

HILLTOWN TOWNSHIP PLANNING COMMISSION
REGULAR SCHEDULED MEETING
MONDAY, SEPTEMBER 18, 2023

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

1. APPROVAL OF MINUTES – action on the minutes of the August 21, 2023, meeting – Motion was made by Mr. Apple, seconded by Mr. Sichelstiel, and carried unanimously to approve the August 21, 2023, meeting minutes as written. There was no public comment.

2. PUBLIC COMMENT ON AGENDA ITEMS ONLY: None.

3. CONFIRMED APPOINTMENTS:

a) Village of Quiet Acres, LLC Private Petition for Zoning Amendment: Ms. Christen Pionzio, Esq., Hamburg, Rubin, Mullin, Maxwell & Lupin, was in attendance along with Scott Mease, Mease Engineering, P.C., Dave Horner, Traffic Engineer, and Lee Williams, property owner, to review the Quite Acres history stating it was established, owned, and operated by the Williams family since 1985. Additional land was added over time to put the public water and sewer in, and the Williams family have been turning over units to be upgraded. Ms. Pionzio stated there are two adjacent parcels that are currently vacant; one is land locked and the other tract abuts the property. The applicant would like to expand the age restricted, single family detached dwelling units, on the property. At this time, there is not a secondary ingress/egress, but they were able to accomplish that with the expansion of Quite Acres onto the additional property. Ms. Pionzio stated there is a 100-foot buffer around the entire property along with approximately 10 acres of open space that will stay as such in perpetuity. The roads would be private, and a loop road was put in instead of the two cul-de-sacs. The applicant filed a formal petition for rezoning, a traffic impact analysis, a fiscal impact analysis showing 100% tax revenue to the school district and approximately \$6,300 net to the Township, an environmental assessment, and a wetlands determination. Ms. Pionzio reviewed the Wynn Associates Inc. engineering letter dated September 8, 2023, stating the woodlands calculations and the impervious coverage will be reviewed at the full land development process with engineered plans showing 29 units, stormwater management, landscaping, lighting, etc. The applicant is currently at the zoning amendment stage which would adjust the zoning district boundary to include the two parcels that are subject of the petition.

Comments/Questions:

- The proposed zoning amendment is a map amendment moving the zoning line from where it is now to include the two parcels from CR2 to MHP and no change to the MHP zoning or use regulations in the Zoning Ordinance. Ms. Pionzio added the applicant is only proposing 29 maximum units instead of the 44 allowed units and is offering a deed restriction for the age restricted component.
- A by-right sketch plan showing 15 single family homes was analyzed.
- Ms. Pionzio stated the last two pages of the fiscal impact statement has all of the information upon which the land planner relied on to come up with the fiscal impact analysis.
- Ms. Pionzio stated, regarding the Traffic Impact Study, there are 8 trips in the morning peak hour and 10 trips in the afternoon peak hour, and the sight distance visibility at Highland Park Road is good. Dave Horner, Horner and Canter Associates, stated the 15 by-right single family detached, non-age restricted homes would generate between 15 and 20 trips in each peak hour. It was noted a full traffic analysis will be done during the land development phase, and the proposed road design should not encourage any cut through traffic.

- Ms. Pionzio stated the stormwater management will be addressed during the land development stage along with securing a NPDES permit from DEP and go through the Bucks County Conservation District as well. Emergency vehicles will be able to access the back area of Quiet Acres. Most of the area where the development is proposed is already cleared of trees and they agree on a conservation easement agreement for the areas of the open space and the 100-foot buffer around the perimeter.
- Mr. Mease stated all of the existing structures will remain other than the one unit where the connection will be made with the road system.
- Mr. Fulmer stated, viewing the report, there are no wetlands on the property.

Public Comment:

Chris Jasinski, 34 Highland Park Road, questioned the proposed mobile homes in regard to the value of the properties that are close by verses single family homes and if the new homes are titled.

Mr. Williams noted as people need the next step of housing, he makes the decision as to whether or not to install a new home to resell. Discussion ensued regarding the history of homes that were installed and will be installed in the future, if need be.

Alfred Holbert, 930 Diamond Street, questioned water runoff. It was noted this will be reviewed during the land development stage as well as water/sewer provisions.

Mr. Fulmer stated the Planning Commission is a recommending body who makes a recommendation to the Board of Supervisors. When the time comes, there will be an advertised hearing, where, at which time, the public will have the opportunity to participate. The Supervisors will ultimately decide on whether or not they will approve the applicant's request for rezoning.

Motion was made by Mr. Apple, seconded by Mr. Sichelstiel, and carried unanimously to recommend the request to amend the zoning ordinance to permit the mobile home park on the two parcels. There was no public comment.

5. PLANNING: None.

6. ORDINANCES/RESOLUTIONS: None.

7. OLD BUSINESS: None.

8. NEW BUSINESS: None.

9. PLANS TO ACCEPT FOR REVIEW ONLY: None.

10. PUBLIC COMMENT: Caleb Torrice, 1104 Upper Stump Road, owner of Tabora Farms and current sitting Supervisor, discussed the following from the August 21, 2023, Planning Commission meeting regarding the draft ordinance amendment:

A PC Board member questioned whether or not Tabora would benefit from the ordinance amendment. Mr. Christ stated it was him who made that comment and did not use the word "benefit" but "would it pertain". Mr. Torrice stated he found it foolish and rather insulting. It shows complete ignorance of how government actually works to ask that question or to make that comment. To imply that one Supervisor could pass an ordinance amendment that benefits himself is kind of laughable. Government works by majority vote and the Planning Commission is well aware of that. When a vote affects a Supervisor, then that person has to abstain from the vote. He was disappointed to hear that it was brought up in that way, and to imply that perhaps this ordinance amendment was being backdoored to benefit a local business; especially since it does not come close to applying to Tabora.

