

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
May 9th, 2022**

COUNCIL MEMBERS PRESENT:

Joseph Knowles, Council President
Edward Kisselback, Council Vice President
Joseph Pilieri, Council Secretary
Michelle Benitez, Council Member
Stacey Champion, Council Member

SUPPORTING STAFF PRESENT:

Mayor Joseph DiGirolamo
Debora McBreen, Council Clerk/Recording Secretary
Joseph Pizzo, Township Solicitor
Phil Wursta, Township Engineer/Traffic Engineer

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 their microphone.

1. PLEDGE OF ALLEGIANCE:

Council President Knowles opened the meeting with a moment of silence and/or prayer which was followed by the Pledge of Allegiance.

2. PUBLIC COMMENT:

Council President Knowles indicated the Public Comment will be heard at the time the agenda item is heard. Seeing no one come forward, the first of two Public Comments was closed.

Council President Knowles asked **Solicitor Pizzo** if there were any changes to this evening’s agenda.

Solicitor Pizzo indicated Agenda Item 5, the consideration of a Resolution regarding the Deed Restrictive Covenant for Bucks County Open Spaces, those members of council who were on council last November may recall that item was dealt with at that time. Council did in fact adopt the Resolution which is numbered 21-23. It ended back up on the agenda essentially by inadvertence. Solicitor Pizzo had some dealings back and forth with the County Open Space

Board which resulted on the item being placed on the agenda, the County not having realized council had already adopted it back in November.

Agenda Item 10, Johnson Development, 2600 State Road, the Township received correspondence for Council from the applicant advising they are continuing to work collaboratively to address ongoing concerns pertaining to Renaissance Boulevard and therefore they are asking the item which had been tabled to this evening, to be tabled to the Council meeting of May 23rd. They have granted the Township the requisite extension of time under the Municipalities Planning Code for the consideration of their application. **Council Vice President Kisselback** motioned to table Agenda Item 10 to a date certain of May 23rd, **Councilwoman Champion** seconded and the motion carried 5-0.

3. **APPROVAL OF COUNCIL MINUTES:**

Councilwoman Champion motioned to approve the April 25th, 2022 Council Minutes as presented, **Council Vice President Kisselback** seconded and the motion carried 5-0.

4. **CONSIDERATION OF THE 2022 COMMUNITY BLOCK GRANT PROGRAM:**

Solicitor Pizzo indicated every year the Township is required to come up with a set of proposals for the objectives and projected use of funds from the Community Development Block Grant Program. The Township gets its own CDBG allotment directly from the State. In this case, Director Cmorey, the Mayor and the Finance Manager, Mr. Chaykowski, have worked to put together the proposal that is attached to the memorandum in Council packets. This year the Township is expected to receive \$381,135.00 in Community Development Block Grant funds. The breakdown that is proposed is in the Council packet. If Council is of a mind, the appropriate action would be to approve the proposed CDBG objectives and projected use of funds for the calendar year 2022.

Councilwoman Benitez asked what the Program Administration entailed for these programs and services.

The Mayor indicated the monies are given to Administration to process.

Solicitor Pizzo indicated, as is true with any government funds the Township receives there are a variety of reports that have to be on a periodic basis and audits that have to be performed on a periodic basis to make sure the funds are being expended appropriately and properly.

Council Vice President Kisselback inquired about the improvements to Brookwood Park and Trace Drive Park that will provide access to people with physical disabilities.

Councilwoman Benitez motioned to approve, **Councilwoman Champion** seconded and the motion carried 5-0.

5. **CONSIDERATION OF A RESOLUTION REGARDING THE DEED OF RESTRICTIVE COVENANT FOR BUCKS COUNTY OPEN SPACE:**

Discussed at the onset of the meeting. No motion required.

