

AGENDA
HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS
REGULAR MEETING
Monday, March 24, 2025

Next Ordinance # 2025-001
Next Resolution # 2025-012

Meeting Called to Order: Pledge of Allegiance:

- CT _____
- JCG _____
- JAM _____
- DF _____
- CEE _____
- JDW _____
- WA _____

1. Announcements:

- a. Executive Sessions

2. Consent Agenda:

[Items of business and matters listed under the Consent Agenda are considered to be routine and non-controversial and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by Board Members, that item will be identified and removed from the Consent Agenda and will be considered separately at the appropriate place on the agenda.]

- a. Minutes of February 24, 2025, Board of Supervisors Meeting
- b. Bills List: March 11, 2025
- c. Bills List: March 25, 2025
- d. 2025 Fire Protection Agreement: Perkasio Fire Department

As Written: _____ With Corrections: _____

JCG: _____ CT: _____ JAM: _____

3. Confirmed Appointment:

- a. None

4. Legal: Solicitor's Report:

5. Planning:

- a. Webber Tract Minor Subdivision
- b. Vitelli Property Minor Subdivision Sketch Plan
- c. Suburban Equities III, LLC Land Development Capital Contribution Proposal

6. Engineering:

a. None

7. Unfinished Business:

a. Motion to Approve 3-year Auditing Services Contract

b. Supervisor Liaison Program, Supervisor Metzinger

8. New Business:

a. BCATO Meeting Update, Supervisor Metzinger

9. Manager Update:

10. Supervisor's Comments:

11. Public Comment:

12. Press Conference:

13. Adjournment:

Time: _____

**MINUTES from
February 24, 2024
BOS MTG.**

**HILLTOWN TOWNSHIP BOARD OF SUPERVISORS
REGULAR MEETING
MONDAY, FEBRUARY 24, 2025**

The regular meeting of the Hilltown Township Board of Supervisors was called to order by Chairman Caleb Torrice at 7:00 PM and opened with the Pledge of Allegiance. Also in attendance were Vice Chairman James Groff, Township Manager Deanna Ferry, Township Solicitor Jack Wuerstle, Township Engineer Timothy Fulmer, and Chief of Police Christopher Engelhart. Supervisor Joseph Metzinger was not in attendance.

1. ANNOUNCEMENTS:

- a. Executive Session: Chairman Torrice announced there was an Executive Session on February 17, 2025 to discuss personnel matters as well as Linke litigation and another Executive Session prior to tonight's meeting to discuss Rouse litigation and additional personnel matters.

2. CONSENT AGENDA:

- a. Minutes of January 27, 2025, Board of Supervisors Meeting
- b. Bills List: February 11, 2025
- c. Bills List: February 25, 2025
- d. 2025 Fire Protection Agreement: Dublin Volunteer Fire Co.
- e. 2025 Fire Protection Agreement: Hilltown Fire Co.
- f. 2025 Fire Protection Agreement: Perseverance Volunteer Fire Co. of Souderton
- g. 2025 Fire Protection Agreement: Sellersville Fire Department
- h. 2025 Fire Protection Agreement: Silverdale Fire Co.
- i. 2025 Fire Protection Agreement: Telford Volunteer Fire Co.

Motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to approve items a.-i. on the Consent Agenda.

3. CONFIRMED APPOINTMENT:

- a. Sweatshirt of Hope: Terry Derstine: Mr. Derstine appeared to request approval to host the 7th annual community event with the same format as last 3 years. He provided further details on the event and asked if the Board had any questions. Discussion ensued about attendance and notifying neighbors.

Motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to approve the Sweatshirt of Hope event on September 20th and 21st, 2025 at 741 N. County Line Road.

4. LEGAL:

- a. ZHB Appeal 2025-001 Greg Dew 729 Blooming Glen Rd., Requesting Variance: Solicitor Wuerstle asked Rachel Dew to discuss the two variances requested to reduce setbacks. She discussed why the new structure was needed and indicated they had made contact with one neighbor, but were unable to reach two others prior to this meeting. Solicitor Wuerstle

cautioned that seeking legal counsel would be helpful at the Zoning Hearing Board hearing. After a brief discussion, the Board determined that Solicitor Wuerstle would not need to attend the hearing.

- b. ZHB Appeal 2025-002 Jason Allebach 914 Forest Rd., Requesting Variance: Solicitor Wuerstle asked Mr. Allebach to comment on any existing structures and add anything additional to the existing application. Mr. Allebach commented on the reason for the placement of the proposed structure and use of same. Solicitor Wuerstle cautioned Mr. Allebach that seeking legal counsel is optional but would be helpful at the Zoning Hearing Board hearing. After a brief discussion, the Board determined that Solicitor Wuerstle would not need to attend the hearing.

5. PLANNING:

- a. Weidner Tract Subdivision: Mr. Fulmer stated the Planning Commission made a recommendation for preliminary plan approval subject to compliance with the engineering review from his office dated January 24, 2025. He gave a brief recap of the property and the split zoning of the two parcels. Project Engineer Tim Woodrow and Attorney Gregg Edelman spoke on behalf of the Applicant giving more history on the project and addressing the review letter items. Mr. Fulmer gave response feedback to the review letter items. Motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously, for preliminary approval of the plan and waivers as discussed conditioned upon the completion of items contained within the Wynn Associates January 24, 2025 review letter.

6. ENGINEERING:

- a. 2025 Road Maintenance Projects – Authorization to Advertise for Bids: Mr. Fulmer gave an overview of the projects included in the Bid to improve various roads and the repairs recommended by the Hilltown Township Public Works Department. He sought the Board's authorization to post the bid to PennBid in March 2025 to potentially award in April 2025, for work done to be completed in summer 2025. Motion was made by Vice Chairman Groff, seconded by Chairman Torrice and carried unanimously to authorize the advertising for bids.
- b. MS4 – Stormwater Management Update: Mr. Fulmer gave an overview of the status update of the MS4 Stormwater Management for Hilltown Township, as is required annually. Mr. Fulmer discussed a number of topics including the pollution reduction plan, the ongoing record keeping of Stormwater activities, and recently completed training by the Public Works Department, amongst other topics. He further advised that the Wynn Associates will again file the annual MS4 Report with PADEP by end of September 2025. Lastly, Mr. Fulmer noted that PADEP stresses public education and he acknowledged the work the Township has done with regard to the Township website and keeping the public informed.

