

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

Monday 4/9/18

MEMBERS PRESENT:

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

ALSO PRESENT:

Mayor Joseph DiGirolamo
Ron Gans, Township Engineer
Joseph Pizzo, Solicitor
Lauren Gallagher, Solicitor
Debora McBreen, Council Clerk
Cindy Terlecki, Recording Secretary

1. PLEDGE OF ALLEGIANCE:

Council President Pilieri opened the meeting with a moment of silent meditation and the Pledge of Allegiance to the flag.

2. PUBLIC COMMENT:

Pilieri asked if anyone from the audience wanted to speak on any agenda items, no one came forward and public comment was closed.

3. APPROVAL OF COUNCIL MEETING MINUTES:

Knowles motioned to approve the minutes of 3/26/18 as presented, and **Tokmajian** seconded, motion carried 5-0.

Pilieri asked **Pizzo** if there were any changes to the agenda and **Pizzo** said that item #7, an ordinance rezoning Saint Katherine Drexel property was being tabled, the company who is handling the sale of the property asked to table this until the next council meeting which would be 4/23/18, **Kisselback** motioned to approve and **Knowles** seconded, motion carried 5-0.

4. CONSIDERATION FOR CONDITIONAL USE:

Applicant T-Mobile Northeast, LLC
Location: 2376 Street Road
Proposed Use: Telecommunications Facility
Tax Parcel: 2-36-293

Debra Shulski spoke on behalf of the applicant, **Gallagher** noted that the notices were in order and the property was posted properly, **Shulski** said that Exhibits A2 thru A12 were to be added. The plans propose a 65' high wooden pole to be placed in the rear corner of the Subway Restaurant located on the southeast corner of Knights and Street Roads. **Shulski** said there were 3 witnesses to be sworn in, **Michael Fahey**, **Michael Bolohly** and **Archibald Dickerson**. **Fahey** said he is an acquisition specialist and he identifies suitable sites for telecommunications and examines zoning codes. **Kisselback** asked if there were any other sites, **Fahey** said there were no other cell towers in the area suitable for radio frequency. **Pizzo** asked how many did he contact and **Fahey** said 6, 7 or 8, up and down Street Road. **Knowles** asked about the roof of the Constitution Building on Street Road and **Fahey** said it was not an option. **Pilieri** said that it is less than a mile from where they were looking to put the new tower. **Pizzo** asked what the minimum height would be and **Fahey** said 65', **Gans** said this is a 65 foot metal pole. **Kisselback** asked for a list of properties visited as a possible site, **Fahey** said he would provide a list. **Dickerson** said the radio frequency transmission is where the phone talks to the cell tower, it would provide a service so customers could make and receive calls. **Dickerson** went on to say there is no shortage of signals in the area, a new antenna site is needed in the center and Subway Restaurant is a central location, Bensalem is approaching being maxed out and they must plan far enough in advance. **Kisselback** asked if there was a second choice for a location if this location didn't work and **Dickerson** said no, they did go to Kohl's and Ross but the roofs were too flimsy and would not support the weight. **Pilieri** asked to see where the cell tower at the Bensalem Township Country Club was located on the map and **Gans** said Hulmeville and Brown Avenue. **Pilieri** said it is less than ¼ mile from Subway and why they couldn't use what is there now, **Dickerson** said it is already reaching capacity. **Sloane** asked if the cell tower at the Country Club could be refurbished to increase capacity or add another one and **Dickerson** said no. **Sloane** asked how much time would this new cell tower give for service and **Dickerson** said about 5 more years. **Bohlinger**, professional and structural engineer said they are proposing a 20 foot by 20 foot 6 foot fenced compound with a 65 foot pole, it would have a concrete slab room for tower and equipment cabinet and a standby propane generator. The site would be visited monthly by a technician during the work day. **Sloane** asked what the difference would be with a pole on the ground or on a roof top, **Bohlinger** said he didn't check Kohl's building but it is a light frame steel building. **Pilieri** asked what would be the difference of an air condition unit or a cell tower on the roof. **Kisselback** asked why a pole, and **Bohlinger** said people won't see it, **Fahey** said they liked Subway for the radio frequency. **Pizzo** said there is an 8 foot side yard setback shown on the plan and the applicant has not sought zoning relief. **Shulski** said they were not aware the cabinet would require zoning relief, this is a conditional use hearing. **Gans** said the pole is fine but the cabinet is outside the set back. **Sloane** said this was advertised as an entire compound. **Gans** said some things are showing on the plan that could be considered a structure. **Knowles** asked if it had footings and **Bohlinger** said it did not. **Pizzo** referred to **Gans** review letter of 2/7/18 and asked if the applicant submitted a plan to the Township for Item # 3 under zoning

