mr. Fulmer stated this section is state regulated and the Township must comply with the direction from the State Attorney General's office to ensure consistency with the ACRE law. Examples of changes in the Forestry section of the Ordinance include the Township cannot require the providing of buffering along streams and cannot require the posting of escrow to guarantee the completion of a forestry project. Examples of other changes and Planning Commission discussion items included:

1. The date of the current Comprehensive Plan was revised.
2. The definition in regard to Billboard Sign was revised and the definition of Efficiency Dwelling Unit was added.
3. It was noted that the draft Omnibus Zoning Ordinance Amendment will not jeopardize any projects that have already been submitted to the Township.
4. Clarification was done on the lot area range for parcels between three and four acres relative to the number of permitted animals that may be kept on a property. In regard to A1 Agricultural Use, 9% of the total lot area shall be in impervious surfaces. In the RR Zoning District, the maximum number of impervious for any lot was 9% and it went to 15%. After discussion, the Planning Commission recommends to the Board of Supervisors that the 9% provision for impervious in the A1 Agricultural Use be changed to 15% to be consistent with the single-family home uses.
5. Additional language was added to define limitations on increasing the building size as part of a residential conversion. Discussion ensued over fire escapes being in the rear yard verses side yard for conversions. The Planning Commission recommends to the Board of Supervisors that fire escapes be encouraged to be in the rear yard or possible side yard for conversions.
6. Kennel-Commercial was revised to state dwelling units shall meet the requirements of the use type A8 Farmstead to clarify two separate sections of the Zoning Ordinance.
7. Mobile Home Park was revised to clarify buffer yards do not allow structures, parking, or storage of materials. In addition, buffer yards are to be landscaped to provide screening.
8. Clarification was made that individual mailboxes are required unless otherwise required by the U.S. Postal Service.
9. Clarification includes reference to corner lot buffers and corrects inconsistency with the required buffer yard width for parking lot buffer yards. Discussion ensued in regard to the placement of accessory structures on corner lots. The Planning Commission recommends to the Board of Supervisors that the Zoning Officer look into different uses of accessory structures on corner lots.
10. In regard to minimum lot width, the title was revised to Minimum Lot Width and Lot Frontage and a requirement was added for all lots to have a minimum frontage of 50 feet unless use requirements specify a required lot width of less than 50 feet, in which case the minimum required lot frontage shall be equivalent to the minimum required lot width for newly created lots.
11. Floodplain Administrator was added to Section 160-99.D.

12. The Table of Use Regulations chart reflects the correct permitted uses in zoning districts for B4 Performance Subdivision, C13 Nursing Home, E5 Medical Marijuana Dispensary Facility, G10 Medical Marijuana Growing/Processing Facility, and I18 Trades Business along with clarifying a "C" is a "CU" which is a Conditional Use.

Motion was made by Mr. Henofer, seconded by Mr. Nogami, and carried unanimously to recommend the draft Omnibus Zoning Ordinance to the Board of Supervisors as written. There was no public comment.

Motion was made by Mr. Rush, seconded by Mr. Nogami, and carried unanimously to recommend the Board of Supervisors consider the following other provisions: 1. Article V: Section 160-23.A(1), A1 Agricultural Use: The 9% provision for impervious be changed to 15% to be consistent with the single-family home uses. 2. Section 160-23.B(5)(f) includes that fire escapes are encouraged to be in the rear or possible side yard in regard to conversions. 3. The Zoning Officer look into different uses of accessory structures on corner lots. There was no public comment.

6. OLD BUSINESS: None.

7. NEW BUSINESS: None.

8. PLANS TO ACCEPT FOR REVIEW ONLY: Mr. Fulmer stated he received final plans for the Reserve at Highview Subdivision and for the Mini Warehouse (Frank Leahy).

9. PUBLIC COMMENT: Mr. Wally Rosenthal, 530 Rosey Lane, introduced Mr. Jeff Suta who will be leasing the East End (the former Rock & Rebel Restaurant).

10. PLANNING COMMISSION COMMENTS: Mr. Rush questioned Mr. Fulmer on the contents of his project action letters.

11. PRESS CONFERENCE: None.

12. ADJOURNMENT: Upon motion by Mr. Henofer, seconded by Mr. Nogami, and carried unanimously, the March 21, 2022, Hilltown Township Planning Commission meeting was adjourned at 8:35 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).