

HATFIELD TOWNSHIP BOARD OF COMMISSIONERS
REGULAR MEETING
September 22, 2004
7:30 PM

AGENDA

I. CALL TO ORDER

Commissioner President Gerald Andris called the Hatfield Township Board of Commissioner's September 22, 2004 meeting to order at 7:35 p.m.

II. ROLL CALL

Commissioner Andris asked Ms. Shafkowitz to call the roll. Present at the meeting were Commissioner President Gerald Andris, Commissioner James Bleakly, Commissioner Scott Brown, Commissioner Jim O'Byrne, and Commissioner John Norman. Also in attendance were Township Manager Stephanie Teoli Shafkowitz, Solicitor Joe Kuhls, Township Planner Ken Amey, Engineer Joe Nolan, Police Chief Mark Toomey, Finance Director John Hall, Public Works Director Nick DeMeno, and Administrative Assistant Melissa Croak.

III. PLEDGE OF ALLEGIANCE

Commissioner Brown led the recitation of the Pledge of Allegiance.

IV. APPROVAL OF AGENDA

Commissioner O'Byrne made a motion to approve the Agenda of the September 22, 2004 Hatfield Township Board of Commissioners meeting. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

V. APPROVAL OF MINUTES

1. Board of Commissioners Regular Meeting Minutes – August 25, 2004

2. Board of Commissioners Workshop Meeting Minutes – September 8, 2004

Commissioner Norman made a motion to approve the Board of Commissioners Workshop/Regular Meeting Minutes for August 25, 2004 and the Board of Commissioners Workshop Meeting Minutes for September 8, 2004. The motion was seconded by Commissioner Brown and carried on a 5-0 vote.

VI. CITIZENS' COMMENTS

Bill Forst of Diamond Street asked the Board what the Maintenance Program was regarding the roads in Ward 3, especially Derstine Road. Public Works Director Nick DeMeno stated that they have starting crack sealing on the roads and will be paving Derstine this year.

VII. SPECIAL ITEMS

1. Recognition of Nature Camp Staff

Commissioner Andris recognized the Nature Camp staff and sponsor PSC. Mr. Andris presented PSC with a plaque and a gift bag of crafts from the camp. He then presented the staff with gift bags of appreciation.

2. Public Hearing

Commissioner Norman made a motion to open the Public Hearings. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

Solicitor Eric Frey conducted the Public Hearings. Mr. Frey entered into record Exhibit Township - One, Resolution 04-38, Adoption of County Comprehensive Plan; Exhibit Township - Two, Legal Notice; Exhibit Township - Three, Proof of Publication from the Reporter newspaper; Exhibit Township - Four, Notice sent to Montgomery County and adjoining municipalities informing them of Hatfield Township's intent to adopt the County Comprehensive Plan.

Township Planner Ken Amey explained the County Comp Plan. The main purpose of adopting the plan is to move forward with Act 209 Traffic Impact Fee Study.

John Rossi, Waterford Drive, asked if there were advantages in adopting the county plan. Mr. Amey told him there were none.

Commissioner Norman made a motion to approve Resolution 04-38. The motion was seconded by Commissioner Brown and carried on a 5-0 vote.

3. Public Hearing

Mr. Frey entered into record Exhibit Township - One, Legal Notice; and Exhibit Township - Two, Proof of Publication from the Reporter newspaper. Mr. Amey explained the Installation of 3-bay Police Garage.

Fran Haley, Cowpath Road, asked if 3 bays were enough. Chief Mark Toomey said that the space would be sufficient for current and future needs.

Bill Forst, Diamond Street, asked if there would be trees cut down. Township Manager Stephanie Teoli Shafkowitz replied that the Township would be planting more than enough to replace any felled trees.

The Board of Commissioners determined that construction of a new police storage garage on Chestnut Street is reasonably necessary for the public health, safety and welfare.

Commissioner O'Byrne made a motion to approve the construction of the pole barn. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

4. Public Hearing

Mr. Frey entered into record Exhibit Township - One, draft of Ordinance #530 Amendment to Zoning Ordinance – Estate Residential Cluster Provisions; Exhibit Township - Two, Legal Notice; Exhibit Township - Three, Proof of Publication; Exhibit Township - Four, Letter to County Law Library; Exhibit Township - Five, Correspondence; Exhibit Township - Six, Letter from the Montgomery County Planning Commission.