regarding the demonstration that the tower could withstand the effects of wind according to the American Standard Institute, **Bohlinger** said no, that it would be submitted when the pole is ordered. **Pizzo** then asked about the amended plans submitted to the Township 3/1/18 for a metal pole, **Pizzo** also asked about parking, **Bohlinger** said there was ample room to park 1 vehicle once a month. **Pizzo** asked if there were any additional monopoles along Street Road and **Shulski** said there were utility poles. **Pizzo** wanted to know if an antenna could be put on a utility pole and were they aware that there is a pending Ordinance for the Overlay District along Street Road and **Bohlinger** said no.

Shulski asked **Bohlinger** why a wood pole instead of a steel pole, **Bohlinger** said a wood pole would blend in with the utility poles in the area. **Sloane** asked about the Fire Marshall review and **Gans** said they would have to respond to the Fire Marshall. There was more discussion on the pole and how it would affect the appearance of the area. **Pilieri** then asked if there was anyone in the audience who wanted to speak on this and **Barbara Zeidler** came forward and asked how long the construction of this pole and cabinet would take, the intersection is one of the worse intersections, and the construction would affect traffic, **Shulski** said the construction would take about a week. **Pizzo** said that exhibits A1 thru A12 have been all marked and received and are part of the record, **Kisselback** motioned to deny this and **Knowles** seconded, motion denied 5-0.

Pilieri called for a brief recess. **Pizzo** said that due to the lateness of the hour, #5 on the agenda will come back before Council on 4/23/18 due to the time constraints they were granted an extension and they would like to be first on that agenda. **Sloane** motioned to approve moving this to the 4/23/18 meeting and **Tokmajian** seconded, motion carried 5-0. Item #8 on the agenda is also being moved to the 4/23/18 meeting and due to time constraints will also need an extension of time, the applicant asked to be second on that agenda, **Tokmajian** motion to approve moving this to the 4/23/18 meeting and **Sloane** seconded, motion carried 5-0.

5. CONSIDERATION FOR CONDITIONAL USE:

Applicant	Holistic Pharma, LLC (c/o Keith Morgan)
Location:	4201 Neshaminy Boulevard (Stores 101 & 102)
Proposed Use:	Medical Marijuana Dispensary
Tax Parcel:	2-1-55-1

Tabled until 4/23/18 Council Meeting.

6. CONSIDERATION OF MINOR SUBDIVISION:

Applicant	Brown's Superstore, Inc. c/o David Deets
Location:	1837 Street Road
Proposed Use:	Store
Zoning Classification:	GC – General Commercial
Tax Parcel:	2-43-305-1 and 2-43-305