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Chairman Torrice asked for public comment on the MS4 Stormwater Management update as provided by Mr. Fulmer. There was no public comment.

7. UNFINISHED BUSINESS:

- a. Motion to Approve 3-year Auditing Services Contract: Dr. Ferry stated that at the last meeting the Board requested an update on the forensic audit, and shared a slideshow of the recommendations, noting progress the Township has made to achieve these items. As Supervisor Metzinger was not in attendance, a motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to table this until next month.
- b. Supervisor Liaison Program: Supervisor Metzinger: As Supervisor Metzinger was not in attendance, a motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to table this until next month.
- c. Hilltown Fire Evaluation: Supervisor Metzinger: Dr. Ferry stated that the Board had requested she look into options for another fire evaluation similar to the one completed between 2007 and 2009. Dr. Ferry recapped the steps she took to accomplish this and recommended that Board approve a motion to sign DCED's LOI to use them again for this study. Motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to approve a letter of intent to be submitted to the Government Center for local government services to request technical assistance for a fire study.

8. NEW BUSINESS:

- a. Act 14 Notification, Berry Brow WWTP Permit Renewal: Vice Chairman Groff: Vice Chairman Groff explained the details of this wastewater treatment plant and the NPDES permit process. Under this Act, the Water Authority is required to notify the local municipality of the intent to renew the permit. If anyone has any questions, they can contact Vice Chairman Groff at the Hilltown Water & Sewer Authority office.

9. MANAGER UPDATE:

- a. Donation Request from Hilltown Historical Society: Dr. Ferry shared that the Hilltown Historical Society was seeking a donation totaling \$1,950.00 to cover the expense of their 50th Anniversary Book. She further advised that a new budget line item for 2025 under Civics could be used for this donation should the Board wish to approve this. The Board gave comment and asked for more information on what was given to them in the past. Motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously, to approve a donation in the amount of \$975.00 to Hilltown Historical Society.

Bucks Co. Tennis Association Inc. Lease Agreement: Dr. Ferry gave an overview of the Bucks Co. Tennis Association's utilization of the tennis courts at Civic Park over the past 16 years and the payment arrangement. She further shared that she and Solicitor Wuerstle

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February 24, 2025

drafted an agreement that would continue to allow them to use the facilities in 2025.

- a. Discussion ensued and a motion was made by Vice Chairman Groff, seconded by Chairman Torrice, and carried unanimously to approve the Agreement with Bucks Co. Tennis Association.

10. SUPERVISOR'S COMMENTS:

Vice Chairman Groff advised that there is an electric line over the tennis courts that needs to be removed, and that PP&L will be setting another pole and moving that line on Wednesday, February 26, 2025. Vice Chairman Groff also advised that he received a message from Steve Kendra, Chairman of Parks & Recreation, about bringing a water line to Civic Park to provide for a bottle filling station and possibly a holding tank for gray water. Vice Chairman Groff indicated that he will be reaching back out to Steve Kendra and will keep everyone in the loop.

Chairman Torrice explained that the Parks & Recreation Board meets on the second Tuesday of every month and encouraged everyone to come out and attend. He further advised that the meetings are more of a conversation and less formal than other meetings.

11. PUBLIC COMMENT:

Diane Stall of Regency advised that she spoke with Dr. Ferry with regard to EMS services and the solicitations that Regency has been receiving with regard to these services. She further advised that it would be helpful to explain in the next newsletter the complete and comprehensive providers for both fire and ambulance. Dr. Ferry advised that the Township would be happy to come out and speak with Regency residents but Ms. Stall voiced the preference to have the information in the newsletter as it would reach far more Regency residents than an in-person meeting.

12. PRESS CONFERENCE: None.

13. ADJOURNMENT: Upon motion by Vice Chairman Groff, and seconded by Chairman Torrice, and carried unanimously, the February 24, 2025, Hilltown Township Board of Supervisors meeting was adjourned at 7:45 PM.

Respectfully submitted,

Deanna Ferry, DPA
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).

**2025
FIRE AGREEMENT**



2025 FIRE PROTECTION AGREEMENT

This fire protection agreement ("AGREEMENT") is by and between the **TOWNSHIP OF HILLTOWN**, a political subdivision situated within the Commonwealth of Pennsylvania, having offices at 13 West Creamery Road, Hilltown, PA 18927 (the "Township") and the **Perkasie Fire Company (Station 26 & 76)**, a Pennsylvania non-profit corporation, having its principal location at 100 North 5th Street, Perkasie, PA 18944 (the "Fire Company"). The parties hereto, intending to be legally bound, agree as follows:

1. Purpose of Agreement

The Township, being responsible for the health, safety, and general welfare of its citizenry, is authorized by Pennsylvania law to tender contracts and provide public funds in order to provide for fire protection service within its municipal boundaries.

2. Scope of Services

The Fire Company shall provide "complete and comprehensive" fire protection to the appropriate designated service area (the "Designated Service Area") of Hilltown Township. "Complete and comprehensive" fire protection means that the Fire Company shall use its best efforts to provide high quality firefighting and fire protection techniques, fire-related emergency expertise, and appropriate firefighting apparatus to meet the needs of the Designated Service Area. The Fire Company shall use said expertise and apparatus to the best of its ability in order to continue to provide quality protection of life and property within the Township.

The Fire Company shall, when requesting additional fire company assistance, enlist the services of the nearest available fire company for dispatch to ensure complete and comprehensive fire protection in the Township. The term "nearest" refers to that fire company which, along with the required personnel and equipment, has the least expected travel time to the scene.

The Fire Company shall assist all other fire companies that service the Township when assistance is deemed necessary by the responding fire company.

The Fire Company shall, when assisting another fire company, provide for a standby fire company to service the Designated Service Area. Any such standby fire company shall be able to provide adequate and competent firefighting services for the Designated Service Area.

3. Designated Service Area

The "Designated Service Area" is that portion of Hilltown Township to be served by the Fire Company as depicted on the Fire District Map, as adopted on August 12, 1996, by the Hilltown Township Board of Supervisors.