Bill Forst asked about lot size and wetland factors of the area.

John Rossi asked about setbacks and variances in the area.

James Himmelberger, Waterford Drive, asked THP about the types of homes to be built.

Peter Valucci of Westbury Lane asked about the order of events taking place. Mr. Amey explained that TH Properties have not officially submitted this plan, that this plan simply serves as an example.

Mr. Valucci asked about the total of units, which Mr. Amey told him was 87. He also asked what the difference was with this and RA1. Mr. Amey told him that RA1 does not allow clustering. Clustering is a benefit to the community. It provides for more shared green space.

Mr. Valucci asked why we would be met with challenges. Solicitor Eric Frey explained that case law says that 80,000 square foot lots are not valid, and these lots are pretty close at 70,000 square feet.

Jane Rossi asked about the 309 Connector. Mr. Amey told her that it would be going through soon.

Peter Valucci asked who would be in charge of mowing and maintenance of this open space. This decision would come at a later date – there also would be the opportunity for a homeowner's association to take care of the land.

Paul Mullin, attorney for THP, and Richard Perry from THP explained more in detail the potential development.

Commissioner Brown wrapped up the discussion. Mr. Brown reported that the ER zoning has served the Township well. But we may be challenged if we don't make some changes. These changes are made on our terms. He said that the more trusted and knowledgeable people he talks to, the more he supports cluster zoning and understands the open space advantages outweigh the fact that the lots

are 20,000 square feet. The first THP plan showed 150 homes. Now we are down to 85. That is progress. This is not a downgrade, but an upgrade.

Commissioner Brown made a motion to approve Ordinance #530. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

VIII. ACTION ITEMS

**1. Civil Service Rules Change
Resolution 04-36**

Commissioner Norman made a motion to approve Resolution 04-36. The motion was seconded by Commissioner Bleakly and carried on a 5-0 vote.

**2. Forest Hills Drive Cul-de-sac
Ordinance #531**

Commissioner O'Byrne made a motion to approve Ordinance #531 prohibiting parking along the bulb of the cul-de-sac and twenty feet on each side. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

**3. Line Street Intermunicipal Agreement
Ordinance #528**

Commissioner Brown made a motion to approve Ordinance #528. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

**4. Public Indecency
Ordinance #529**

Commissioner Norman made a motion to approve Ordinance #529. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

5. County Line Road/Route 309 Intersection Study

Commissioner Norman made a motion to authorize the County Line Road/Route 309 Intersection Study. The motion was seconded by Commissioner O'Byrne and carried on a 5-0 vote.

**6. North Penn Area Regional Sobriety Checkpoint and Expanded
DUI/Underage Drinking Enforcement Grant
Resolution 04-37**

Commissioner Norman made a motion to approve Resolution 04-37. The motion was seconded by Commissioner Bleakly and carried on a 5-0 vote.

7. Open Space Committee Appointment

Commissioner O'Byrne made a motion to appoint Brian Pfifer of 2404 Cambridge Circle to the Open Space Committee. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

**8. Amendment to Zoning Ordinance – Estate Residential Zone
Ordinance #530**

Motion to adopt Ordinance #530 was made during the Public Hearing.

9. Bills Payable

- **Paid Bills (September 2004) - \$259,782.03**
Commissioner O'Byrne made a motion to approve the Paid Bills for September in the amount of \$259,782.03. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.
- **Bills To Be Paid (September 2004) - \$304,442.77**
Commissioner O'Byrne made a motion to approve the Bills to be Paid for September in the amount of \$304,442.77. The motion was seconded by Commissioner Norman and carried on a 5-0 vote.

10. Treasurer's Report

Commissioner O'Byrne entered the Treasurer's Report into record.

IX. OTHER BUSINESS

X. ADJOURNMENT

Commissioner Andris announced that there would be an executive session after the meeting to discuss matters of personnel. No action would be taken.

Commissioner O'Byrne made a motion to adjourn the September 22, 2004 Board of Commissioners meeting. The motion was seconded by Commissioner Norman and carried on a 5-0 vote. The meeting was adjourned at 9:00 p.m.