Mr. Torrice stated when he sits up there, he has the best intention of all 17,000 residents in mind as well when sitting in Executive Session, and it was quite disappointing to hear that comment. Obviously, when it happened, there were only three people in the room. But it is public record in the minutes now, so he wanted to tell his viewpoint for the public record as well.

Mr. Christ responded that he is perfectly happy it is in the minutes, and when the solicitor came in with the proposed change, they listened to what was going on and based on the comments they heard, they were trying to figure out what the genesis was for the change and why all of the sudden was this change coming up. Tabora was not the only business that was mentioned because Carson Helicopters was mentioned also. It wasn't strictly about Tabora, so he was not insinuating that at all. The conversation was that this procedure was going to change, and the Township is recommending taking it away from the Zoning Hearing Board and throwing it over to the Supervisors. They were trying to figure out what the rationale was for this whole change. The solicitor explained but they never really did get an explanation of what the genesis for this change came from, and in the course of the conversation, he did bring up if Tabora would be eligible for this thing. Mr. Fulmer corrected him by stating Tabora was post 1959. They were trying to understand it at that point, and the reason why he made that comment/asked that question was because they were trying to figure out why they would want to take away a function that the Zoning Hearing Board would listen to, and now all of a sudden, it's going to get thrown over to the Board of Supervisors. Caleb, being a Supervisor/owning Tabora Farms, is why he felt obligated to ask that question. Mr. Christ continued stating Mr. Fulmer corrected him that Tabora would not be a part of this because of the date, and he was okay with that. Mr. Torrice stated that is the jump that he is offended by; because he is a Supervisor and because he owns that business, Mr. Christ felt obligated to ask that question. Mr. Christ stated he did feel obligated to ask that question and it was an important question to ask.

Mr. Torrice stated he finds that insulting and glad the question was asked because now they can have a clear and open discussion. Mr. Torrice stated Carson Helicopters was brought up by Jack Wuerstle and Tim Fulmer. There are going to be a lot of changes coming down the pipelines, especially in January when some administrative changes happen. They would like to change a lot of ordinances, and during that process, he thinks it's best to keep in mind the reason behind it, which is not to benefit a Supervisor. Mr. Torrice stated the PC had the information in advance and they knew Carson was for manufacturing or they should have. Mr. Fulmer/Solicitor Wuerstle did an excellent job explaining the process with the ability of the Supervisors to ask questions and lay conditions on the ordinance amendment compared to zoning. The Board put 28 different conditions on the Carson warehouse and the Zoning Hearing Board does not have the ability to do that so it is a beneficial thing for our Township to move it over to the Board of Supervisors, in his opinion. He continued to state the Planning Commission is an advisory board, he respects their opinion, he thinks in the past they have done a great job, but he thinks they missed the boat this last time. Mr. Torrice thanked Mr. Apple for recommending the PC table the amendment.

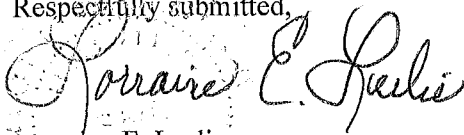
Mr. Christ stated they have not yet finished their opinion as they tabled it, and it is obviously not on the agenda tonight, so they have not made their recommendation yet. Mr. Christ stated this was not the first time a Supervisor was brought up in relation to a project. To facilitate Regency at Hilltown, they were going to need to bring sewer and water down Route 113 from Blooming Glen and shoot over to Regency, making a left onto Minsi Trail. But it actually detoured and went down Forrest Road, which, at the time, there was a current sitting Supervisor, Barbara Salvadore, living there. At that time, another Planning Commission member brought up the questions: How come it detours down Forrest Road and then shoots over? Is this being done to benefit a sitting Supervisor? So, the question is, is it going to benefit a sitting Supervisor that happens to own Tabora, so it is not the first time that question was ever asked. The question was asked before and it was answered. It was asked this time, and obviously the answer this time was no, as far as Tabora goes.

Mr. Nogami stated he can second what Dave was saying about their confusion of what generated the zoning proposal. He was wondering about the Linke project which Mr. Christ also brought up at the last meeting. They were trying to figure out where this was coming from; Was this something that the Supervisors analyzed that might be an issue for Carson or was it from conversations from Carson that they might be planning something in the future, and how does something like this get initiated. Mr. Torrice stated, during

the review of the ordinances, a lot is going to be initiated, and who it applies to may vary every time. There are probably not that many businesses that were manufacturing prior to 1959 in the Township. It certainly applies to Carson, but it would apply to any business that is manufacturing in the Township prior to 1959. Mr. Nogami stated they asked the solicitor to list some possible companies that could possibly benefit. Mr. Torrice stated if they have a business in mind, let the solicitor know and he will do the homework on it. Mr. Fulmer stated Solicitor Wuerstle informed him that he is still waiting for the review from the Bucks County Planning Commission before having it on the Planning Commission agenda for further discussion.

11. PLANNING COMMISSION COMMENTS: None.
12. PRESS CONFERENCE: None.
13. ADJOURNMENT: Upon motion by Mr. Apple, seconded by Mr. Nogami, and carried unanimously, the September 18, 2023, Hilltown Township Planning Commission meeting was adjourned at 7:55 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).