The Fire Company shall, when providing service to areas of substantial distance from the Fire Company or in situations when certain equipment/apparatus is required, utilize "dual dispatch" to ensure that complete and comprehensive fire protection is provided. "Dual dispatch" means that the Fire Company will automatically be dispatched first, while fire company equipment located nearest to the scene (in terms of expected travel time) shall automatically be dispatched second.

4. Town Fire Chief

The Chief of the Fire Company is hereby appointed the Township Fire Chief within the Designated Service Area. Pursuant to the Second-Class Township Code, the Township hereby vests such authority in said Fire Chief and said Fire Chief shall possess an appropriate badge of authority in the exercise of duties. The Fire Chief

shall be responsible to the Township for all official actions and shall report to the Township as deemed necessary or as directed by the Township. The Fire Chief shall keep and maintain records of all activities within the Designated Service Area and shall submit reports to the Township as further discussed in Paragraph 6 below.

The Fire Chief, or the highest-ranking member of the Fire Company, is vested with all appropriate Township authority to supervise, manage and control all fire calls and fire-related emergencies. The Fire Chief, or highest-ranking member of the Fire Company, shall make all official decisions relating to said fire calls and fire-related emergencies, unless the situation dictates the need to consult with the Hilltown Township Police Department or the Hilltown Township Manager.

5. Contribution for Services

To compensate the Fire Company for its services and the continued acquisition and maintenance of appropriate fire apparatus, the Township shall provide a contribution to the Fire Company from the Township's assessed Fire Tax in an amount established by the Township. The contribution shall be disbursed in semi-annual installments no later than July 1st and December 31st of the year. The contribution shall be based upon: (1) the percentage of the Township within the Designated Service Area and (2) the assessed value of the real property contained with the Designated Service Area. The amount of the contribution, the timing of distribution, and the specific calculation of the contribution amount shall be set forth in memoranda issued by the Township in accordance with the semi-annual dates set forth above. The Fire Company may solicit voluntary contributions from residents and businesses in the Township, but only within the Designated Service Area.

6. Fire Company Reports

The Fire Company shall provide the Township with an annual report, which shall include details regarding how the appropriated monies from the prior year were

utilized. The Township may choose not make further contributions unless the said annual report is provided.

The Fire Company shall provide the Township with monthly reports, which shall include the nature and number of all calls responded to by the Fire Company within the Township.

The Fire Company shall also provide the Township with an annual contact list that includes the names, addresses, and home and cell telephones numbers of the Fire Chief, Fire Company President, Treasurer and Relief Association Treasurer.

7. Fire Company Insurance

The Fire Company shall obtain and maintain insurance coverage of not less than One Million Dollars (\$1,000,000.00) for its activities and equipment. The insurance shall include, but not be limited to, vehicle liability, general liability to cover firefighting, and all firefighters' errors and omissions liability. Proof of insurance coverage shall be submitted to the Township annually.

8. Effect of Agreement

This Agreement contains all of the agreements between the parties as to the subject matter herein and there are no other agreements, understandings or representations made by either of them regarding said subject matter.

9. Term of Agreement

This Agreement shall continue in full force and effect and shall automatically renew from year-to-year unless either party provides 60-days written notice to the other party to terminate or change the terms thereof.

[SIGNATURES TO FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have authorized the appropriate signatories of the respective parties to execute this Agreement this ____ day of _____, 20__ , intending to be legally bound thereby.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS

Perkasie Fire Company

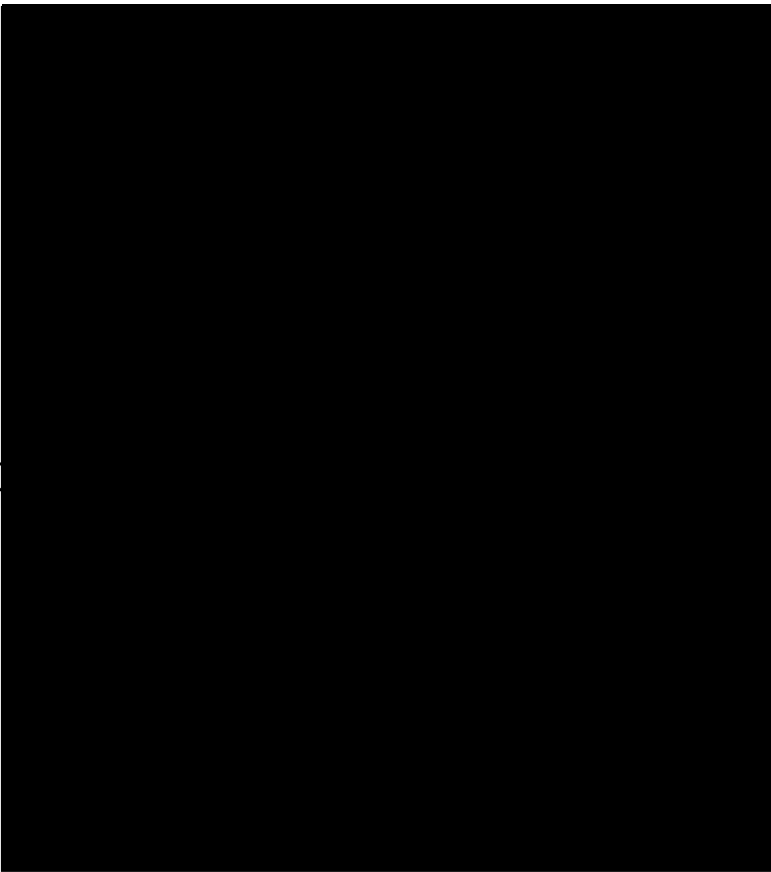
Caleb Torrice, Chairman

James C. Groff, Vice-Chairman

Joseph Metzinger, Supervisor

Attest: _____

Deanna Ferry, Township Manager



PLANNING REPORT

WYNN ASSOCIATES, INC.
MUNICIPAL ENGINEERING SERVICES

(215) 536-7336 • FAX (215) 536-5361
211 West Broad Street • Quakertown • PA • 18951

