

**BENSALEM TOWNSHIP COUNCIL
COUNCIL MEETING MINUTES**

**Monday
August 26th, 2024**

MEMBERS PRESENT:

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

SUPPORTING PERSONNEL:

Debora McBreen, Council Clerk/Recording Secretary
Quinton Nearon, Senior Municipal Inspection Manager
Joseph Pizzo, Township Solicitor
Nicole Kahn, Township 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 the microphone.

1. OPENING OF THE MEETING:

Council President Kisselback opened the meeting with a moment of silence and/or prayer, followed by the Pledge of Allegiance.

2. INTRODUCTION OF COUNCIL MEMBERS AND STAFF:

Council President Kisselback introduced the Supporting Staff and Council Members.

3. PUBLIC COMMENT:

Council President Kisselback 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.

4. **APPROVAL OF COUNCIL MINUTES:**

Council Secretary Champion motioned to accept the Council Meeting Minutes from July 22nd, 2024 as presented. **Council Vice President Knowles** seconded and the motion carried 5-0.

6. **CONSIDERATION OF A RESOLUTION FOR AN INTERGOVERNMENTAL AGREEMENT TO PARTICIPATE IN THE GRANT APPLICATION FOR TOWNS AGAINST GRAFFITI:**

Solicitor Pizzo indicated the Deputy Director of Administration/Finance Manager, John Chaykowski, will make the presentation on Agenda Items 6, 7 and 8.

Mr. Chaykowski indicated the Resolution regarding the application for the Towns Against Graffiti is an Intergovernmental Agency that works throughout Bucks County removing graffiti. This year's request through the Redevelopment Authority is for \$165,000 that along with the contributions of the other municipalities will be able to fund the program for 2025.

Council Vice President Knowles motioned to pass the Resolution and approve the Grant application for Towns Against Graffiti as presented. **Councilwoman Benitez** seconded and the motion carried 5-0.

7. **CONSIDERATION OF A RESOLUTION FOR THE MUNICIPAL GRANT PROGRAM FOR FUNDING OF THE INTEGRATION OF POLICE RECORD MANAGEMENT SYSTEM (RMS) THROUGHOUT BUCKS COUNTY:**

Mr. Chaykowski indicated that this program works with multiple municipalities Police Departments in sharing Record Management Software within their Record Management Systems and it allows faster response time for any type of interactions with people during police investigations. The amount has increased due to contractual increases in computer software as well as storage capacity. This year's request is for \$118,900.

Councilwoman Benitez motioned to approve the Municipal Grant Program of the Integration of Police Record Management System. **Council Secretary Champion** seconded and the motion carried 5-0.

8. **PRESENTATION OF THE 2025 PENSION FINANCIAL REQUIREMENT AND MINIMUM OBLIGATION BY THE DEPUTY DIRECTOR OF ADMINISTRATION/FINANCE MANAGER, JOHN CHAYKOWSKI:**

Every year at this time it is required that Mr. Chaykowski reads into the Township record information in compliance with Pennsylvania Act 205.

The first requires no action by Council. The 2025 Minimum Municipal Obligation (MMO) financial requirements for the Police, Non-Uniform and Non-Uniform Defined Contributions pension funds have been prepared. They are as follows:

Police Defined Benefit Pension	\$5,588,330
Non-Uniformed Defined Benefit Pension	\$ 420,074
Non-Uniformed Defined Contribution Pension	\$ 320,000

No action is required.

5. **PRESENTATION BY ROBERT NORKUS, DIRECTOR OF THE ECONOMIC DEVELOPMENT CORPORATION, REGARDING A PROPOSAL TO CONDUCT AND FULLY FUND A COMPREHENSIVE FEASIBLE ANALYSIS REGARDING THE LONG-TERM DEVELOPEMENT OF A TOWN SQUARE:**

Mr. Norkus, Executive Director of the Bensalem Economic Development Corporation, indicated that this is an item that the BEDC Board has been considering for a while and wanted to share their thoughts with Council.

Mr. Norkus indicated that the BEDC is comprised of an exceptional team of community members and business leaders who represent Bensalem companies of all sizes. They work hand-in-hand with Bensalem’s Administration, the Police Department, Zoning, and other Township Offices to make sure their work is integrated with Bensalem’s overall master plan.

Mr. Norkus shared the website for the BEDC which is www.bensalemedc.org They have spent a lot of time and effort on bringing that into play. It is very informative, and can learn more about the BEDC members and services.

