

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
March 25, 2019**

MEMBERS PRESENT:

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

ALSO PRESENT:

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

1. PLEDGE OF ALLEGIANCE:

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.

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.

Council President Knowles asked **Solicitor Pizzo** if there were any amendments or changes to the agenda. **Solicitor Pizzo** indicated agenda items 9 and 10 both apply to the Street Road Mixed Use Overlay District and the potential rezoning of the Armstrong Middle School. Correspondence was received by the applicant through their attorney advising that the application had been heard last Wednesday evening, March 20th, 2019, by the Township Planning Commission and in order to allow the applicant to address comments that were received both from Township staff and at the Planning Commission meeting, they have asked that the application for rezoning and the proposed Street Road Mixed Use Ordinance both be

tabled to a date certain of April 8th, 2019. If Council is of a mind to grant that request the appropriate motion would be to table agenda item number 9 and then separately table agenda item number 10 both to a date certain of April 8th, 2019. **Council Member Sloane** motioned to table agenda items 9 and 10, **Council Member Tokmajian** seconded and the motion carried 5-0.

3. **APPROVAL OF COUNCIL MINUTES:**

Council Member Sloane motioned to approve the Minutes of *March 11th, 2019* as presented, **Council Member Tokmajian** seconded and the motion carried 5-0.

4. **CONSIDERATION OF A REDUCED PERMIT FEE REGARDING THE ANNUAL FIRE INSPECTION FOR BENSALEM UNITED METHODIST CHURCH:**

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

5. **SIGNING OF RECORD PLAN:**

A. **Applicant:** **Paramount Realty – Bensalem 21**
 Location: 1301 Bristol Pike
 Tax Parcel: 2-29-474

Township Engineer Gans indicated this is a plan that was approved by council on January 28th, 2019. The Record Plans were presented to the Recorder of Deeds and found to be unacceptable due to changes in the notary signature area. Council will be re-approving and re-signing the plans. **Council Secretary Pilieri** motioned to approve, **Council Vice President Kisselback** seconded and the motion carried 4-1 with **Council Member Tokmajian** voting nay.

B. **Applicant:** **Bensalem Veterans Apartments**
 Location: 3063, 3095 Mechanicsville Road
 Tax Parcel: 2-37-63

Township Engineer Gans indicated this is a plan that was approved by council on October 9th 2019, with significant concerns regarding parking. The applicant was able to increase the area by adding 9 more parking spaces to the southern property line. **Township Engineer Gans** read the list of changes to the plan per council's recommendations, **Council Vice President Kisselback** motioned to approve, **Secretary Pilieri** seconded and the motion carried 5-0.

6. CONSIDERATION AND SIGNING OF DOCUMENTS FOR:

Applicant: Bensalem 21, LLC
Location: 1301 Bristol Pike (NE corner of Bristol Pike at Biddles Lane)
Proposed Use: 2 Story Addition to the existing Verizon Store building
Zoning Classification: PCD – Planned Commercial Par District
Tax Parcel: 2-29-474

The agreements have been prepared by Rudolph, Clarke and Associates and are in the townships standard form for such agreements and have been executed by the developer. The required monies have been posted by the developer and the agreements are in a form acceptable for council’s consideration and execution this evening. **Council Secretary Pilieri** motioned to approved as presented, **Council Vice President Kisselback** seconded and the motion carried 4-1 with **Council Member Tokmajian** voting nay.

7. CONSIDERATION OF AN ORDINANCE AMENDING ARTICLE V BOARDS AND COMMISSIONS:

Solicitor Pizzo indicated as council will recall during reorganization there was some discussion regarding member criteria for two of the township’s advisory boards. In this case the Disabled Advisory Board and the Drug and Alcohol Advisory Board consistent with the direction of council the solicitor has prepared the ordinance which will amend the membership requirements for the Drug and Alcohol Advisory Board to change the requirement to one of the members be an eight grade student and instead provide for the student member or members to be high school students from schools located within the township. As to the Disabled Persons Advisory Board there was some concern on the 7 member board requiring 5 of the members to be disabled residents would make populating the board difficult as is historically proven to be the case and would exclude individuals who may not necessarily be disabled themselves but reside with family members who work in facilities that deal with various disabilities. The language has been amended to remove the requirement that no less than 5 of the members be disabled residents and it shall simply require that the board be made up of 7 members who are residents of the township. The ordinance was properly advertised and is in a form acceptable for council’s consideration and approval. **Council Member Sloane** made a motion to approve as presented, **Council Secretary Pilieri** seconded and the motion carried 5-0.

8. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 225 VEHICLES AND TRAFFIC:

Solicitor Pizzo indicated as council is tasked to do from time to time the ordinance before council would amend several of the parking requirements and provisions on several streets located within the township. In each case the township will typically receive some indication that there may be a problem either from the residents themselves or perhaps various public safety personnel as they are out and about on their duties on a daily basis. The ordinance request is as follows:

Old Trevoise Road: No Parking signs are requested on both sides in front of 2555 Old Trevoise Road. The reason being, there had been numerous complaints about cars parking alongside the roadway which was creating a view obstruction for vehicles that were exiting the parking lots in that vicinity. The township traffic officer went out, did an analysis and submitted to administration, administration agrees with the recommendations of the traffic safety officer which is to again, put no parking signs on both sides of Old Trevoise Road in front of 2555 Old Trevoise Road.

Old Street Road: Between Kingston Way and Street Road, the Township received numerous complaints of cars parking alongside that roadway again causing a view obstruction for vehicles exiting the parking lots in that vicinity otherwise obstructing the flow of traffic. The township traffic safety officer performed his study and gave his recommendations to administration that there be No Parking signs on both sides of Old Street Road between Kingston Way and Street Road.

Tillman Drive: in front of 3340 Tillman Drive, the Township received numerous complaints regarding cars parking alongside that roadway, again, causing a view obstruction for vehicles exiting the parking lot obstructing the flow of traffic. . The township traffic safety officer performed his study and gave his recommendations to administration which has been forwarded to council to approve the No Parking signs eastbound, in front of 3340 Tillman Drive.

All three of the scenarios are provided in the ordinance, the ordinance has been properly advertised and is in a form acceptable for council’s consideration and approval.

Council Member Tokmajian made a motion to approve as presented, **Council Vice President Kisselback** seconded, and the motion carried 5-0.

9. CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, CREATING THE SRMU STREET ROAD MIXED-USE OVERLAY:

Tabled until the council meeting date of April 8th, 2019.

10. CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, AND REZONING PARCEL 2-60-15 FROM IN – INSTITUTIONAL TO SRMU – STREET ROAD MIXED USE OVERLAY DISTRICT:

Tabled until the council meeting date of April 8th, 2019.

11. CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, CREATING THE MUR - MIXED USE RESIDENTIAL:

12. CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, AND REZONING PARCEL 2-60-15 FROM IN – INSTITUTIONAL TO MUR – MIXED USE RESIDENTIAL:

Solicitor Pizzo indicated that agenda items 11 and 12 do go somewhat hand-in-hand. Item 11 is the request of the applicant for the township to create a new residential zoning district, the MUR – Mixed Use Residential District. Item 12 would be the consideration of the rezoning of

the Saint Katharine Drexel property from its current Institutional zoning to the MUR – Mixed Use District, should council chose to create that new district when acting on item 11. To that end, while council will take separate votes, **Solicitor Pizzo** suggested that council treat items 11 and 12 as a single unified hearing, unless the applicant has some objection, which it has not in the past, so that much of what is going to be said will have application to not only the ordinance township wide, but certainly to the Saint Katharine Drexel property specifically that the solicitor would anticipate throughout the discussion. The record should indicate that council is going to deal with items 11 and 12 for the purposes of the hearing as one hearing and then separate votes can be taken. As council will recall at a meeting in February, when Mr. Hecker and his client were before council, heard a presentation on not only the proposed ordinance but the proposed redevelopment of the Saint Katharine Drexel Property. During the course of that hearing a number of comments came forward from the members of council and from the public the township was tasked with going back to the drawing board and the township administration sat down with the applicant to go over their proposed ordinance and incorporate into it, to the extent that the township could, many of the comments that were heard during the course of the earlier hearing, not only the council hearing but also the hearing before the township Planning Commission as well. The ordinance before council this evening, as item 11, is the result of several attempts at reworking the ordinance that had initially been proposed to the township and was the subject of councils earlier hearing, again, to incorporate a number of comments that came forward.