March 18, 2025

Caleb Torrice, Chairperson (via email)
Jim Groff, Vice Chairperson (via email)
Joe Metzinger, Supervisor (via email)
Hilltown Township Board of Supervisors
13 W. Creamery Road, PO Box 260
Hilltown, PA 18927

Subject: March 24, 2025 Board of Supervisors Meeting
Planning/Engineering Agenda Items
File No. 03-000

Dear Supervisors,

The following items are included under the **Planning portion of your agenda:**

1. **Webber Tract Minor Subdivision** – At their meeting held on March 17, 2025, the Township Planning Commission recommended preliminary and final approval of the plan to subdivide the 7.49 acres parcel within the RR Zoning District into two single family detached dwelling lots (one existing home and one proposed building lot), conditioned upon completion of items contained within engineering review correspondence dated February 27, 2025 (copy enclosed), with the following items noted:
 - With respect to Item 1, the Planning Commission recommended approval of the requested waivers, subject to the conditions outlined in the engineering review. A cost estimate for waived street improvements has not been received, but similar minor subdivision applications involved an agreed upon capital contribution of \$5,000.00.
 - With respect to Item 2, the applicant amended their written request for waiver (copy enclosed) to include the Ordinance sections pertaining to lot line orientation and depth/width ratio. The Planning Commission recommended approval of the additional waivers of these requirements.
 - With respect to Item 8, the Planning Commission recommended that the Township accept a capital contribution in lieu of recreation land dedication in the amount of \$2,685.00 for the proposed building lot.
 - All other items in the review letter are “will comply”, as represented by the applicant’s consultant.
2. **Vitelli Property Minor Subdivision Sketch Plan** – The proposal to subdivide the 10.32 acres parent tract into two single family detached dwelling lots (one existing home and one proposed building lot) within the RR Zoning District was reviewed by this office within correspondence dated January 24, 2025 (copy enclosed) and was discussed with the Township Planning Commission at their meeting held on February 17, 2025. The applicant requests to discuss the proposal with the Board of Supervisors relative to any issues the Board may have relative to the project. As the application is only a sketch plan, no action is required.
3. **Suburban Equities, LLC Land Development Capital Contribution Offer** – As a condition of preliminary/final approval of the subject land development plan (which proposes a 217,000 SF warehouse building along Bethlehem Pike), the Township approved certain waivers (street improvements, parking area trees, reforestation trees) subject to receipt of a capital contribution in lieu of constructing the required improvements. Accordingly, correspondence dated March 7, 2025 (copy enclosed) from Eastburn & Gray, P.C. was received, which includes a cost estimate of the aforementioned waived improvements, and offers \$100,670.00 to satisfy the condition of waiver approval. This office concurs that the value of waived improvements has been calculated based on accurate quantities and generally acceptable unit pricing. If the Board is agreeable to the applicant’s offer, a motion should be passed to approve the capital contribution amount.

Hilltown Township Board of Supervisors
Subject: February 24, 2025 Board of Supervisors Agenda
March 18, 2025
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There are no items included under the Engineering portion of your agenda:

If you have any questions, please do not hesitate to contact me.

Very truly yours,



Timothy Fulmer, P.E.
Township Engineer

TAF

Enclosures

cc: Deanna Ferry, Township Manager (via email)
Marianne Egan, Assistant Secretary/Treasurer (via email)
Theresa Spehar, Township Administrative Assistant (via email)
Janelle Lear, Township Administrative Assistant (via email)
Jack Wuerstle, Esq. (via email)

WYNN ASSOCIATES, INC.
MUNICIPAL ENGINEERING SERVICES

(215) 536-7336 • FAX (215) 536-5361
211 West Broad Street • Quakertown • PA • 18951

February 27, 2025

Jon Apple, Chairman (via email)
Planning Commission
Hilltown Township
P.O. Box 260
13 W. Creamery Road
Hilltown, PA 18927

Subject: Chris & Pernilla Webber Minor Subdivision
[REDACTED]
TMP #15-29-42
File No. 01-701

Dear Planning Commission Members,

The following comments and/or recommendations are made with respect to the subject "Minor Subdivision Plan", sheets 1 thru 5, dated November 18, 2024, prepared by Cowan Associates, Inc., which was received by the Township on January 27, 2025:

SUBMISSION:

The 7.49 acres (gross) tract located along the north side of Rickert Road within the RR Zoning District is proposed to be subdivided into two single family detached dwelling (Use B1) lots. Lot 1 (4.09 acres, net) contains an existing dwelling, detached accessory garage, swimming pool, and paved driveway access along Rickert Road. Lot 2 (3.00 acres, net) is proposed for construction of a new single family detached dwelling and driveway access along Rickert Road. In addition to manmade improvements to remain on Lot 1, site is substantially wooded. Site abuts existing residential properties to the south, east and west; and Township park property to the north and west. Lots will be served by on-lot water and on-lot sanitary sewage facilities.

DISCUSSION:

1. Correspondence dated January 24, 2025 (copy enclosed) was submitted by Cowan Associates, Inc. on behalf of the applicant, which requests waivers of the following Ordinance sections:
 - A. Sections 140-28.P, 140-35, 140-36 & 140-48, which require cartway reconstruction/overlay, drainage improvements, cartway widening (14 feet wide half width), curb, sidewalk, and street lights along Rickert Road within the frontage of the site. Waivers are requested given the minor nature of the proposed subdivision, and in keeping with the rural character of the area. If waivers are approved, the Township should consider acceptance of a capital contribution in lieu of waived street improvements, which is based on the estimated cost to construct waived improvements along the frontage of the site. An Engineer's Opinion of Probable Cost for waived improvements should be submitted to the Township for review.
 - B. Section 140-17.D, which requires existing features within 100 feet of the site to be shown. Request notes that features affecting the site have been shown, and an aerial photograph plan has been incorporated in the plan. Aerial photograph plan could not be located within the current plan set, and should be submitted for review. This office recommends approval of the applicant's request, subject to any existing feature within 100 feet of the site being shown at the request of the Township if deemed necessary. At a minimum, Township should consider requiring existing manmade improvements (dwelling, other

structures, driveway) on TMP #15-29-47-2, and the existing driveway serving TMP #15-29-98-6) to be shown.