Like many organizations which are currently hampered by the upside-down business world of post COVID, malls have been disintegrated, and there is a retail slide and a labor squeeze. These trends have affective everyone and consequently the BEDC is doing everything they can in the shifting environment for now and have been thinking more in strategic terms for the future.

Mr. Norkus will be asking the BEDC Board to consider a strategic business development plan for Bensalem Township similar to what the state of Pennsylvania now has in place which he deems as an excellent approach and very appropriate. The state plan has a very strong focus on the commitment to the development of Pennsylvania Main Street communities over the period of the next ten years. The initiative is called “Main Street Matters.” They are applying significant resources to assisting existing and new Main Street developments across the state.

Mr. Norkus purpose of coming before Council is to offer assistance, and recommending conducting a strategic feasibility analysis for a “Main Street” in Bensalem Township. The BEDC Board is doing that with a destination and a deeper sense of community for Bensalem, which is a transient community in which Bensalem can have a stronger identity.

The BEDC has considered two properties that the Township owns. The first site is Byberry and Knights Road to be worthy of consideration. The BEDC has consented to orchestrate and fund the analysis completely for the greater good of the Bensalem community.

The BEDC will bear the workload and the funding of this analysis in an incremental manner and will be very methodical about their approach. The building of new Main Street Centers

with the transformation of existing locations has evolved since the late 1980's, which simply means the current wave of designs are proven and more acceptable.

Mr. Norkus indicated he will share some insights about the exciting opportunity that lies at Bensalem's doorstep, which is the potential for an authentic sustainable Town Square right in the center of the Township. With this vision, it is essential to recognize the importance of conducting a strategic feasibility analysis that is phased. This analysis will guide the BEDC in making informed decisions that will ultimately benefit the Bensalem community for generations to come.

Mr. Norkus has asked the BEDC to fund the analysis in keeping with the purpose which is to create the best possible environment for business and economic growth for the Bensalem Community. The BEDC is extremely mindful of the scope of the project, the breath of change involved, the inevitable objections and the reluctance for some to engage in some considerable strategic planning. Mr. Norkus believes that 30 years from now, the next generation may have wished this initiative was strongly considered and quite possibly initiated.

Mr. Norkus indicated what a Town Square truly represents which is more than just a physical space it is the heart of a community, a place where we gather, celebrate and connect. It is a venue for the best local restaurants, farmers markets, festivals, art shows, family gatherings, park spaces and walking paths. It serves as a backdrop for the creation of lasting memories and shared experiences. By establishing a Town Square, Bensalem could foster a strong sense of community creating a true destination where residents and visitors alike can come.

Conducting a feasible strategic analysis is vital for several reasons. First, it allows evaluation of the existing semi-adjacent properties owned by the local government, right in the center of Bensalem Township. The analysis will help to assess the physical, environmental and social aspects of the chosen site and ensuring the best use of resources.

It is important to keep in mind that most Town Center projects fail because of one dominant obstacle, and that is private property ownership.

At some point in the process, a feasibility analysis will help determine the financial implications of such a project. While just the mention of financing appears to be insurmountable, the best of the developers welcome the challenge. The sensible approach is to have a master plan, which stages the project over a long period of time. The initial build captures the dream, perhaps like a pleasant old-fashioned park with a clock tower.

They must explore funding opportunities, potential partnerships and sustainable business models that can support a Town Square. By evaluating cost and benefits they can make a well-informed decision, that will balance their budgetary constraints with their objectives for a long-term community development.

Importantly, this analysis will also engage the community and the planning process by gathering input from residents, local businesses, and stakeholders. They can ensure that the Town Square reflects the values and desires of the Bensalem community. It will serve as a canvas upon which they can paint their collective vision, a space that embodies Bensalem's identity and aspirations. Additionally, they must consider sustainability in their plans. A Town Square designed with environmental stewardship in mind will not only enhance the beauty of Bensalem Township; but also promote responsible resource management by incorporating

green spaces, eco-friendly materials and sustainable practices. They can create a gathering place that honors their commitment to the environment.

Lastly, the establishment of a Town Square will contribute to the overall economic vitality of Bensalem Township, which of course, is the objective of the BEDC. A well design of an accessible place will attract tourists and residents alike; invigorating local businesses and creating job opportunities and attracting talent that they need to staff new and existing businesses. It will set a higher standard for future commercial development. It will also serve as a hub for cultural and recreational activities, enhancing the overall quality of life for all who call Bensalem home.