6. **CONSIDERATION OF A PUBLIC HEARING OF AN ORDINANCE AMENDING CHAPTER 225 “VEHICLES AND TRAFFIC” ARTICLE II – “TRAFFIC REGULATION, SECTION 6, APPENDIX A SHALL BE AMENDED TO ADD THE FOLLOWING:**

<u>Do Not Enter</u> 3pm – 6pm	<u>Direction of Travel</u>	<u>At Intersection Of</u>
Pine Road	All	Bristol Road
<u>No Parking, Stopping, or Standing Sign</u>		
Elizabeth Avenue	Northbound	From Brownsville Road to First Driveway
Magnolia Avenue Linden Avenue	Southbound	Intersection of Magnolia Avenue and Linden Avenue

No Obstructing A Parking Space

Solicitor Pizzo indicated this ordinance will address a few traffic related items and as Council is aware, the Township from time to time either from residents or through the Township First Responders, identify places in the Township where traffic control devices need to be changed or where there may otherwise be parking taking place that is obstructing traffic or creating other safety hazards. This ordinance addresses a few such items such as:

1. Pine Road at the intersection of Bristol Road will be signed to show “Do Not Enter” from 3pm – 6pm.
2. The northbound direction of Elizabeth Avenue, from Brownsville Road to the first driveway and the southbound direction of Magnolia Avenue at the intersection of Magnolia Avenue and Linden Avenue will now be signed “No Parking, Stopping, or Standing”.
3. It has been recommended a Section 5 be added to the existing Parking Regulation dealing with existing parking spaces that will keep vehicles and other items from blocking parking spaces and for addressing a situation encountered from time to time where people are reserving parking spaces either on roads or cul-de-sacs or the like that are in fact public parking spaces. The language proposed would make it a violation of the ordinance to save, block or reserve, whatever word you want to use, a parking space by way of barricades, cones, things of that nature.

Those are the three different items this single ordinance is intended to address. The ordinance has been properly advertised and is in a form acceptable for Councils consideration.

Councilwoman Benitez motioned to accept the Ordinance as presented by Solicitor Pizzo, **Council Vice President Kisselback** seconded and the motion carried 5-0.

7. CONSIDERATION AND SIGNING OF AGREEMENTS FOR:

Applicant: Raising Cane’s Restaurant, LLC
Location: 3617 Horizon Boulevard
Proposed Use: Quick-Service Restaurant
Zoning Classification: C - Commercial
Tax Parcel: 2-1-18-28

A. Land Development Improvements Agreement

(4) Executed copies to be signed by Council upon consideration.

B. Stormwater Best Management Practices Operations & Maintenance Agreement

(4) Executed copies to be signed by Council upon consideration.

Solicitor Pizzo indicated one of the first actions of our newly elected Council members back on January 10th was to approve the land development for Raising Cane’s Restaurant, located on Horizon Boulevard where the Bertucci’s Restaurant is currently located. As part of that approval the Land Development Improvements Agreement and Stormwater Best Management Agreement for the project have been prepared by the Solicitor’s office, they have been signed and received back by the Township from the developer together with the monies necessary and called for under those agreements. Therefore, these agreements are in a form acceptable for Council’s consideration and the Administration recommends their approval.

Council Vice President Kisselback questioned a section of the agreement and asked the Solicitor to verify if he was interpreting it correctly.

Solicitor Pizzo indicated paragraph five says as part of this process the developer is giving the Township a letter of credit, the letter of credit is in an amount calculated by the Township Engineer in concert with the developer’s engineer and this is the calculated cost of building all of the public improvements where tomorrow the developer could disappear from the face of the earth and the Township had to step in and do it. After a year the Township has the ability, depending on where they are in the process, to go back and say, well, you haven’t done anything or you have only done a little bit and construction costs have increased significantly and therefore we have recalculated the cost and now the one hundred thousand dollar letter of credit the developer gave the Township is now requiring it to be one hundred and twenty five thousand because that is how much the Township has estimated between material costs and labor costs it would take to complete the unfinished amount. The agreement gives the Township the ability, once a year, to recalculate based on what the progress is and what the Township believes the amount remaining, if it is sufficient enough.