Mr. Tom Hecker spoke regarding the ordinance which was redrafted, amended and recirculated for council's consideration. Mr. Hecker indicated his client, **Len Poncia**, Aquinas Realty, will be giving the plan overview and discussion regarding this proposal. Also in attendance is **Mr. Stanfold**, the architect, who has been instrumental in creating the reuse of the existing buildings as well as a view-scape corridor to retain the view of the existing buildings which are being preserved. Mr. Hecker acknowledged the **Sisters of the Blessed Sacrament**, who were also in attendance. There were 300 applicants who were interested in redeveloping the property, which was narrowed down substantially to the 3 finalist. Mr. Poncia brought to the table a unique perspective of the property. Mr. Hecker indicated Mr. Poncia's passion was unmatched, the Sisters of the Blessed Sacrament saw this passion in Mr. Poncia and it led them to choose him as the developer. Mr. Hecker asked council to look at this from a policy standpoint and make a determination as to whether the propped MUR District is something that fits for this property, something that fits for the township and to keep in mind something that will facilitate the retention of some very significant structure on this property to be reused in a way that will benefit the community.

Once again, an overview of the project was discussed and a lengthy discussion ensued with the following representatives and they offered testimony and answered questions pertaining to the project: **Mr. Fleming**, professional engineer with **Marathon Engineers** provided details on the layout of the structures and **Peter Stanfold**, Principal with **Stanfold & Associates**, provided details about housing, dining, salon, parking, garages, lounges and such and **Mr. Mark Roth**, Traffic Engineer with **McMahon Associates** performed the traffic study regarding the site. There were questions and comments by council and those questions were answered as needed by Mr. Hecker, Mr. Poncia and their representatives for the applicant.

Ken McClausland, Partner - Plante Moran Real Estate Investment Advisors, greater Detroit area, explained the process of the 300 candidates and how **Len Poncia**, with **Aquinas Realty** was on target with the Sisters of the Blessed Sacraments vision. Mr. McClausland explained how this has been a very difficult and emotional process for the Sisters to go through.

Sister Donna Braslin, President of the Council for the Sisters of the Blessed Sacrament stepped up to the podium and spoke on behalf of the council, **Vice President Sister Jane Nesmith**, **Councilor Sister Sandra Schmidt** and **Councilor Sister Jean Ahmstead** who were in support of the project that Aquinas Realty is proposing for their property. Aquinas truly understands the meaning of the Katharine Drexel property and the sacredness of this property that they would retain the sacredness of its history, but also be available to the public in Bensalem. The decision to sell the property was made as the consideration of the age of the sisters as well as the continuing of the mission and legacy of St. Katharine Drexel. The only way to do this was not to continue to put money into the building, this was the last thing St. Katharine Drexel would ever want for this property. Katharine Drexel was about people and the mission of the church she was given. The passion that Aquinas Realty has to keep the Mother House, the Mission Center along with the Chapel and the Crypt and not only is it important to the Sisters of the Blessed Sacrament but also to the community of Bensalem.

Public comment was then invited and fifteen (15) speakers came forward, expressed concerns about the proposed development. During this public comment portion there were numerous comments and questions from Council and its professional staff, and answers and remarks provided by Mr. Hecker and his associates making it difficult to follow the narrative, so I am identifying the public speakers and providing a brief synopsis of their commentary.

Dori Brenborg, 109 Turtle Ct., expressed her concerns regarding traffic and if the applicant.

Frank Goldstein, 4419 E. Yates Rd., expressed his concerns regarding on street parking, whether the units would be one, two or three bed units and the maintenance on the historical buildings.

