

3/17/2021- Meeting Begins at 7:00pm.

Members Present: Ed Devenney, Peter Krieger, Sr. Tom Risich, Joe Domzalski, Will Walker, Mike Gabrielle, and Russell G. Benner, the Township Engineer.

Members Absent: Ed Tokmajian

Motion to approve to begin for the **Final Land Development for La Azteca Inc.**
All Yay.

Request Detail.

Heath Dumack and Mr. Cruz has been given notification about this background project. Twice 2015 the Sketch Plan for the Castle and Street Road's land development for the lot next door.

Heath Dumack is the engineer and architect.

The corner replaced rancher with new building with 2015 approval and sole Penndot Approval.

5 years there was no opportunity to break ground. According to Section G, Ed Deeveney said, "The homework for accounting purposes need approval and an issue would be traffic on Castle Street."

Item 7 was a letter from the traffic engineer detailing all the traffic coming off from Castle.

Russell discussed Penndot's decision of busy streets.

One way traffic flow into the loading zone would cause pull in and back up problems.

Ed Deeveny states, "It is a dangerous street near the Texas Roadhouse, east of the proposed location and the pedestrian fatality is very high and the parking lot would be a concern from neighbors.

There has been a stir from local residents and the Planning Commission needs negotiation away from residents and Castle Street.

Ron Grimes asked about the discharge pipe bureaucracy.

Russell referred to Section G. and Ed Rudolph's letter entailed the existing building to be remodelled and the investigation into the termite infestation in the foundation.

Dumack responded that the Foundation reconstruction is on top of the existing foundation.

Ed Deeveny asked, "Do you have the permit from Penndot?"

Dumack responded, "The approval, the paperwork was not complete which can be problematic for the property owner name."

Ed Deeveny brought up traffic flow and they have to agree with PennDOT even though they are required to already do so.

Dumack responded they will comply and open it to the board.

Mike Gabrielle stressed the importance of appropriate signage.

Joe Domzalski and Tom R. agree.

Will Walker- No question.

Pete asked, "When PennDOT responds, submits, and starts it again. They cannot deny the entrance to Street Road and the residents' ability to access the road.

Ed Deeveny said, "Open to public comment."

Arla Cruz, owner of La Cruz Inc. and resident of 2020 Byberry Road, Bensalem, PA.

Mrs. Cruz stated she was frustrated for over 10 years. There have been homeless people all over the property breaking in. Her family and her have invested a lot of money into this property and are losing a lot on it currently.

They are small business owners and the taxation for the 10 year upkeep is making it difficult to work with the Commission to either sell or buy the lot.

She regretted not selling it earlier and they would have gotten rid of it but the history of the place makes it unsellable. Other businesses plead and work with you. What is good for you, is good for us as small business owners. Police are continually taking homeless people away from the property which they keep trying to get approved so they can utilize the property properly and make their ends meet on their investment instead of it being a financial and safety liability with the homeless population breaking in. She then went over to her husband and daughter to sit.

A resident Ellen who lives on Castle Drive spoke of her concerns about the property next at the podium.

She stated, "Electricity on was part of the agreement. No traffic and homeless population. The remodeling of the existing building is an issue."

She then referenced that the Commission has on page 2 reports of single family dwelling. The title keeps changing its profession. The GC to general commerce. 20 years ago changed the zoning issue. "The deli, retail, food, consignment, and everytime we come it's something else. There are kids there near the driveway to Street Road houses and a barrier of spruce trees, and there is no barrier for my neighbor. Accurate information not prepared, inaccurate information. The new revision is incomplete."

She expressed concerns over potential food, dumpsters, rodents, and overall safety of leaving the property not managed.

Russell responded, "Penndot might have conditional approval."

Ed Deveeney asked, "Could there be a change in the revision?"

Russell asked, "Could there be a more defined revision plan?" His concern was that the blueprint is not accurate thus the blueprint does not matter. On paperwork officially, it claims the property will be used as a boutique or a deli.

Ed Deveeney responded, "Deli can not be used as an example as the resident pointed out the misinformation is not intentional for the 2010 application because it changes to boutique in 2015 and there is even a change to sub-development for food retail."

Eva Cruz, daughter of Arla and Jose Cruz owners of La Azteca Inc., asked to speak at the podium. She states she lives at 2186 Byberry Road.

She explained the context of the property.

"My parents started from scratch building and maintaining small businesses. In regards to the dumpster and food, there will be packed items like chips at the store and the Department of Health no PPE requirement for packaged food. Plus there is no issue with rodents, no fish, poultry, cheese, milk, seller, vendor, refrigerator. We plan to plan. Spruce trees are willing to change the species to replace vegetation. We have been willing to comply since 2015 and there is nothing we are hiding. We are small business owners, parents, I am a mother, and we care about this community and making our business professional and efficient is part of that process.