Council Vice President Kisselback motioned to approve, **Councilwoman Benitez** seconded and the motion carried 5-0

8. CONSIDERATION AND SIGNING OF AGREEMENTS FOR:

Consideration and signing of Agreements for:

Applicant: Woodhaven Property Associates, LLC
Location: 1717 Woodhaven Drive
Proposed Use: Residential Units
Zoning Classification: LI – Light Industrial
Tax Parcel: 2-60-13-13, 2-60-13-1 and 2-60-13-17

A. Land Development Improvements Agreement

(4) Executed copies to be signed by Council upon consideration.

B. Stormwater Best Management Practices Operations & Maintenance Agreement

(4) Executed copies to be signed by Council upon consideration.

Solicitor Pizzo indicated this is the same discussion they had just had regarding the prior agenda item. This is for the Pennsylvania Steel property down at 1717 Woodhaven Drive. The agreements have been prepared by the Solicitors office and they have been signed and funded by the developer and they are in a form acceptable for councils' consideration and approval.

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

9. CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT FOR:

Applicant: Bensalem III Industries, LLC
Location: 2500 State Road
Proposed Use: Commercial
Zoning Classification: R-55 – Riverfront Revitalization District
Tax Parcel: 2-65-20

Solicitor Pizzo indicated it appears that at least insofar as the mailing goes, the notices went to all of the properties that were on the least that was provided.

Council President Knowles asked if the Waterside residents were notified.

Solicitor Pizzo indicated based on the addresses, the list does not include any other streets within Waterside. Solicitor Pizzo was not sure if any of those properties were within the distance generated by the Building and Planning department.

Andre Stoll, Solicitor for the applicant, indicated it is the same mailing list that went out for the multiple Zoning and Planning Commission meetings the applicant appeared before.

Solicitor Stoll indicated this project has been through various reviews and immense coordination with, not just the Township, but with multiple agencies including PennDOT and the DEP. This project has been going on for a number of years. With that said, there is very limited development taking place at the property as everything is essentially existing.

Solicitor Stoll indicated they are making immense stormwater improvements to the property. The property consists of two parcels. The applicant received 5 variances from the Zoning Hearing Board. The applicant has been in front of the Planning Commission multiple times, most recently, in the Fall, and has received a favorable recommendation.

Council President Knowles indicated after looking over the plans, his interpretation is the applicant is basically removing existing pavement and stone area in the front and behind the existing office and restaurant building which will improve parking and stormwater management.

Solicitor Stoll indicated the interpretation to be correct. The applicant is improving the parking area and received a variance to have less than the required parking spaces because of having shared parking with the Broken Goblet and eatery there is not a lot of parking. With the zoning relief, the applicant will have less than required parking, reduce the impervious and keep those numbers down as best as they can.

Council President Knowles indicated on page 2 of the T and M letter, dated March 19th, 2021, it specifies another purpose of this application is to document improvements that have been installed on this site from the year 2005 to present day without prior Township approval and asked the applicant to please explain the notation.

Solicitor Stoll indicated there were improvements made to the property before any of the applicant's engineers and solicitors were involved. The DEP was involved because of those improvements which the applicant is under a consent order to make those improvements. Similar to the zoning, the applicant is coming before Council indicating this improvement was made and they would need to get zoning relief for it to be on the books. Same thing with the notation on the T and M letter, the applicant is coming before Council saying land development may not have been received for prior improvements but the applicant is getting those approvals now. The applicant received a call from the DEP asking where the project was and are they moving forward and would like to see the project move ahead as soon as possible.

Councilwoman Champion asked the applicant for a short synopsis regarding documenting the improvements from the date of 2005 to present.

John Grossi, one of the property owners, indicated what they are doing on the property currently, as his attorney indicated there is a consent order to do certain stormwater management improvements. Essentially, what has taken place is the 625 Imperial Court building, which was industrial, and 2522 State Road, the back portion, which is also industrial, was combined to be

one tenant usage for the company Maximum Crane. It was determined by the DEP the improvements were done and the applicant continued to do improvements in the front of the property and now it is required for the applicant to improve the stormwater management. Mr. Grossi stated they have done what the DEP has asked and is very pleased with the stormwater management project.