Phil Valentino, 865 Village Lane, spoke on behalf of Len Poncia's character and how compelling that 300 developers had interest in this project and just one was chosen because of his vision was what the Sisters of the Blessed Sacrament had hoped for was truly amazing in itself. Mr. Valentino read a letter from Mr. Richard Redhouse of Redhouse Bagels who supports this community development.

Lindsey Lehr, 1708 George Avenue, did not find that a lot of work was put into the changes that were addressed from the meeting of February 11th.

Stacey Polakowski, 623 Ashton Rd., indicated the fact that the Sisters of the Blessed Sacrament picked one person out of 300 contenders to develop this property who has such ties to the township and has the heart of the township in his plans to make sure that this is his legacy that when he is gone he is known as the man who saved the buildings.

Mike Demetri, 950 Frieda St., asked for a streetlight at the corner of Bristol Pike and Frieda Street.

Bob Heller, 1168 Kings Ave., had concerns about traffic and asked council to vote with their hearts.

Teresa Crowley, 2203 Sparrow Way, had concerns about traffic but had faith in the Sisters of the Blessed Sacraments choice to develop this land.

James Mills, 1662 Hulmeville Rd., indicated that this development would be a good thing for the community.

Sue Breault, 2342 New Market Square South, claimed that the property was never posted and the neighboring properties had no idea what was going on and she was also wondering why a local realtor didn't sell the property. Solicitor Pizzo was able to show Ms. Breault that the property was posted on March 11th by the Building and Planning department and there were approximately one hundred notices sent to the neighboring properties that were in the required 400 ft. radius of the property not only about this evenings meeting but the March 20th Planning Commission meeting also.

Jim Hardcastle, commented that Bensalem is in need of senior housing in that area and doesn't want to see another shopping center and this option was the best case scenario for this property.

Lori Parker, 2063 New York Ave., expressed her concerns regarding traffic.

Joyce Hadley, 2922 Sussex Rd., Trevese, expressed her ideas as to what should be done with the property.

Robert Homolka, 3213 Whitney Court, expressed his concerns regarding the ordinance, sidewalks and the mile marker.

Barbara Mills, 1662 Hulmeville Rd., expressed how happy she was for the Sisters of the Blessed Sacrament and it was a good decision to develop the property and save the historical buildings that could be saved.

Seeing no one else come forward Public Comment was closed for this agenda item.

Council Vice President Kisselback motioned regarding agenda item 11 to accept the ordinance which is amending the Zoning Ordinance Part II Chapter 232 Article V to create and adopt a new residential district title MUR – Mixed Use Residential, regarding the ordinance, will add Section 3C which will state in essence of no case the active adult will be no more than 40%, also adding that council will be protecting historic buildings in a form of a restrictive covenant, Council Secretary seconded, **roll-call vote: Council Member Sloane voted no, Council Secretary Pilieri voted yes, Council President Knowles voted yes, Council Member Tokmajian voted no and Council Vice President Kisselback voted yes, motion carried 3-2.**

CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING ORDINANCE, CHAPTER 232, AND REZONING PARCEL 2-60-15 FROM IN – INSTITUTIONAL TO MUR – MIXED USE RESIDENTIAL:

Council Vice President Kisselback motioned to approve, **roll call vote: Council Member Sloane voted no, Council Secretary Pilieri voted yes, Council President Knowles voted yes, Council Member Tokmajian voted no and Council Vice President Kisselback voted yes, motion carried 3-2.**

13. PUBLIC COMMENT:

Council President Knowles invited additional Public Comment and the following people came forward:

Alan Winsor, 3232 Azalea Ct., recommended an infrastructure study be done and Mr. Winsor asked to see the traffic study and was instructed to contact administration and request a Right To Know Request form.

John Dody, 1539 Tyson Ave., asked if he would be notified regarding the development, council agreed that he would receive a certified letter in the mail regarding the redevelopment hearing.

Seeing no one else come forward, the second of two public comments was closed.

14. OTHER BUSINESS:

The audio for this portion of the meeting was not working, unable to transcribe.

12. ADJOURNMENT:

There being no other business to discuss **Council Member Pilieri** made a motion to adjourn.

Respectfully Submitted,

**Debra F. McBreen
Recording Secretary**