

**BENSALEM TOWNSHIP COUNCIL  
COUNCIL MEETING MINUTES**

**Monday  
March 11, 2019**

**MEMBERS PRESENT:**

Joseph Knowles, Council President  
Ed Kisselback, Council Vice President  
Joseph Pilieri, Council Secretary  
Jesse Sloane, Council Member  
Ed Tokmajian, Council Member

**ALSO PRESENT:**

Mayor Joseph DiGirolamo  
Debora McBreen, Council Clerk/Recording Secretary  
Joseph Pizzo, Township Solicitor  
Lauren Gallagher, Township Solicitor  
Harold Gans, Township Engineer

**1. OPENING OF THE MEETING:**

**Council President Knowles** opened the meeting with a moment of silence which was followed by the Pledge of Allegiance.

**2. PUBLIC COMMENT:**

**Council President Knowles** invited Public Comment on Agenda items, but no one came forward and the first of two public portions was closed.

**Council President Knowles** then asked **Solicitor Pizzo** if there were any amendments or changes to the agenda. **Solicitor Pizzo** indicated that he had received correspondence from a Mr. Stan Kelton who is the attorney representing the applicant Faith Unity, agenda item number 8, Final Land Development. Mr. Kelton advised Solicitor Pizzo there are still a few outstanding informational items that they are working on with the Traffic Engineer regarding traffic counts and similar information needed for the Impact Fee and for the overall traffic impact study. Mr. Kelton therefore asked if council would continue the hearing scheduled for this evening to a date certain of April 22<sup>nd</sup>, 2019. Mr. Kelton indicated that the notices have already been sent so he is asking for this item to be tabled and has also granted the township an

extension of time under the Municipalities Planning Code for the townships consideration for their application. **Solicitor Pizzo** stated if council is of a mind it would be acceptable to table this item to a date certain of April 22<sup>nd</sup>, 2019. **Council Vice President Kisselback** motioned to table this item to a date certain of April 22<sup>nd</sup>, 2019, **Council Secretary Pilieri** seconded and the motion carried 5-0.

**PLEASE NOTE:**

**The minutes are not verbatim but rather a synopsis of what transpired during the meeting, and while I do my best to attribute remarks and questions to the correct individual, there may be mistakes or omissions because of the “back and forth” dialogue and the lack of the use of the microphones.**

**3. APPROVAL OF COUNCIL MINUTES:**

**Council Member Sloane** motioned to approve the Minutes of *February 25<sup>th</sup>, 2019* as presented, **Council Secretary Pilieri** seconded and the motion carried 5-0.

**4. SIGNING OF RECORD PLAN:**

**Applicant:** **Bud Silcox, Carleigh’s Castles, LLC**  
**Location:** 3674 Grandview Avenue  
**Tax Parcel:** 2-19-51

**Township Engineer Gans** indicated this is a plan that was approved by council on January 20<sup>th</sup>, 2019 with the following exceptions, concrete monuments have been indicated on the plans, the curve information required for Overland Road and Grandview Avenue has been provided and the front yard dimensions for lot one have been corrected. The plans have been signed by the engineer and recommend council does the same so that they may be recorded in Doylestown. **Council Vice President Kisselback** motioned to approve, **Council Member Tokmajian** seconded and the motion carried 5-0.

**5. TRAFFIC SIGNAL RESOLUTION:**

**Solicitor Pizzo** indicated this is a Resolution and application that council has seen before for traffic signal approval. In this case, since it is a township signal on a PennDOT highway it requires the application to PennDOT for the modifications. The modifications are the installation of the ADA compliant pedestrian facilities at the intersection of Galloway and Richlieu Roads. This installation is in concert with the Faith Unity Land Development application. Faith Unity was given Preliminary Land Development approval, so they are moving forward with the various items they have to do pursuant to Preliminary Land Development, one of those is to obtain their PennDOT approvals. The installation of these ADA facilities at this intersection is part of what PennDOT is requiring of them and therefore in order to effectuate it, because again, it is the townships intersection on a PennDOT highway.

The township and PennDOT are both involved in this, so this is PennDOT's standard form for application, this is the townships normal form of Resolution. All of the cost associated with this would be paid by the applicant, Faith Unity, as it is associated with their Land Development approval. The Resolution is in a form acceptable for council's consideration and approval this evening; and all that this Resolution does is authorize the Director of Administration to sign the necessary documents on behalf of the township.