Matt McHugh spoke on behalf of the applicant, the site is located in the Brookwood Shopping Center, Shop Rite (Browns Superstore) intends to modify the existing building with three proposed expansions totaling 1,570 square foot, a vestibule of 1,687 square feet will also be added along with a new concrete loading dock which will be in place of the demolished K-Mart Garden Center. The store will employ 300 union employees with benefits, Shop Rite is an excellent community partner. The plan calls for relocating 22 parking spaces, the applicant has been on hold a long time, wants a minor land development. **Sloane** said the letter from Bucks County Planning mentions sidewalks and **McHugh** said they are asking for a waiver, **Gans** said this is minor and sidewalks are sporadic on Street Road. **Pilieri** asked about the pot holes in the parking lot and **McHugh** said they would be repaving. **Kisselback** asked if the applicant will be paying a fee in lieu of sidewalks, **Pizzo** said that sidewalks are required by ordinance. **Sloane** asked about the Overlay District and **Pizzo** said that the Overlay District does not extend after Hulmeville Road. **Knowles** asked what percentage of the K-Mart would they be using and **McHugh** said 75,000 square feet. **Sloane** asked if the existing Shop Rite would be closed and **McHugh** said it would. **Sloane** also asked if construction has started and **Dave Deets** said the asbestos work has begun. **Tokmajian** asked if they would keep the current employees and the answer was yes, he also wanted to know how many expansions and **McHugh** said 3 total expansion. **Neil Sklaroff**, an attorney with Ballard Spahr who represents Korman, said that for more than 50 years, they have gotten along with their neighbors, this should have been a subdivision not a minor land development. **McHugh** objected, **Pizzo** said the objection is noted. **Mark Eisold** was sworn in he is with Boucher and James, he said parking is grossly under calculated and he asked about the other portion of the building that is not yet defined, he also said that truck turning had not be addressed. **Sklaroff** would welcome Shop Rite if they took all the property and not leave 22,000 square foot, **McHugh** said the lot lines are not changing. **Pilieri** asked if they would have to come before Council for a second store at the property and **Pizzo** said the Zoning Officer would look at the use. **Pilieri** said we are not approving a second store now. **Pizzo** said he believes this is not a sub division and parking easement wasn't raised by **Gans** or the Planning Commission. **Sklaroff** is concerned that the 22,000 square feet could be a store that would not be a good neighbor, **Eisold** noted the plan shows 457 parking spaces and Shop Rite would require 559 parking spaces, **Gans** said in reviewing the plan there is enough spaces. **McHugh** said the Shop Rite can control what goes in the 22,000 square foot. **Tokmajian** asked about the back of the store and the noise, **McHugh** said that is for loading and unloading and they will comply with the noise ordinance. **Deets** said he would meet with residents if the need would arise. **Pilieri** asked if anyone in the audience wanted to speak and **Allan Windsor** asked if a traffic study would be needed and asked if Council could make it a conditional use for the 22,000 unused square feet. **Knowles** said that would come before zoning. **Windsor** also asked if there would be a traffic light and **Gans** said generally not, traffic engineer reviews all plans. **Sloane** motioned to approve with the condition that both parties work out the parking and **Kisselback** seconded, motion carried 5-0.

7. CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE:

Zoning change for Mother Katherine Drexel property
Tabled until 4/23/18 Council Meeting

8. CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE:

Transfer of liquor license R-21166 to Giant Food Stores.

Tabled until 4/23/18 Council Meeting

9. WAIVER REQUEST FOR CURBS AND SIDEWALKS:

Applicant: Charles H. Woelk
Site Information: 4327 Brownsville Road
Tax Parcel: 2-16-24

Gans said there are no sidewalks in the vicinity of the property, he recommends waiving the requirement based on the applicant paying fee in lieu of in the amount of \$5,797.34. **Kisselback** motioned to approve and **Tokmajian** seconded, motion carried 5-0.

10. REQUEST FOR REDUCTION OF FEES:

A request was made for a reduction of fire inspection fees for Bensalem United Methodist Church located at 4300 Hulmeville Road, **Pilieri** said to put this aside and check with the Fire Marshal for the fee schedule, **Pizzo** will look at this, **Tokmajian** motioned to table pending a cost analysis and **Sloane** seconded, motion carried 5-0.

11. REQUEST FOR REDUCTION OF FEES:

A request was made for a reduction of fire inspection fees for Sisters of the Blessed Sacrament located at 1663 Bristol Pike. This was tabled along with #10 on the Agenda until **Pizzo** looked into the fee schedule with the Fire Marshall, **Tokmajian** motioned to table pending a cost analysis and **Sloane** seconded, motion carried 5-0.

12. PUBLIC COMMENT:

No one came forward

13. OTHER BUSINESS:

Pizzo – noted that this Saturday 4/14/18 is opening day for Ramblers and Valley for baseball and softball.

Tokmajian – said his son is part of Valley and he would be there for opening day. He also asked about the PECO work being done in the Valley and a report. **Gans** said that the Township does not inspect work that is done by PECO.

Knowles – said that Saturday was going to be nice and Valley’s ceremonies are at 9:00 a.m. and Ramblers at 12:00 p.m.

Kisselback – reminded everyone about opening day on Saturday

Pileri – said the Flyers made the playoffs

Gans – said the Seventy Sixers also made the playoffs

14. ADJOURNMENT:

The next Council meeting is scheduled for 4/23/2018

**Respectfully Submitted,
Cindy Terlecki**