Solicitor Stoll indicated the T and M letter dated March 19th, 2022 is a will comply with the exception of the waiver requests.

Council President Knowles asked the Township Engineer, Mr. Wursta if he approved of the waiver request. Based upon the review of the letter and Engineer Wursta's conversation with T and M he was okay with the waivers.

The applicant is requesting the following waivers. T and M's specific comments regarding each waiver request are provided in Section D of the March 19th, 2022 review letter listed below.

1. SLDO Section 201-105(a)(2)a.6, which states no proposed gradings shall be permitted within three feet of any site property line.

Solicitor Stoll indicated it is an existing condition which has already been graded out within 3 feet of the property line.

2. Section 201-106(c)(10)b, regarding the number, not the spacing or location, of trees required in all subdivisions and/or land developments.

Solicitor Stoll indicated a lot of the site is already developed and given the existing conditions the applicant will supply some trees and a fee-in-lieu of based on the disturbed area which is outlined in the applicant's waiver letter dated December 16th, 2021.

3. SLDO Section 201-112(d), which states that a planting strip with an average width of 10 feet shall be provided between the edge of parking areas and the outside wall of buildings.

Solicitor Stoll indicated it is an existing condition and is analogous to zoning relief the applicant actually received for the same condition.

4. SWMO Section 196-36(b), which states that the Township may allow the use of the Rational method to estimate peak discharges from drainage areas that contain less than 200 acres.

Engineer Wursta indicated this request was acceptable.

5. SWMO Section 196-36(g), which states that the proposed condition CN shall increase by 5%.

The applicant's engineer indicated it is a way of modeling the site. The scenario used was as follows: if you had a farm field existing and you were to develop it, during the course of developing the field you are compacting the land down, so you would increase the run-off value by 5%. Since this is an industrial project that has always been built or built for the last 20 years, the applicant is asking for a waiver not to increase the runoff because the land has already been compacted down.

6. SWMO Section 196-61(b)(1), which states that storm sewer pipes shall be reinforced concrete pipe, have a minimum grade of ½ % and a minimum diameter of 18 inches.

The applicant's engineer indicated this is an existing condition. There is a number of slightly smaller pipes on site, but they are already in place and the applicant would have to actually dig them up and remove them to meet the ordinance requirement. In this case, the applicant is covering his bases by asking for a waiver for pipes that exist.

7. SWMO Section 196-61(b)(12), which states that a minimum of 2 feet of cover shall be maintained over all storm drain pipes.

The applicant's engineer indicated they have a minimum of 12 inches through all pipes existing are proposed and that should be sufficient.

Vice President Kisselback indicated he understands the pipes are already in place but when there are trucks and cars going over the pipes, would 12 inches be enough or will that cause a problem in years to come.

The applicant's engineer indicated the location of these pipes are in the parking lot. The pipes crossing the drive is a trench drain and that is an industrial trench drain and will not be crushed. The pipes the applicant is talking about are in back of the site where the swales and basins are and there is not truck traffic.

Solicitor Pizzo indicated T and M, in regard to this waiver request, did have two comments and asked the applicant if he will comply with those requests. The applicant responded he would comply. Mr. Pizzo indicated one of those requests had to do with areas subject to truck traffic.

The applicants engineer indicated in regards to the T and M letter, besides the waiver requests, they are a will comply.

8. SWMO Section 169-61(b)(11), which states at all inlets or manholes, the maximum allowable headwater depth shall be one foot below the top of the inlet grate or the manhole cover.

The applicants engineer indicated this is an existing condition.

9. SWMO Section 169-61(e)(5), which states that anti-seep collars shall extend a minimum of two feet beyond the outside of the principal pipe barrel. The spacing between collars shall be 16 feet. The use of an O-ring pipe is required for all detention discharge pipes.