In conclusion, conducting a phased strategic feasibility analysis for a sustainable Town Square is not just a step towards physical transformation, it's a commitment to strengthening the Bensalem community. It is the first critical step to take so that they can make informed decisions and lay the groundwork for the opportunity to create a vibrant gathering place that fosters connections, celebrates our culture and enhances our local community.

The BEDC is offering the support of a strategic feasibility study for a Town Square in Bensalem and are offering this proposal to embark on the first phase.

32:59

At this time, Mr. Norkus presented a PowerPoint Presentation regarding the proposed locations of the Town Square.

The two proposed parcels are owned by the Township. The first one is located at the corner of Byberry and Knights Roads. The advantage would be full control of the property. It is established, the essentials are in place, size is perfect and is essentially located within the Township. It is a very strategic project in nature over 10 to 15 years.

Mr. Norkus indicated a very recognizable engineering and consulting firm, Pennoni Associates had done a Comprehensive Plan Report.

Mr. Norkus indicated that the 1974 Comprehensive Plan showed credibility due to an excerpt regarding a Town Square.

Council Comments:

Council Secretary Champion indicated that the area Mr. Norkus was referring to for the Town Square, the corner of Byberry and Knights Roads, was not acceptable as it is Open Space for the Township. This area is utilized as Open Space to protect the environment. The Amphitheater and Township grounds is what brings Bensalem together. Ms. Champion does not want to see any high density in any of the trees. At one point everybody complained that Bensalem is no longer a "Tree City." Ms. Champion does not want to see the trees taken down and does not feel this is a good fit for the Township.

Mr. Norkus appreciated Council Secretary Champion's point of view of the Open Space being an important element, and explained that a Town Center would incorporate....nobody is taking any trees away.

Council Secretary Champion asked Mr. Norkus where he was going to put the Town Square.

Mr. Norkus indicated he was not an engineer, but did refer to Pennoni as being a good source.

Council Secretary Champion indicated that she did not want to waste the Township's money on a feasibility study at Byberry and Knights Road.

Mr. Norkus indicated that if that was Council Secretary Champion's position then that was fine; and indicated that they had a difference of opinion and Council Secretary Champion was looking at it as a destruction of high-quality property and Mr. Norkus was looking at it as an enhancement.

Councilwoman Benitez indicated Mr. Norkus has done a great job with the Economic Development Committee. They all agree they would like to have a destination point, a Main Street feel. Councilwoman Benitez indicated that she did not want to go to Peddlers Village or Newtown, she wanted to enjoy the space that Bensalem has. Council would support Mr. Norkus request if it were not overdeveloped it would need to incorporate the beauty of Bensalem. Perhaps they should consider looking in another area of the Township, would like to see more of a suburban feel.

Council Vice President Knowles indicated he did not feel as though the area Mr. Norkus had presented was a good area for a Town Center. Council Vice President Knowles suggested to look at the history of the Township which shows Route 13 down by Apollo Pizza being the Town Center. Revitalizing Andalusia or Cornwells generated along Route 13 may be a better fit.

Mr. Norkus indicated that on behalf of the BEDC all they wanted was the opportunity to introduce the concept to Council. If there were any other thoughts in mind, the BEDC would be willing to entertain it and would also be willing to fund it.

A conversation ensued from the members of Council regarding the proposed Town Square.

9. **CONSIDERATION AND PUBLIC HEARING ON AN ORDINANCE VACATING AND ABANDONING A TEN-FOOT ALLEY ON CLOVERNOOK AVENUE BETWEEN BUCKS COUNTY TAX MAP PARCEL 02-061-179 AND BUCKS COUNTY TAX MAP PARCEL 02-061-184:**

Solicitor Pizzo indicated for the edification of the public concerning this matter, since the proposal involves the adoption of an Ordinance by the Township Council if Council is of a mind to grant the application, a hearing on that Ordinance and the potential vacation of this Ordinance was first scheduled and advertised for June 24 of 2024. That Council meeting was postponed and all items that were to be heard at that meeting were in fact brought before Council at the Council meeting of July 22nd. The hearing on this matter began on July 22nd and it was determined that the applicant inadvertently had not provided notice to the adjacent property owners as to the proposal to vacate the alleyway. The matter was tabled to this evening to afford the applicant the opportunity to get those notices out.

The notices were given to Solicitor Pizzo by the applicant.