- C. Section 140-37.G, which requires replacement trees to be installed based on the number of existing trees impacted during development activity. Request notes that trees are being removed in the vicinity of the new dwelling, driveway, stormwater facility, and septic system on Lot 2, with the rest of the wooded area to remain. Due to the schematic nature of the design, it is unclear how many trees will be impacted by the proposed development on Lot 2.
 - D. Partial waivers of the requirements to design erosion/sediment controls and stormwater management facilities (Chapter 134; and SLDO Sections 140-38 & 140-40) as part of the subdivision application are requested, such that these requirements are proposed to be deferred until the time of building permit application for dwelling construction on Lot 2, as referenced in plan notations on sheet 1. Plan includes a schematic dwelling/driveway/stormwater design on Lot 2, to confirm that Lot 2 is a viable building lot. Deferral of these requirements until the time of building permit should be conditioned upon a Declaration of Covenants, Conditions, and Restrictions being executed by the property owner to alert future lot buyers of this requirement.
2. Proposed lot line is not oriented substantially at right angles to the street line, from the street line to the rear of the lot, in non-compliance with Section 140-27.B(4) of the Subdivision Ordinance. It appears that lot line orientation is planned to parallel the existing lot lines of the parent tract, and to enable certain existing features (garage/swimming pool) to remain on Lot 1 while meeting required yard setbacks. Additionally, the resulting lot depth to width ratio of Lot 2 is greater than 3, in non-compliance with Section 140-27.B(11) of the Subdivision Ordinance. Lot line should be revised to comply with requirements of the Subdivision Ordinance, unless waivers are requested in writing and approved by the Township.
 3. A new driveway is proposed along Rickert Road to serve the proposed dwelling on Lot 2, which must be designed in accordance with Section 140-34 of the Subdivision Ordinance. Record plan should note that the applicant must obtain a Road Occupancy Permit from Hilltown Township prior to driveway construction. Plan should also include required and available sight distances to verify compliance with sight distance requirements looking left and right from the proposed driveway location.
 4. Proposed dwelling on Lot 2 will be served by a new on-lot well, which must be drilled, installed, and tested for adequate water supply prior to building permit issuance. Plan should also clarify the location of the existing well serving the dwelling on Lot 1, including isolation distances to septic system absorption areas. (SLDO Section 140-41)
 5. Site is proposed to be served by on-lot sewage disposal facilities. Plan identifies locations of primary and reserve on-lot sewage disposal systems on both lots, as required by the Township's Sewage Management Ordinance. Reserve sewage disposal systems must be protected from development activity by plan note and Restrictive Covenant to ensure their viability for future use in the event of failure/replacement of the primary sewage disposal system on each lot. Design of on-lot sewage disposal systems must receive approval from the Bucks County Department of Health, prior to issuance of a building/zoning permit.

Sewage Facilities Planning Module was not submitted with the plan application. Sewage Facilities Planning Module must be submitted for review and execution by the Township Sewage Enforcement Officer (Bucks County Department of Health) and Township; and must receive approval from PADEP, unless waived by PADEP, prior to plan recordation. (SLDO Section 140-21 & 140-42)

6. Ultimate right of way area of Rickert Road within the frontage of the site is offered for dedication to the Township by Note 18 on the record plan, which should be accepted by the Township as an easement. A legal description prepared by a licensed professional land surveyor should be submitted for review and preparation of right of way documents by the Township Solicitor. Right of way documents should be executed by the property owner in a manner satisfactory to the Township, prior to plan recordation. (SLDO Section 140-29.B(1))
7. All property and right of way monumentation must be installed utilizing concrete monuments, and be certified in writing by the responsible professional land surveyor, prior to plan recordation. (SLDO 140-44)
8. All residential subdivisions are required to provide land for dedication suitable for park and/or recreation use, unless the applicant agrees to a capital contribution in-lieu-of recreation land dedication, as outlined in Sections 140-60 and 140-63 of the Subdivision Ordinance. As recreation dedication has not been proposed, the Township should accept a capital contribution in-lieu-of recreation land dedication, which should be based upon the current capital contribution per building lot (\$2,685.00) as specified in the Township Fee Schedule. Recreation land dedication/fee-in-lieu of should be resolved in a manner satisfactory to the Township.
9. The following engineering/drafting details should be addressed:
 - A. Upon issuance of a review memorandum by Bucks County Planning Commission, the BCPC review number should be completed within the certification on sheet 1.
 - B. Current deed of record, and recorded plan referenced in Note 11 on sheet 1, should be submitted as required by Section 140-16.C(5) of the Subdivision Ordinance.
 - C. Plan should be revised to propose concrete monuments, in lieu of iron pins, at all proposed lot corners. (SLDO Section 140-44.B)
 - D. Record plan should note the horizontal and vertical datums utilize for the surveyed boundary and topography shown on the plan. (SLDO Section 140-16.D(3))
 - E. Title of the "Impervious Surface Tabulation" above the "Zoning Compliance Table" for Lot 2 should be revised to state that the tabulation is for Lot 2, instead of "Total Lot", on sheet 1.
 - F. Proposed Driveway Paving Section detail on sheet 5 should be revised for consistency with driveway paving specifications contained in Section 140-34.A(5) of the Subdivision Ordinance.
 - G. Additional comments are reserved pending completion of plan revisions.

RECOMMENDATION:

Plan should not be approved until the above items are resolved in a manner satisfactory to the Township.

If you have any questions, do not hesitate to contact me.

Very Truly Yours,



Timothy Fulmer, P.E.
Township Engineer

TAF
Enclosure

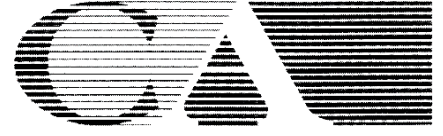
Hilltown Township Planning Commission (via email)

Subject: Chris & Pernilla Webber Minor Subdivision

February 27, 2025

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cc: David Bartholomew, Jr., Vice Chairperson, Planning Commission (via email)
Eric Nogami, Secretary, Planning Commission (via email)
Robert Sichelstiel, Planning Commission (via email)
Carol Pierce, Planning Commission (via email)
Caleb Torrice, Chairperson, Board of Supervisors (via email)
James Groff, Vice Chairperson, Board of Supervisors (via email)
Joe Metzinger, Supervisor, Board of Supervisors (via email)
Deanna Ferry, Township Manager (via email)
Marianne Egan, Assistant Secretary/Treasurer (via email)
Theresa Spehar, Township Administrative Assistant (via email)
Vickie Reinecker, Township Administrative Assistant (via email)
Jack Wuerstle, Esq. (via email)
Chris Webber (via email)
Cowan Associates, Inc. (via email)



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COWAN ASSOCIATES, INC.