The applicants engineer indicated typically, on an outlet structure there is an outlet structure that has a pipe and then a headwall. Between the outlet structure and the headwall there are two things called an anti-seep collar. It is concrete around the pipe that if for some reason there is a leak and the water starts running along the pipe, because that is what the water does, it runs with gravity, these concrete structures, anti-seep collars, stop the water. The applicant is still doing the anti-seep collars, the distance that exists is a little off from what the ordinance requires.

10. SLDO Section 201-110(b), which states that curbs shall be constructed and cartways shall be widened to the curb for boundary streets.

Solicitor Pizzo indicated the T and M review letter addresses this request. Page 6, item number 28 indicates:

The plan has been revised to show an existing cartway width of 30.4 feet along State Road which is less than the minimum requirement of 40 feet.

There are PennDOT plans (by others) that show proposed widening of the cartway to 37' along State Road with no proposed curb along this site. These plans are not part of this application.

The applicant is requesting a waiver for cartway widening and curb installation along State Road and is proposing a fee-in-lieu of installation.

This issue should also be reviewed by PennDOT and the Township Traffic Engineer. To address this comment the applicant should submit written confirmation from PennDOT and the Township Traffic Engineer. All comments referenced in the Township Traffic Engineer review letter dated August 31, 2020 shall be addressed.

The applicants engineer indicated Lennar has an HOP with PennDOT for the improvements going along the road. As per that design the applicant is asking for a waiver not to install curbs because Lennar is doing the work already.

Engineer Wursta indicated there is an issue with Lennar. TPD has requested if Lennar doesn't come through with the project, curb needs to be along the frontage. A fee-in-lieu of has been requested from the applicant in the event Lennar does not come through.

11. SLDO Section 201-111(a) & (i), which state that sidewalks shall be provided along all streets, or the applicant shall pay a fee-in-lieu of installation.

Solicitor Stoll indicated the nature of that waiver is there is a requirement along State Road they would have to have sidewalks. In meeting with PennDOT and discussing, there primary concerns was not the sidewalks along State Road, it was to make sure pedestrians had safe access from the Broken Goblet to State Road. The applicant is proposing showing the sidewalk going from State Road around to Broken Goblet. The applicant is providing more sidewalk then would otherwise be required.

Councilwoman Champion asked the applicant if there was a way pedestrian would not wind up walking on the grass if a sidewalk was installed.

Engineer Wursta indicated when Waterside is done their widening of State Road, which they are suppose to start this summer, there will be a crossing with a flasher. You will be able to walk from Waterside to a restaurant. This is an existing building, and existing business which the Township is trying to help to make things better in that area. The walking issue is key in which the Township Engineer went into great detail addressing the different scenarios for the sidewalk installation.

A lengthy discussion ensued regarding sidewalk.

Solicitor Pizzo indicated the Engineer's comments are obviously the design being discussed and if Council is amenable to that, the Engineer is recommending the sidewalk be considered. There are several other comments clarifying how drainage parallel to State Road interacts with the

sidewalk the applicant will do that to the satisfaction of the Township Engineer and PennDOT. PennDOT approval will be required for the crossing, again the applicant will attain that and an ADA ramp is required along the sidewalk along the parking area, the applicant will add the ADA compliant ramp as well.

Fire and Rescue letter dated February 9th, 2022 rejected the land development plan in regards to the proposed Loading Zone on the side of 2500 State Road will need to be relocated to a different location on the property. The location presently is a fire lane that includes two fire hydrants and the fire department sprinkler connection to the building.

The applicant relocated the Loading Zone to around the back of the building to comply with the Fire Rescue letter.

Councilwoman Benitez asked for additional lighting to improve visibility for pedestrians.

Solicitor Stoll indicated all of the lighting will comply with the Township ordinances.

Mr. Grossi indicated there is a lot of parking lighting existing, a study was conducted and it meets Township code. In the right of way, the applicant has not done a study or provided any lighting.

Councilwoman Benitez indicated the area of lighting she is concerned about is the pedestrian walkway along State Road for visibility and safety

Solicitor Stoll indicated they are on board for the additional lighting. The mechanics of it and where things go, it can get a little “hairy”.

Council President Knowles asked the applicant if the Township Engineer recommended additional lighting for pedestrian safety would they provide the lighting.