The applicant indicated there was a 10-foot-wide alley that runs through Clovernook and Williams adjacent to the I-95 Corridor. The alley runs through two residential properties on Clovernook and runs through two properties on Williams. The applicant owns two lots, one that shows the proposed home and the one directly behind that which is larger and wider. The applicant is proposing only the portion of the alley that is between his two lots.

The applicant indicated the request for the vacation of the alley way is that there is not enough space to put the size of the home that the applicant is proposing to build on that lot. The applicant owns the two lots and will only be utilizing one of the lots. The rear lot is essentially wetlands and are unable to build there. The driveway is on the first lot. The applicant's current plan is to partially pave Traylor and this request has been submitted to the Township, and has approved this one particular item. It might change in the future where the applicant will pave all the way through from Clovernook to Williams Street. But currently, the plan has been submitted to the Township of only paving a portion of the Traylor Avenue right-of-way.

Council Vice President Knowles indicated if the applicant planned on eventually paving it all the way through he would have to make sure that emergency vehicles were able to access the road.

The applicant is working with the Township to meet those requirements.

Council Secretary Champion indicated that since there are no plans for the back lot, why not combine the two lots into one large lot.

The applicant has no intentions of building on the rear lot due to the wetlands.

Councilwoman Benitez asked the applicant what size of a home did he want to build on the lot if the 10-foot vacated area was approved.

The applicant indicated that his goal was to build a 2,500 sq. ft. home, the width is 30 sq. ft., the depth is 53 sq. ft., with the additional 10 sq. ft. it allows the applicant to meet the 25 sq. ft. rear yard setback.

Council President Kisselback asked the applicant, if Council were to approve the 10 sq. ft. vacation of the alley way, would the applicant be willing to agree to not build on the second lot?

The applicant asked why he would be restricted to build on the second lot in the future.

Councilwoman Benitez indicated that it is wetlands and would not be able to build on it anyway, and the Township will not give the applicant a variance in the future.

The applicant agreed to the stipulation of not building on the second lot.

Council Secretary Champion indicated that the applicant should just combined the two lots.

The applicant indicated that it would cost extra money to combined the two lots and those fees would include engineering, recording fees and the hiring of a lawyer to combine the two lots legally.

Township Engineer Kahn indicated that this land development is right now a 1,500 sq. ft. home. It does not meet the setback on the existing site. That is a zoning variance if the applicant were to go to the Zoning Hearing Board. But vacating the lot, the other two parcels do not use that paper street right now. It is just open space between the two homes that are existing on Clovernook.

Council Secretary Champion addressed her concerns to the Township Solicitor and indicated that since this becomes a dead-end this would become an issue for plowing.

Council President Kisselback asked the applicant if he would be willing to accept that he would not be able to build anything on the second property without combining into one property.

The applicant indicated that he would be willing to do that.

A discussion ensued regarding the two lots and a possible merging of the lots.

Councilwoman Benitez asked Solicitor Pizzo for a possible solution.

Solicitor Pizzo indicated that the proposal would have the center portion of the 10 sq. ft. wide alley vacated. The portion that abuts the other properties would remain. Once Council were to vacate that 10 sq. ft. wide strip that is immediately adjacent to Lot 179 and Lot 184, there is nothing that would be an impediment to those two lots being merged. It is relatively a simple process of recording a new deed that would eliminate the lot line and merge the two lots into a single lot, if that is what the applicant proposed to do.

Since Council can't condition what they are doing because what Council is doing is by way of an Ordinance and there are not conditional Ordinances; then what Council would require instead of the legal description and Deed that is currently before Council for Lot 179 to now be a Lot free and clear of that alleyway. Council would ask for a Deed that would effectively create a single Lot containing Lot 179 and Lot 184 merged together. If Council isn't going to require, and again they do need to take into consideration, the Solicitor does not know if the rear Lot, Lot 184 would ever be accessible from Hopkins Avenue. While there is a paper street, and that it in the back that is would not be creating a landlocked parcel; but could effectively be creating a landlocked parcel that could only be accessed, either by way of the alleyway that is shown on the plans coming off of Traylor, or by traveling over Lot 179.

Solicitor Pizzo indicated that he understood what Council was saying that they are creating a large, again, not legally, but effectively a landlocked parcel in the back that is only accessible by one of several paper streets or paper alleys. And if it is somewhere in the future that Cherry Premier Properties is either going to sell that or develop it, then some viable way of access may be something Council wants to consider and believes Council does want to consider because that is part of their conversation.