She then switched with her father, Jose Cruz, owner of La Aztec Inc. He stated he lives at 2220 Byberry Road and is the property and general commercial owner of several buildings and businesses. He is more than willing to comply with the neighbors, will keep the homeless population out with the assistance of the cops, and ensure his business is of value and not a liability. "We are doing everything we can complying with everything. Even making sure the dark place looks nice with lighting and keeping out the homeless. When there are no lights, residents are complaining it is facing into the windows so we can dim them."

Ed Deveeney asked if it is possible to set the lights on temporarily, get the light electricity bill, and PECO can ensure it is safe for the neighbors.

Russel explained that Lorretta has a waiver of time and an April meeting extension despite no lawyer.

Motion to be approved or denied brought up by Ed Deveeney.

Ed Deveeney- Deny

Will- Deny

2nd denial of the project

Pete Krieger- Deny

Joe D.- Deny

Tom R- Deny

Mike-Nay meaning Abstain

Recording: 4 deny, 1 abstain

La Azteca Inc. project is officially denied.

The Commission suggested that the applicant re-apply upon re-doing the paperwork clarifying what business would occupy the property and the permit from PennDOT and Zoning, then a re-submission for approval could be possible in the near future.

Lincoln Partners (Igor Bakov and Michael Zavyazkin)

The request for warehouse and proposal garage in a residential area.

The metal garage is technically on review from the Fire Marshall and was sent on 3/10/2021.

They are anticipating a different, confirmation letter from the email.

Russ asked what they had ready?

The two responded, "A sketch plan by the township, nothing tonight, but we can review it together."

Traffic engineer Russ commented, "Good work on that and the idea is that the location will have trucks that will deliver goods. Any improvements of the site will have truck traffic on the main road. How much do we anticipate?"

Ed Deveeney responded, "If the proposal is not reject by the fire marshall, then the priority is the turning radius fire hydrant, driveway issue, we will do it. Make sure to include commercial signs.

Mike Gabrieli suggested, "Revitalizing Neshaminy Creek as well as fishing out tires and offering to clean the debris will make the warehouse be viewed in a more positive light."

Joe D added, "Do a good thing for Bensalem. If you clean up the area surrounding the land development"

Tom R. and Pete spoke of having the application prepared and Ed Deveeney insisted that the fence go up and show photos of the environmental impact before and after. The gentlemen agreed to consider it and packed their presentation and left.

New Circular Wireless: New Singular Mobility

Mark Sheedan is the land development, Samantha Boudran, site acquisition location specialist, and Sean Paul, radio expert on putting an antee on a pre-existing electrical pole to generate a larger Wi-Fi Broadband and internet accessibility for Bucks County.

They present a T.M. letter that claims they will comply from March 10, 2021.

Russell reads the proposal submitted and points to the photo, "Small cell general commercial district, exhibit #12, photo-synthesis photo 12 ft more master lease with the Verizon pole to be switched out."

C1 zoning complies.

A3 pole attachment agreement, C2 driveways to gain access, and Verizon is not building new facilities, just attachment to revise the plan.

Attachments to revise the plan are attached as well showing advanced planning for the project.

C3 + C4 has to do with the application and fencing vehicle.

C5 deals with land development.

D section is about the tower industry and FCC compliance.

C6- Written from that owner about the structural and C7- subsection.

Sam and Sean hold visuals of antee needed for the overloaded.

The tall telephone pole has pink coverage (the grid has Bucks County in different towns with varying Wi-Fi coverage with the colors yellow, pink, brown, and green respectively) and a 2 feet tall antee viable and safe perched on top.

Selection D- Replacing a pole and Ed Deeveney asked about the storm water traffic.

Mike G- Is that amplifying the brown section on the grid map? Which is the dominant server?

Sean references the F5 about the Antee capable frequency. AT +T could use the phone at Staples.

Joe D. remarked, "If it helps Bensalem, then I am all for it."

Tom R.- No problem.

Will- All good.

Pete Krieger- "What if the antee gets knocked down? The tower goes down and 6 foot underground on Street Road is going to get hit first."

Ed Deeveney- "What if it gets hit first and knocks out the Wi-Fi in the surrounding area?"

Sam responded, "Well, that is the nature of having it by the street?"

Pete Krieger- "New pole, or vulnerable car and people can be crushed by the pole plus the antee. The higher the box or antee the more of a threat it can be to be toppled over. When it goes down, don't ask me."

Ed Deeveney asks for a motion on the project's approval.

Singular 2nd.

5 yays / 0 nays for the approval of the New Cingular Wireless Project.

Motion to adjourn. 5 yays.
Meeting adorned at 8:30pm.
Respectfully Submitted,

Ed Devenney, Chairperson

Date

Peter Krieger, Secretary

Date

Elesa Knowles, Recording Secretary

Date