Solicitor Stoll agreed, if recommended, they would provide the additional lighting.

Engineer Wursta stated he would like the area lit, especially along the basin.

Council President Knowles indicated section **D. Chapter 201 - Subdivision and Land Development Ordinance (SLDO)** 1 through 36 are a will comply with the exception of the waivers that were discussed.

Council President Knowles indicated the Traffic Planning and Design letter dated April 12th, 2022 comments on the plans and asked Engineer Wursta for clarification.

Engineer Wursta indicated the official map goes through parking lots or basins, not buildings. If the Township decides to move forward with Renaissance Boulevard, the Township would be

in a position to take the property and then build a road and follow DEP guidelines. Part of that, there would be payment, or the basins and parking would have to be replaced.

Council Secretary Pilieri indicated Renaissance Boulevard has to go through if there is going to be any kind of development done from Street Road back. At that point in time is when

everything would be added in and done properly and there would be lighting and everything else back there for safety. Renaissance Boulevard has to go there to keep the truck traffic off of State Road and being able to go from Renaissance Boulevard straight through to Street Road. The Township is looking forward to all of the property owners working with the Township to make sure the road goes in.

The applicants engineer indicated the driveway, in its current condition, functions and operates, but it doesn't meet PennDOT's standards. The applicant will widen the access driveway to accommodate a WB62 truck.

Council President Knowles indicated piping should be provided under the proposed sidewalk connect behind the proposed ADA ramp crossing State Road to prevent damming.

The applicants engineer indicated they will be installing a trench-drain.

Council President Knowles indicated a northbound left turn lane should be provided if the proposed Waterside work is not completed prior to building occupancy.

Engineer Wursta indicated they do not want any establishment without a left turn or access without a left turn, they need to get people out of the way of truck traffic. If Waterside goes through with their proposal, then there will not be a problem, there will be a center turning lane. If Waterside does not come through for the center turning lane, the applicant will be responsible to install a center turning lane.

The applicants engineer indicated, since Lennar is already on the hook for these improvements, the applicant would have to install them at a certain point but there should be a recapture fee because Lennar is responsible for the road improvement.

Engineer Wursta indicated the issue is Lennar is building the third lane from Camer Drive all the way to the north. There should be a third lane all the way through there, otherwise, if something happens to Lennar financially and they can't complete the work, the Township has Impact Fee money which can be used. The Township feels a left turn access is part of a site improvement and therefore ask the developers to handle installing the left turn access.

Solicitor Pizzo indicated at this juncture, it is the obligation of this project to do all things being equal. The fact that Waterside or Lennar has agreed they are going to otherwise do work off of its property or along it's frontage, it is fortunate for them. Waterside isn't looking for a recapture from any of the properties along State Road where they are doing work in front of where the property owners would otherwise be required. There is no recapture one way or the other. It could be required this developer construct it at this time or they take the risk and hope Lennar puts in the turning lane and saves them the money.

The applicant agrees to construct the center turning lane if Lennar does not and is aware of Lennar having a Letter of Credit with PennDOT.

Council President Knowles asked if anyone would like to come forward to speak for or against this project. The following residents came forward:

Joann Stewart, Vice President of the Waterside Homeowners Association, asked for the coordinated efforts to get Renaissance Boulevard built.

The Mayor indicated Renaissance Boulevard is going in, but not sure of the demographics at this juncture.

Solicitor Pizzo indicated the Township does know where it is going in the sense that it exists today on the official Township map. As indicated earlier this evening, Johnsons Development came off of the agenda in part because they are working with their neighbors to see if they can come up with a change to their plan that might involve a relocation of where Renaissance Boulevard ends up being built.

This plan, if Council approves it this evening, is being approved notwithstanding the fact that Renaissance Boulevard is shown on this property but isn't, at this point, being required to be constructed. The building exists, unlike other applications that have come to the Township where the road is shown on a plan and an applicant wants to build a new building on top of it, should Council choose to deny those plans, that would be a basis for doing so.