Council Vice President Knowles indicated that if they vacated this ground and the applicant built the house in front of the lot, then the applicant would have enough room to build the size of the house that he wanted. If the applicant would move that Lot Line and make it as one parcel the cost would not be that much. If the applicant can't build on the second lot anyway because it is wetlands and they can't get to it from Traylor because it backs to I-95, then the only thing the applicant will be doing is giving the person who the home is being built for a giant backyard. If the neighbors ever wanted to buy part of that then the applicant would have to come back before Council; and if they didn't want to give the applicant enough money to make it worth his while, then the applicant can subdivide the back of the lot and get a bigger yard which would be a separate process.

Councilman Pilieri asked the applicant who was going to maintain the wetlands lot if it is landlocked? The person owning the house won't be maintaining the lot, combining the lots would be the best alternative.

The applicant indicated that he has been maintaining the lot since he owns it.

Engineer Kahn indicated that when she reviewed the Land Development the initial was to build more homes. The applicant does not meet the rear yard setback because the existing conditions right now for a single-family dwelling is unacceptable. The applicant wants to develop Traylor, which is a paper street, up until the driveway for the smaller lot that is up front that would have access created using Traylor Avenue. The back lot does not have access right now and the applicant owns both of those lots. The applicant is asking Council to vacate so he can build instead of a 1,107 sq. ft. home, he would like to build a 2,500 sq. ft. home on the tiny lot and have a rear yard setback.

Council Vice President Knowles indicated that he was not personally going to vote for it if the applicant does not combine the lots.

Council President Kisselback asked Solicitor Pizzo what scenario the applicant needed in order for this to work on his behalf.

Solicitor Pizzo indicated that the petition in front of Council does not envision and does not require the merging of the lots. At a minimum, the Ordinance and the Agreement between the Township and Cherry Premiere Properties that have been submitted to Council; it is the Solicitor's opinion, that it should be revised to reflect that with the vacation of the alley the two lots are going to be consolidated. Council would want to get all of that in place as part of the petition being presented this evening, before they adopt the Ordinance. Right now, adopting the Ordinance would not require those Lots to be consolidated.

Solicitor Pizzo indicated perhaps hearing from the surrounding property owners may give Council some additional insight as to the conditions.

As to the portion of the 10 sq. ft. wide alley that remains on the right side of the plan, coming in from Clovernook, in theory, at some point in the future that could be used as access from Clovernook to get to the rear of Lot 179. With Cherry Premier owning both lots it would not, as it is drawn right now, provide frontage or access to Lot 184. But, if in fact that both properties are owned in common, something could be done to create that as an access point for Lot 184.

As to the other side, if the Solicitor understands the topography out there, Traylor is not opened all the way to the 10 ft. wide that rides north south on the plan. But that north south and the second portion on the left of the plan would all be access to Lot 184 in the future. This will allow someone to come to the Township and allow them to ask to open the alleys and allow them to use them. The conditions Council would have is to be opened and paved. But in theory those would still provide access to Lot 184, practically speaking the Solicitor does not know of that ever happening, but at least on paper it could.

Council President Kisselback asked if there was anyone in the audience who would like to comment on this proposal.

The following came forward:

Cynthia Cowdrick, 845 Williams Avenue, and is adjacent to the alley on Hopkins Avenue. Ms. Cowdrick asked if the applicant wants to close up part of the alley that actually comes across her property, across Clovernook and Williams. And once this is all okayed, behind her

property to the left two lots were sold, so are they eventually going to open up the other end of Traylor to make a run through completely?

Township Engineer Kahn displayed Ms. Cowdrick's property on Google Earth so that Council could get a better idea as to where her home is positioned to her question.

Council President Kisselback indicated that what Council would like to have the applicant do is to combine the two lots into one which should help answer Ms. Cowdrick's question.

Township Engineer Kahn indicated that the proposed plan for Lot 179 and Lot 184. The applicant would only develop up to Lot 179, the applicant would not extend it all the way through to Williams. Ms. Kahn suggested to Council that she would be willing to help independently, with information to the residents in that area to let them know their limitations.

Council President Kisselback indicated that it was a good idea and asked Ms. Kahn to give her business card to Ms. Cowdrick for further information.

Henry Pekach, 857 William Avenue, was concerned if this application will affect his property and was informed that the applicant would not be going down that far and will be entering off of Clovernook, not William Avenue.