**Council Comments:**

**Council Member Sloane** asked why this was just for the north leg of Galloway Road and west leg of Richlieu Road. **Solicitor Pizzo** indicated that insofar as the Faith Unity project is concerned he assumed that those were the only two portions of the intersection that PennDOT has determined are effective by their project were indicated. **Solicitor Pizzo** did indicate that there was improvement scheduled to take place on the corner near Thunder Hollow and stated perhaps that will come when that land development comes through the township for approval.

**Council Member Tokmajian** asked **Solicitor Pizzo** if this was contingent on the Faith Unity land development and should it be tabled to April 22<sup>nd</sup>. **Solicitor Pizzo** indicated that they need to get the various approvals in place and to get as much moving as possible during the preliminary phase as is required of them.

**Council Secretary Pilieri** motioned to approve, **Council Vice President Kisselback** seconded and the motion carried 5-0.

**6. LAND DEVELOPMENT EXTENSION AGREEMENT:**

**Applicant:** Carmen Morelli, Frank Morelli and Kathleen Morelli  
**Site Information:** 976 Mill Road  
**Tax Parcel:** 2-23-2

**Solicitor Pizzo** indicated as council is often asked to do, this would be an extension of an existing land development agreement. The original development agreement was signed on February 12<sup>th</sup>, 2018 and this is for the property located at 876 Mill Road in which they are asking for the development agreement to be extended to the date of May 1<sup>st</sup>, 2019. **Solicitor Pizzo** asked council to please give such authorization contingent upon an audit of the remaining public improvements escrow by the township Finance department and the township engineer to make sure that sufficient funds remain for the completion of the public improvements as contemplated by the agreement.

**Quinton Nearon**, Township Senior Inspector, updated council on this project.

**Council Secretary Pilieri** motioned to approve as presented, **Council Member Tokmajian** seconded and the motion carried 5-0.

**7. LAND DEVELOPMENT EXTENSION AGREEMENT:**

**Applicant:** Calatlantic Group, Inc.  
**Site Information:** 2670 Galloway Road  
**Tax Parcel:** 2-33-7

**Solicitor Pizzo** indicated as council is often asked to do, this would be an extension of an existing land development agreement. The original development agreement was signed on February 9<sup>th</sup>, 2018 and this is for the property located at 2670 Galloway Road in which they are asking for the development agreement to be extended to the date of March 11<sup>th</sup>, 2020. **Solicitor Pizzo** asked council to please give such authorization contingent upon an audit of the remaining public improvements escrow by the township Finance department and the township engineer to make sure that sufficient funds remain for the completion of the public improvements as contemplated by the agreement.

**Quinton Nearon**, Township Senior Inspector, updated council on this project.

**Council Member Sloane** motioned to approve as presented, **Council Member Tokmajian** seconded and the motion carried 5-0.

**8. FINAL LAND DEVELOPMENT:**

**Applicant:** Faith Unity, Inc.  
**Location:** 3580 Richlieu Road (NWC Richlieu & Galloway Roads)  
**Proposed Use:** Religious Institution  
**Zoning Classification:** IN – Institutional  
**Tax Parcel:** 2-1-55-2

Tabled until April 22<sup>nd</sup>, 2019.

**9. MINOR LAND DEVELOPMENT:**

**Applicant:** Street Road Outdoor, LLC  
**Location:** 4767 Street Road  
**Proposed Use:** Monument Display Use w/Accessory Features  
**Tax Parcel:** 2-4-188 & 2-4-189

The following individuals represent the applicant and presented their plan to council:

Mr. Robert Gundlach, Jr., Esquire, Fox Rothschild, LLC  
Mr. Ari Christakis, Vice President of Development at Catalyst  
Anthony Hibbeln, Engineer with Hibbeln Engineering

A lengthy conversation ensued regarding Mr. Gans' review memo dated February 20<sup>th</sup>, 2019. The applicant indicated that all of the items contained in Mr. Gans' review memo are a "will comply" with the exception of:

**Comment D-2** regarding the street trees and site trees requirement by the township, the applicant will work with the township engineer concerning the placement of said trees and agreed to pay a "fee in lieu of" if the required trees were not installed.