In this case, Renaissance Boulevard was designed so as not to require this building to be demolished. For the time being, should this plan be approved, would have Renaissance Boulevard going currently where parking is and when they get to that point in time the Township will have to figure out where the parking gets relocated so as to accommodate the road. This plan doesn't propose building a new building or any permanent structures where Renaissance Boulevard is proposed to go. This is an important part should the next developer come in and say you let them build. The reason is because this plan considers the fact that Renaissance Boulevard is not shown to go where the applicants building is located and not proposing to expand the building, otherwise construct within the Renaissance Boulevard right-of-way.

Seeing no one else come forward, the public portion was closed.

Councilwoman Benitez motioned to approve, Solicitor Pizzo indicated as to Section C, items 8 and 9 are both a will comply items the developer will comply with the comments of the Township Engineer. Section D items 3, 4, 8, 9, 13, 14, 17, 18, 20 are all will comply items. Item 24 will be a waiver with a payment of a fee in lieu of the required trees. Item 28 is a will comply, item 29 is a waiver, the waiver would be a condition upon the applicant will provide the sidewalk as shown on the plan, an will otherwise comply with the comments of the Township Engineer and the Township Traffic Engineer. Additionally, lighting will be added along the sidewalk to the satisfaction of the Township and the Township Engineer. Item 30 and 35 is a will comply. Section E, item 2 is a will comply, item 6, 7 10 and 11 is a waiver. Item 12 is a waiver provided the applicant complies with the comments of the Township Engineer as a condition of that waiver. Item 14 is a waiver and item 16 is a will comply. Section F, items 1, 3 and 9 are all will comply items. As to the Township Traffic Engineer letter of April 12, 2022 all items are will comply items and as was noted if for whatever reason, the Township believes the northbound left turn lane will be a part of the HOP. If Lennar constructs it, so be it. If not, it

will be the obligation of the developer to construct. The applicant will comply with all of the requirements of PennDOT and DEP as they apply not only to this plan but all other pending issues regarding that property. **Council Secretary Pilieri** seconded and the motion carried 5-0.

10. CONSIDERATION OF A PRELIMINARY LAND DEVELOPMENT FOR:

Applicant: Johnson Development Associates, Inc.
Location: 2600 State Road
Proposed Use: Warehouse/Distribution
Zoning Classification: R-55 - Riverfront Revitalization District
Tax Parcel: 2-65-21

This matter was tabled by a prior motion to a date certain of May 23rd, 2022.

11. PUBLIC COMMENT:

Joe Connelly, 568 Bristol Pike, inquired about the dirt pile.

Seeing no one else come forward, the second Public Comment portion was closed.

OTHER BUSINESS:

The Mayor indicated the concert series will start the first week of June.

Councilwoman Benítez hoped everyone had a great Mother's Day. B3T hosted an event regarding the National Drug Take Back Program. They collected 12 boxes of expired, unused, unwanted medications and sharps. Thanked the community for coming out and participating in the event. The St. Katherine Gala was held at the Buck Hotel last Sunday, it was a great fundraiser and recognized a local organization. MJROTC Award Night at Bensalem High School is on May 13th. Bensalem Senior is hosting a dinner dance at 4 o'clock on May 14th. Cops and Rodders Car Show at Parx Casino is on May 22nd. Bensalem Police Memorial is May 23rd at the Township Building commencing at 10:00 A.M.

Councilwoman Champion thanked everyone for coming out and watching this evening. The Bensalem Education Foundation is selling nameplates for the back of the seats in the Bensalem High School auditorium.

Council Secretary Pilieri spoke to the Mayor in regards to Nick Quattrone receiving the letter dated June 1st. He will be there and can't wait to see Mayor Joey D.

Council President Knowles reiterated the announcement regarding the Police Memorial. Next meeting is May 23rd, 2022.

12. ADJOURNMENT:

There being no other business to discuss, the meeting was adjourned.

The Bensalem Township Council Meeting of May 9th, 2022 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully Submitted,

**Debora F. McBreen
Recording Secretary**