Council President Kisselback asked if there was anyone else who would like to comment for or against this project. Seeing no one else come forward the Public Comment portion was closed.

The applicant asked how the rear lot would be determined to be landlocked if a paper street, Hopkins Avenue, runs up to it along I-95 corridor.

Engineer Kahn indicated that it is a paper street, the noise wall cuts in and it doesn't wind up continuing with the same width. On the screen, for parcel viewer, you can see that Hopkins almost ends at Mrs. Cowdrick's home. The way that 95 cuts up, it doesn't have traditional access to continue Hopkins to develop it, it would not be capable.

Council Vice President Knowles indicated that besides the landlock issue, Council is concerned about the wetlands issue. Council would like to make it a big lot so that the wetlands are protected and the applicant can only build a house in front of the wetlands. That way someone will maintain the entire lot.

Council President Kisselback asked the applicant if he was willing to combine the two lots; because Council will have to table this item so that the applicant can come back to Council with a proposal to consolidate the lots, and within that vacate the property at the same time.

The applicant agreed to Council request but asked if he could move forward with the vacation of the alleyway.

Council President Kisselback asked Solicitor Pizzo for direction.

Solicitor Pizzo indicated that Council should table the item and include language in the Ordinance regarding the consolidation of the lots. The applicant's Engineer will have to prepare new legal description for the resulting lot which will be a single lot. They have the legal descriptions for the two separate lots.

Council Vice President Knowles motioned to table Agenda Item #9 the consideration and public hearing on an Ordinance vacating and abandoning a ten-foot alley on Clovernook Avenue, Bucks County Tax Map Parcel #02-061-179 and Bucks County Tax Map Parcel #02-061-184 to a date certain of September 9th. Solicitor Pizzo indicated as part of the motion, directing that the Ordinance and the petition be amended to provide for the consolidation of lots 179 and 184 consistent with the discussions that were had this evening. Council Vice President Knowles amended his motion per Solicitor Pizzo's recommendation of combining the lots. **Councilwoman Benítez** seconded and the motion carried 5-0.

Solicitor Pizzo indicated, for those in the audience, this Agenda Item will be heard again on September 9th at which point Council will consider the vacation, but as part of the vacation the two lots will now be consolidated into a single lot.

1:46:04 A recess was called at this time.

10. CONSIDERAITON OF A MINOR LAND DEVELOPMENT FOR:

1:52:19	Applicant:	Everstory Partners
	Location:	Hulmeville Road - Resurrection Cemetery Mausoleum
	Proposed Use:	Cemetery Burial
	Zoning Classification:	IN - Institutional
	Tax Parcel:	02-046-037

Caitlyn Zornick, Counsel for the applicant, Mike Urban, RLA, Eustace Engineering, Engineer for the applicant. Don Underwood, Area Vice President at Resurrection Cemetery and Riley Gray, Assistant Sales Manager.

The applicant is proposing the addition of a mausoleum.

Council President Kisselback asked for the proofs of mailing to the adjacent properties be given to Solicitor Pizzo. Ms. Zornick indicated that the existing mausoleum has no inventory left and there is still interest from their customers requesting mausoleum crypts. Mr. Urban indicated there will be 120 crypts, 60 singles on one side and 60 tandems on the other side giving 180 spaces for entombment. The proposed mausoleum is catty-corner to the existing mausoleum and the applicant will be maintaining the 75 ft. setback from the existing property line. The proposed mausoleum is about 600 ft. from Hulmeville Road. The applicant is proposing a landscape buffer to complement the existing tree line which are very mature deciduous and evergreen trees, which the applicant will not be removing. The proposed mausoleum will have a concrete walk around it. There is a proposed Stormwater Management Facility that will have a small basin which will handle the impervious paving and the building. The applicant is proposing landscaping in front of the mausoleum that faces Hulmeville Road in addition to the buffer. The mausoleum is roughly 35' x 23' x 13' which are the same dimensions as the existing mausoleum.

Council Secretary Champion asked if the applicant proposed those 180 crypts to fill up quickly and would they be looking for a need to have another mausoleum built.

Mr. Urban indicated the first mausoleum was built in 2014 or 2015 and it took the applicant about 8 years to fill and does anticipate something similar. Above ground burial is more

popular than it has been in years past, especially when space becomes limited in the ground in the cemetery.

Solicitor Pizzo indicated that people are going to be buying these now who aren't going to be using them, God willing, for years and years to come they're pre-planning.