**Council President Knowles** indicated the applicant would have to follow the DEP's requirement or cut back the area and get a variance pertaining to the impervious surface percentage.

The matters that require further attention are the fencing, traffic movement in and out of the facility and the impervious surface percentage.

**Public Comment:**

**Alan Winsor**, 3232 Azalea Ave., indicated the street behind the proposed Dog Park is a "Paper" street and signs displaying "no parking" would have to be installed along that street. **Engineer Gans** explained that it was a "Paper" street and that it was not a paved street. **Mr. Winsor** asked why the other businesses along Street Road were not required to have a "right turn only" sign placed at their businesses but this applicant is required to have a "right turn only sign". There was a discussion regarding PennDOT and this matter and **Council Secretary Pilieri** indicated that it was a "point well taken".

**Barbara Ziedler**, 1108 Ohio Ave., referred to the dog pool and wanted council to make sure that the fence would be secure enough so that a small child could not climb through the fence. **Solicitor Pizzo** indicated that the applicant was going to prepare a fence plan for the property and will then be submitted to the township and reviewed. So obviously to the extent that if there is a water feature in the nature of a pool on the property the township will make the applicant comply with whatever fencing is required to go around pools. The applicant explained that the plan that showed the rodeo fence was just an artist rendering, this is not the actual fence that will be around the property.

**Stephanie Cohn Schaeffer**, 4800 Street Rd., Bucks County Technical Park, introduced her attorney, Mr. Charles Machion, expressed his concerns regarding the traffic for this area. **Engineer Gans** indicated that PennDOT would review the traffic study prepared by the townships traffic engineer and would make the final determination as to the Street Road improvements.

Seeing no one else come forward the Public portion for this item was closed.

**Council Vice President Kisselback** made a motion incorporating that the applicant will agree to the zoning ordinance requirements for the impervious surface, either requesting a zoning variance or complying by decreasing the surface amount itself. The applicant will ask for a waiver of trees and comply with the township engineer with a design and the amount of trees and if there is a short falling on the amount of trees then the applicant would pay in lieu of for

the street trees and the site trees. There will be a break-away gate based on the applicants request and the request of the Fire department. The applicant will continue the sidewalks and curbs along the entire front of the property. The township requests a “right turn only” sign when exiting the facility and determined by PennDOT’s approval. The township is asking for an 8 foot fence or wall and that would be presented to and approved by the townships engineer. The applicant will comply with all of Section C, 1 through 5 of the letter from the townships engineer, Mr. Gans, dated February 20<sup>th</sup>, 2019. The applicant will appear before the Zoning & Hearing Board to request a variance or to comply with the proper percentage and would also apply for zoning of the 8 foot relief for the fence and a letter from the township requesting same. Section D-2 regarding the street trees will grant a waiver and comply with the township engineer for the amount and placement of the trees. Stormwater Management is to be complied by with the numbers that were submitted to council pre-development and post development. There are 26 parking spaces and this would also be indicated on the plans. All the changes in Section F are a will comply. **Council Member Tokmajian** added full compliance of all recommendations by PennDOT for both the traffic study as well as the signs there to be erected and in addition those signs will be reviewed and approved by the township engineer along with the wall. **Solicitor Pizzo** stated that the Deed of Consolidation for the two lots will be submitted to the township, reviewed and approved by the township solicitor and the township engineer will be recorded before or at the time of the recording of the Record Plan. The 8 foot fence it is to be completely around the perimeter of the dog park, which is the area where the dogs are unleashed. **Council Member Tokmajian** seconded and the motion carried 5-0.

**10. MINOR SUBDIVISION:**

<b>Applicant:</b>	<b>Ronald J. Gruzin &amp; Sylvia Schuell</b>
<b>Location:</b>	4651 Neshaminy Boulevard
<b>Proposed Use:</b>	Single Family Dwelling
<b>Zoning Classification:</b>	R-1 (Residential)
<b>Tax Parcel:</b>	2-19-95

**John Richardson**, an engineer with Dumack Engineering, appeared for the applicant and presented proof of notification that was deemed acceptable.