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February 28, 2025

Hilltown Township Board of Supervisors
Hilltown Township Planning Commission
13 West Creamery Road
P.O. Box 260
Hilltown, PA 18927

Richard S. Cowan, PE (1910-1997)
James R. Leister, PE/PLS (1936-2006)
William D. Kee, PE (Retired)
Johann F. Szautner, PE/PLS (Retired)
Todd R. Myers, PLS
Charles R. Tomko, PE
Scott P. McMackin, PE
Michael R. Smith, PE
Wayne V. Doyle, PE

Subject: Minor Subdivision for Chris and Pernilla Webber
[REDACTED]
Hilltown Township
Bucks County, PA
CAI 14964.01

Dear Board Members:

The following is a list of waivers requested from the named sections of the Hilltown Township Subdivision and Land Development Ordinance for the proposed Minor Subdivision prepared for Chris S. and Pernilla Webber by this office:

Chapter 134: Stormwater Management

A partial waiver to defer the stormwater management and erosion control designs until the building permit process. A general site layout has been prepared for an appropriately sized house, driveway, and stormwater BMPs given the acreage of the property and houses in this area. A note has been included on plan sheets SP-1 and SP-3 stating that the site layout is not the final design.

SALDO Section 140-17.D – Showing Existing Features within 100' of Property

Features that affect the site have been provided. An aerial photograph plan has been incorporated in the plan set to show surrounding area.

Section 140-27.B(4) – Blocks and Lots

The proposed lot lines for Lot 2 are oriented to be parallel with the existing Lot 1 property lines due to the existing structures on Lot 1 and setback requirements.

Section 140-27.B(11) – Blocks and Lots

The width of Lot 2 has been maximized and the lot depth matches the existing depth of Lot 1. This has been done to minimize the impact on the natural resources.

Section 140-28.P – Cartway and Drainage Improvements

The proposed driveway entrance for Lot 2 will not affect the existing drainage along Rickert Road as no grading is required. Runoff from Rickert Road drains into the site and along Rickert Road, therefore there are no drainage concerns. Lot 1 has an existing driveway and no alterations are proposed. Runoff from Rickert Road drains onto the site and along Rickert Road.

Sections 140-35.A and 140-50.C - Curbs

There are no curbs along Rickert Road in the immediate area of the site. Widening and installing curbing on the limited frontage may create hazardous driving condition.

Sections 140-36.A and 140-51.D - Sidewalks

There are no sidewalks along Rickert Road in the immediate area of the site. Installing sidewalk on the limited frontage would not benefit pedestrian traffic in the area and will cause a disturbance to the community.

Section 140-37.G – Replacement Trees

Tree removal is limited to the immediate area of the new house, driveway, stormwater BMP, and septic system. The remainder of the woodlands will remain.

Section 140-48 – Street Lighting

No street lighting exists in the immediate area of the project. Creation of one single family residence lot does not warrant the installation of street lighting.

Section 140-60.A – Dedication of Recreation Land

Only one new single family residence lot is being created, therefore impact on recreational facilities within the Township is negligible.

Due to the nature of the proposed land development and its minimal effect on the surrounding area, we feel that the waivers are warranted.

Very truly yours,

COWAN ASSOCIATES, INC.



Steven E. Hippauf, E.I.T.

SEH:aew

cc: Chris Webber

PROJECTS\14964.01 Webber Minor Subdivision\Ltr_Hilltown Twp_Waiver Request_2-27-25.docx

Cowan Building • 120 Penn-Am Drive • P.O. Box 949 • Quakertown, PA 18951
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WYNN ASSOCIATES, INC.
MUNICIPAL ENGINEERING SERVICES

(215) 536-7336 • FAX (215) 536-5361
211 West Broad Street • Quakertown • PA • 18951

January 24, 2025

Jon Apple, Chairperson (via email)
Hilltown Township Planning Commission
P.O. Box 260
13 W. Creamery Road
Hilltown, PA 18927

Subject: Vitelli Property Minor Subdivision Sketch Plan
[REDACTED]
TMP #15-35-11-4
File No. 01-700

Dear Planning Commission Members,

The following comments and/or recommendations are made with respect to the subject sketch plan, sheet 1 of 1, dated January 2, 2025, prepared by Holmes Cunningham, LLC, which was received by the Township on January 15, 2025:

SUBMISSION:

The 10.32 acres (gross) tract located along the southeast side of Welcome House Road within the RR Zoning District is proposed to be subdivided into two single family detached dwelling (Use B1) lots. Lot 1 (3.50 acres, net) contains an existing dwelling (currently under construction) and stone driveway access along Welcome House Road via a proposed shared access easement thru Lot 2. Lot 2 (6.50 acres, net) contains an existing detached garage, and is proposed for construction of a new single family detached dwelling, which will use an existing stone driveway access (shared with Lot 1) along Welcome House Road. In addition to manmade improvements to remain on Lot 1, site contains areas of woodlands and steep slopes, unnamed drainage channels, and a portion of a pond. Lots will be served by on-lot water and on-lot sanitary sewage facilities.

DISCUSSION:

1. Site contains steep slopes, woodlands, and a portion of a pond, which require protection in accordance with Section 160-28 of the Zoning Ordinance. Plan includes a Resources Protection Standards table that lists the area of each natural resource found within the site, the required protection pursuant to Section 160-28, and the proposed protection. Submission of a preliminary plan should include the following documentation for further review:
 - A. Existing features information and site inspection indicates that the site contains several drainage channels; and soils mapping indicates that a portion of the site is underlain by Croton silt loam soils, which are hydric and potential indicators of the presence of wetlands. Site should be investigated for the presence of wetlands/regulated waters, and a wetland study containing sufficient detail to allow a thorough review by the Township should be submitted for review to determine the location and extent of wetlands. Wetlands must remain permanently protected and undeveloped. (ZO Section 160-28.D; SLDO Section 140-23)
 - B. A plan showing proposed grading and limits of disturbance associated with the project should be submitted, to verify the limits of disturbance to natural resources requiring protection. Limits of disturbance must be within allowable maximum disturbance percentages contained in Section 160-28 of the Zoning Ordinance.