Council President Kisselback asked the applicant's solicitor to refer to the Traffic, Planning and Design memo dated August 20th

SUBDIVISION AND LAND DEVELOPMENT ORDINANCE COMMENTS

1. Sec. 201-41. – Preliminary plan requirements.
 - a. All existing sewer lines, water lines, fire hydrants, utility transmission lines, culverts, bridges, railroads, or other manmade features within the proposed subdivision and/or land development and within 400 feet of the boundaries of the proposed subdivision and/or land development. *The applicant has requested a waiver of this ordinance.*
 - b. The location and elevation of all existing and proposed street monuments, as required by Section 201-108. *The applicant is requesting a waiver of this ordinance.*
2. Sec. 201-104. – Street design standards.
 - a. Street right-of-way and cartway widths in proposed subdivisions and land developments shall conform to the following standards. *The applicant is requesting a waiver of sidewalk and curbs and to not pay a fee in lieu.*

Council President Kisselback asked why the applicant was requesting to not pay a fee in lieu of the waiver of the curbs and sidewalk.

Mr. Urban indicated that the cemetery was not proposing any new driveways, it is an existing driveway. Also, by putting curbs in it limits the cars given the nature of a cemetery.

Council President Kisselback asked Engineer Kahn how they would calculate the fee in lieu of the curbs and sidewalk.

Engineer Kahn indicated they could look at the size Land Development and then recommend a fee that would be appropriate for the size of the limited disturbance. It's not just the mausoleum, they would look at the basin.

Council President Kisselback asked the applicant if they would be willing to pay the fee in lieu of with those calculations as explained by the Township Engineer.

Mr. Urban agreed to be willing to pay the fee in lieu of the curbs and sidewalk as explained by the Township Engineer.

STORMWATER MANAGEMENT ORDINANCE COMMENTS

The site is located within the Neshaminy Creek Watershed, which has a Chapter 93 classification of Warm Water Fishes (WWF) and Migratory Fishes (MF). The applicant is proposing roughly 837 square feet of new building area and associated improvements. The applicant is proposing to retain the change in runoff volume for the 2-year storm event onsite using an infiltration basin for groundwater quantity, quality and recharge purposes.

The following are comments related to the Township's Stormwater Management ordinances:

1. Sec. 196-61. – Design criteria.
 - a. Storm sewers (pipes or other structures) shall be reinforced concrete pipe have a minimum grade of ½ % and a minimum inside diameter of 18 inches or a cross-sectional area of 254 square inches. *Applicant is requesting a waiver for the proposed concrete pipes; this office supports a request for this waiver. The Engineer indicated that they would allow the use of the HDEP pipe or an alternative source.*
 - b. Minimum and maximum cover. A minimum of two feet of cover shall be maintained over all storm drain pipes. *Applicant is unable to maintain 2 feet of cover for the entire length of the pipe and states there will be no vehicular traffic across the pipe. The applicant shall still apply for waiver; this office supports a request for this waiver.*

Council President Kisselback asked if there was anyone in the audience who would like to speak for or against this project. Seeing no one come forward the Public Comment was closed.

Councilwoman Benitez indicated the following requested waivers listed on page 3 of the TPD Review letter.

REQUESTED WAIVERS

The following is a list of requested waivers the applicant should apply for:

Sec. 201-41. – Preliminary plan requirements. – Waiver to not provide all utilities within 400 feet of the land development.

Sec. 201-104. – Street design standards. – to not provide required cartway widths, sidewalk and curbs.

Sec. 201-106. – Environmental protection and open space. – to not provide street trees as required.

Sec. 196-61. – Design criteria – to allow for less than two feet of cover for drainage pipes.

Sec. 196-61. – Design criteria – for pipes less than 18” in diameter.

Councilwoman Benitez indicated that in relation to the comment portion of the Stormwater Management; it is mentioned that the retaining of the change of runoff volume for a two-year storm event onsite using the infiltration basin, but did not see any stormwater calculations listed in the document.

Engineer Kahn indicated that the Land Development that the applicant is proposing is less than 1,000 sq. ft. of impervious surface. They are putting in the basin to help control volume for run-off and is not a need that is warranted. It is being done as a preventative measure to help manage the change in impervious surface without it being mandated.

Councilwoman Benitez motioned to approve the Minor Land Development for Everstory Partners located at Hulmeville Road, Resurrection Cemetery, Tax Parcel 02-046-037.