**Mr. Richardson** indicated this was a 2 lot minor subdivision along Neshaminy Boulevard. His client is seeking to subdivide the property in half and build one additional single family dwelling. During the review of the March 1<sup>st</sup>, 2019 Engineering Report, Mr. Richardson noted that the project will necessitate a few waivers, and after several comments and questions from members of council, **Council President Knowles** invited Public Comment and one person came forward:

**Ulanbek Jakypbekov**, 4628 Hillside Ave., asked if the building would stay residential and the hours of working on the building would be during the daylight. Mr. Jakypbekov also wanted to be sure there were no chemicals being used since his home is downhill from his neighbor, Mrs. Schuell-Gruzin.

**Council Member Tokmajian** made a motion to approve the subdivision with two waivers, first being the aerial photograph, the second being the sidewalks along Neshaminy Boulevard, the applicant agrees to pay a fee in lieu of and Section E, B-1, is a will comply for the concrete monuments and Section F will be a will comply and the applicant has agreed to submit payment for both the Recreational Fee and the Impact Fee as issued by the township, **Council Vice President Kisselback** seconded and the motion carried 5-0.

11. **PUBLIC COMMENT:**

**Council President Knowles** invited Public Comment and the following speakers came forward.

**George Anderson**, 868 Mill Rd., the road behind his property has vehicles parked which are blocking the road and the sign at Robinson Avenue and Mill Road has not been removed. **Quinton Nearon**, Senior Inspector, addressed the sign and explained that you cannot see to your right when you are coming out of Robinson Avenue. There was a hearing a week ago in front of the District Justice who allowed another thirty days to work it out. The issue with the parking behind Mr. Anderson and the adjoining neighbors is that it is a paper street, someone put in parking spaces in which Mr. Nearon indicated he could not find any plans that specify those parking spaces were permitted. A meeting with the property owner and Mr. Nearon is scheduled for Tuesday, March 19<sup>th</sup> to rectify the situation.

Seeing no one else come forward the second of two Public portions was closed.

12. **OTHER BUSINESS:**

**Mayor** wished all his Irish friends a Happy St. Patrick's Day. The Mayor talked about Mr. Anderson's case and explained that he wanted to take the sign down and was told by the court that he could not remove the sign, so needless to say, this was in front of a judge and they granted 30 days to rectify the situation. The Mayor wanted to let council know that the township is on top of the problems that Mr. Anderson and his neighbors are having regarding the sign and parking along the back of the property.

**Council Member Sloane** received an email from a Miss Schad who lives at 2812 Ogden Ave., the Mayor told council that he spoke to Jeanine earlier that day and told her that the township would get the engineer and find out what was going on. **Council Member Sloane** asked the Mayor if anyone has been sent out and the **Mayor** replied that the township was already on it. **Council Member Sloane** wished a Happy St. Patrick's day to those who celebrate.

**Council Secretary Pilieri** welcomed the newest addition to the Phillies, Bryce Harper, commented on the return of DeSean Jackson to the Eagles and the Flyers are kicking it up at their game right now with a score of 3-1 and wished everyone a Happy St. Patrick's Day.

**Council Member Tokmajian** mentioned to the Mayor the sign on Mill Road that the township could remove it according to the code. The Mayor explained that it was before the judge and the judge would not permit the township to remove the sign. **Council Member Tokmajian**

asked **Solicitor Pizzo**, or anyone else, if there was an update regarding the Nottingham project with Aqua and if there was a timeline as to the completion of the project. **Quinton Nearon**, Senior Inspector, indicated that he spoke to Aqua 2 weeks ago and Aqua said they were in a “base repair mode” for all the trench work that was done, so as soon as the weather permits they will be in touch with Aqua for the overlay work and that is when they will come in to do the milling and paving, so they are looking at April for completion.

**13. ADJOURNMENT**

With no other business to conduct, **Council Secretary Pilieri** motioned to adjourn.

Bensalem Township Council Meeting of March 11<sup>th</sup>, 2019 can be viewed in its entirety at the following websites:

[www.bensalempa.gov](http://www.bensalempa.gov)

or

[www.youtube.com](http://www.youtube.com)

Respectfully submitted,

Debra F. McBreen  
Recording Secretary/Council Clerk