2. Site is proposed to be served by on-lot sewage disposal facilities. The existing dwelling (to remain on Lot 1) is currently served by a sand mound (which encroaches within Lot 2), and it is assumed that the sand mound will be removed in favor of using a new (proposed) on-lot sewage system within Lot 1. Plan identifies schematic locations of Individual Residential Spray Irrigation Systems (IRSIS), as well as primary and reserve drip micromound (alternate) disposal systems on both lots. IRSIS area "B" does not comply with system location criteria of Section 124-26.B of the Township's Code of Ordinances, and should be revised to comply with IRSIS design requirements. If IRSIS systems will be utilized, required buffering of the systems must also be proposed in accordance with Section 124-26.B(3) of the Code of Ordinances. Operation and Maintenance Agreements for IRSIS systems (and/or Alternate Drip Micromound Systems) must be executed between the property owner and Township pursuant to Section 124-32 of the Code of Ordinances.

Reserve sewage disposal systems must be protected from development activity by plan note and Restrictive Covenant to ensure their viability for future use in the event of failure/replacement of the primary sewage disposal system on each lot. Design of on-lot sewage disposal systems must receive approval from the Bucks County Department of Health, prior to issuance of a building/zoning permit.

At the time of preliminary plan application, Sewage Facilities Planning Module should be submitted for review and approval by the Township. Sewage Facilities Planning Module must receive approval from PADEP, prior to plan recordation. (SLDO Section 140-21 & 140-42)

3. Driveway access for both lots will use the existing stone driveway, which intersects Welcome House Road at the northernmost bend in the roadway. Existing stone driveway should be evaluated for compliance with driveway design requirements of Section 140-34 of the Subdivision Ordinance, including paving, sight distance, and drainage. As driveway is proposed to be shared between Lots 1 and 2, the following requirements should be met:
 - A. Minimum driveway width for the shared portion of the driveway between Welcome House Road and the proposed driveway serving the new dwelling to be constructed on Lot 2 should be 18 feet. (SLDO Section 140-34.B(1)).
 - B. Driveway entrance (within the ultimate right of way, or for a distance of 20 feet, whichever is greater) should be paved in accordance with driveway paving specifications of the Subdivision Ordinance; and include paving radii of 10 feet at both sides of the intersection with the road. (SLDO Sections 140-34.B(2) & (3))
 - C. In accordance with Section 140-34.B(4), shared driveways are required to be centered on property lines. The driveway shown on the sketch plan is not centered on a property line; however, the sketch plan application indicates that the applicant anticipates requesting a waiver to permit the shared driveway to not be centered on a property line.
 - D. Proposed 25 feet wide shared access easement across Lot 2 in favor of Lot 1 should be established in conjunction with recordation of the subdivision plan; and shared access easement documents should be prepared in a manner satisfactory to the Township Solicitor, which clearly identify shared driveway maintenance responsibilities of each lot owner.
4. Proposed lot line is not oriented substantially at right angles to the street line, from the street line to the rear of the lot, in non-compliance with Section 140-27.B(4) of the Subdivision Ordinance. Proposed lot line appears to be oriented to enable both dwellings to be located in a (relatively) clear area of the site. It is also noted that the resulting depth to width ratio of Lot 2 exceeds 3:1, in non-compliance with Section 140-27.B(11) of the Subdivision Ordinance. Lot layout should be revised to comply with these requirements, unless waivers are requested in writing and approved by the Township.

5. Cartway reconstruction/overlay, drainage improvements, cartway widening, curb and sidewalk are required along Welcome House Road within the frontage of the site in accordance with Sections 140-28.P, 140-29.D.(1), 140-35, and 140-36 of the Subdivision Ordinance. One new building lot is proposed along Welcome House Road, which does not appear to warrant cartway widening; and no curb/sidewalk exist along Welcome House Road within the vicinity of the site. If waivers are requested for required street improvements, the Township should consider accepting a capital contribution in lieu of waived improvements, which is based on the estimated cost to construct waived improvements along the Welcome House Road frontage of the site. Sketch plan application indicates that the applicant anticipates requesting waivers of street improvement requirements.
6. As it is apparent that the applicant intends to request relief from the requirements of the Subdivision Ordinance and/or Stormwater Management Ordinance, all requests for modification must be submitted in writing accompanying the application for development; and must state the grounds and facts of unreasonableness or hardship on which the request is based, the section(s) of the Ordinance involved, and the minimum modification necessary. (SLDO Section 140-14)
7. Site is located in the East Branch Perkiomen Creek Watershed, which requires compliance with peak rate reduction and volume control requirements of the Stormwater Management Ordinance. Design of stormwater management facilities should be based on on-site soil testing to confirm feasibility for use of infiltration BMPs as a first option. If earth disturbance will exceed one acre, project must also comply with requirements of the NPDES permit program administered by PADEP/Bucks County Conservation District. Preliminary plan submission should include all design calculations and details relative to stormwater management, unless these requirements are permitted to be deferred until the time of building permit application.
8. Water supply to both lots will be provided by use of on-lot wells, with the dwelling on Lot 1 using an existing well, and a new well proposed to serve the dwelling to be constructed on Lot 2. Isolation distances should be evaluated to ensure that the proposed IRSIS system location on Lot 1 does not encroach within the 100 feet isolation distance for the existing well; and the location of the proposed well on Lot 2 should be reviewed to minimize or eliminate encroachment of the 100 feet isolation distance within adjoining private property. Well should be drilled, installed, and tested for adequate water supply prior to issuance of a building permit. (SLDO Section 140-41)
9. Ultimate right of way area of Welcome House Road within the frontage of the site should be offered for dedication to the Township, and should be accepted by the Township as an easement. (SLDO Section 140-29.B(1))
10. Trees having a diameter of 10 inches or greater that will be removed or impacted by the project should be shown on the preliminary plan by field survey, including location, diameter, and species. Any trees meeting this criteria must be replaced pursuant to requirements of Section 140-37.G of the Subdivision Ordinance.
11. All residential subdivisions are required to provide land for dedication suitable for park and/or recreation use, unless the applicant agrees to a capital contribution in-lieu-of recreation land dedication, as outlined in Sections 140-60 and 140-63 of the Subdivision Ordinance. As recreation dedication has not been proposed, it is anticipated that the applicant will offer a capital contribution in-lieu-of recreation land dedication, which should be based upon the current capital contribution per building lot (\$2,685.00) as specified in the Township Fee Schedule. Recreation land dedication/fee-in-lieu of should be resolved in a manner satisfactory to the Township.
12. Preparation of the preliminary plan should include identification of existing features within 100 feet of the site, unless a waiver of Section 140-17.D of the Subdivision Ordinance is requested in writing and receives approval from the Township. If a waiver of this requirement will be requested, an aerial imagery plan showing surrounding existing features should be submitted for review.