Solicitor Pizzo indicated that waivers are granted from Sections 201-41 as to the preliminary plan requirements. Section 201-104 as to the street design standards and that would be a waiver of curbs and sidewalk and cartway widths for the internal road system; but will pay a fee in lieu of curbs and sidewalks in an amount as determined by the Township Engineer. Section 201-106 the waiver of street trees is the determination that they would otherwise not be required for this project. Section 196-61 to allow for 2 ft. of coverage for drainage pipes as discussed. And for pipes to be less than 18” in diameter provided they are pipes of a size and material acceptable to the Township Engineer.

14. **CONSIDERATION OF ESCROW RELEASES:**

A. Developers Request: Federation Housing - Release #1
Location: 4695 Somerton Road
Tax Parcel: 02-003-006-003
Amount: \$272,811.73

Council Secretary Champion motioned to accept the request of the release for \$272,811.73 subject to an audit by the Finance Department for Tax Parcel 02-003-006-003. **Council Vice President Knowles** seconded and the motion carried 5-0.

B. Applicant: 2289 Green Ave. S/D – Release #1
Site Information: Green and McGinley Avenue2
Tax Parcel: 23-39-104
Amount: \$25,637.01

Council Vice President Knowles motioned to release 2289 Green Avenue S/D, Release #1 for \$25,637.01 subject to an audit by the Finance Department. Councilwoman Benitez seconded and the motion carried 5-0.

C. Applicant: Dalfo L/D – Release #1
Site Information: 4001 Bristol Road
Tax Parcel: 02-018-003
Amount: \$186,825.00

Council Vice President Knowles motioned to approve the release for Dalfo L/D Release #1 Tax Parcel 02-018-003 in the amount of \$186,825.00 subject to an audit by the Finance Department. Council Secretary Champion seconded and the motion carried 5-0.

D. Applicant: 2500 State Road Holdings, LLC – Release #3
Site Information: 2500 State Road & 625 Imperial Court
Tax Parcel: 02-065-020 & 02-061-292
Amount: \$102,988.95

Council Secretary Champion motioned to approve Release #3 for Tax Parcel 02-065-020 and 02-061-292 in the amount of \$102,988.95 subject to an audit by the Finance Department. **Council Vice President Knowles** seconded and the motion carried 5-0.

15. **PUBLIC COMMENT:**

Council President Kisselback asked if there was anyone in the audience who would like to come forward. Seeing no one come forward the second Public Comment was closed.

16. **OTHER BUSINESS:**

Township Engineer, Nicole Kahn, thanked Council for having her and indicated that they are trying their best to help Council make those educated and informed decisions, and to help the people within the community.

Council President Kisselback thanked Ms. Kahn and indicated that she did a wonderful job this evening with answering the residents with their concerns.

Solicitor Pizzo reminded everyone that schools are open and to please be cognizant and respectful of the speed zones around the schools, and the school busses when they are stopped to pick-up or discharge children. Wished everyone a Happy Labor Day, particularly those in organized labor and thanked them for all that they do!

Councilwoman Benitez thanked the Township Engineer, Nicole Kahn, for joining this evening's Council meeting. Wished good luck to the Bensalem students on a very good school year. Remember you are on camera passing school buses, follow the traffic laws, and keep our kids safe. Happy Labor Day! Ms. Benitez's daughter is entering the Trade Program at Bucks County Community College.

Councilman Pilieri indicated it was great having Engineer Nicole Kahn helping with the engineering questions regarding the agenda items. It would be his recommendation that Ms. Kahn be here for all of the Council Meetings. It was wonderful to see every question answered regarding the engineering items on the agenda.

Council Vice President Knowles indicated that Engineer Kahn did a fine job in answering the resident's questions in a clear way so that they can understand. Happy Labor Day! Tomorrow is "National Night Out" here at the Township from 6:30pm to 8:30pm. Good luck to all of the students going back to school. Especially those heading off to college for the first time.

Council Secretary Champion wished a Happy Labor Day to all laborers and tradesmen who do an amazing job.

Council President Kisselback wished everyone a Happy Labor Day!

17. **ADJOURNMENT:**

With no other business to conduct, the meeting was adjourned.

The Bensalem Township Council Meeting of August 26th, 2024 can be viewed in its entirety at the following websites:

www.bensalempa.gov

or

www.youtube.com

Respectfully submitted,

Debora F. McBreen
Recording Secretary/Council Clerk