13. The above comments are cursory only, and are based on limited information contained on the sketch plan. Additional comments are reserved pending submission of a preliminary plan prepared in accordance with Section 403 of the Land Development Ordinance.

If you have any questions, do not hesitate to contact me.

Very Truly Yours,



Timothy Fulmer, P.E.
Township Engineer

TAF

cc: David Bartholomew, Jr., Vice Chairperson, Planning Commission (via email)
Eric Nogami, Secretary, Planning Commission (via email)
Robert Sichelstiel, Member, Planning Commission (via email)
Carol Pierce, Member, Planning Commission (via email)
Caleb Torrice, Chairperson, Board of Supervisors (via email)
James Groff, Vice Chairperson, Board of Supervisors (via email)
Joe Metzinger, Supervisor, Board of Supervisors (via email)
Deanna Ferry, Township Manager (via email)
Marianne Egan, Assistant Secretary/Treasurer (via email)
Theresa Spehar, Township Administrative Assistant (via email)
Vickie Reinecker, Township Administrative Assistant (via email)
Jack Wuerstle, Esq. (via email)
Nick Scipione, NJS Renovations Co. (via email)
Donald J. Vitelli (via email)
Kristin Holmes, P.E., Holmes Cunningham, LLC (via email)



Eastburn and Gray, PC

Attorneys at Law

John A. VanLuvanee

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Doylestown, PA 18901

215-345-1342

jvanluvanee@eastburngray.com

March 7, 2025

via email

Timothy Fulmer, P.E.

C. Robert Wynn Associates, Inc.

211 West Broad Street

Quakertown, PA 18951

**RE: Suburban Equities III, LLC
Land Development – Hilltown Township**

Dear Tim:

This letter will serve to follow-up our telephone conversation on February 11, 2025, which I initiated in order to discuss with you the process to follow to reach a mutually satisfactory agreement regarding the three capital contributions that are required that are to be agreed upon in order to satisfy the conditions of the Township's preliminary and final approval of land development plans for the Suburban Equities III project.

The first contribution is the fee-in-lieu of sidewalk installation along Bethlehem Pike. The relevant section of the SALDO is Section 140-36.A. The project engineer, Shaun Haas of Langan, calculated that there would be a total of 4,110 sq.ft. of sidewalk that would need to be constructed to span the entire length of the site frontage. He advised that a reasonable unit price per square foot of concrete sidewalk is \$6.00/sq.ft. Accordingly, Langan's estimate of the cost to construct the sidewalk is \$24,660. As you are aware, neither the Planning Commission nor the Board of Supervisors believes that the sidewalk is necessary. For that reason, my client has authorized me to offer a capital contribution of 50% of the cost - \$12,330 - to the Township as a fee-in-lieu.

Section 140-37.D. of the SALDO requires planting of trees to shade parking lots. The requirement is to shade 50% of impervious areas associated with parking, loading, driveways and maneuvering. The Board's waiver was granted to permit approximately 14% shading for passenger car parking areas and no shading for truck parking areas. Langan estimates that an additional 20 trees would be needed to meet the 50% shading requirement within the car parking and circulation areas and an additional 90 trees would be needed to meet the 50% shading requirement for the truck court, parking and circulation areas. As discussed at the Board meeting, it is impractical to shade

Timothy Fulmer, P.E.
March 7, 2025
Page 2 of 2

the truck court parking and circulation areas, as it would impede the proper functioning of those areas. My client has authorized me to offer a capital contribution in the amount of \$2,800 (20 trees x \$140/tree) to resolve the fee in lieu of parking lot shading.

Section 140-37.G. of the SALDO requires that any trees with a diameter of 10 inches or more which are to be removed or destroyed during any stage of development, grading and/or construction be replaced with a tree or trees in the type identified in Appendix K of the SALDO. As you are aware, the site is heavily wooded. Mr. Haas advised me that in prior correspondence with you, it was agreed that a 1-acre plot plan analysis would be conducted for the site for use as a base to determine the approximate number of trees estimated to be disturbed during construction. A tree species plot plan, Drawing LP-001 "Tree Survey" last revised May 24, 2024, was submitted to the Township with the land development application resubmission on October 28, 2024. Based on that plan, Langan estimates that approximately 611 trees would be disturbed.

As you are no doubt aware from your review of the land development plans, the landscaping plan for the project utilizes all reasonably available space for proposed plantings required by other sections of the Township Code. There is no room to plant replacement trees on site. The Board of Supervisors recognized that planting too many trees on a property planted too close together will result in a number of those trees dying. Using the price for a typical sapling of \$140/tree, my client has authorized me to offer the Township a capital contribution of \$85,540 (611 trees x \$140/tree) in lieu of the tree replacement.

The total of the three offered capital contributions is \$100,670. If this offer is acceptable to the Township, my client would appreciate it if the Township would utilize these capital contributions toward the cost of construction of a traffic signal at the intersection of Bethlehem Pike and Keystone Drive.

I look forward to hearing from you.

Very truly yours,



John A. VanLuvanee

JAV/eah
cc: Suburban Equities III, LLC