

**BENSALEM TOWNSHIP COUNCIL  
MEETING MINUTES**

**Monday  
December 8<sup>th</sup>, 2025**

**COUNCIL MEMBERS PRESENT:**

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

**SUPPORTING STAFF PRESENT:**

Debora McBreen, Council Clerk/Recording Secretary  
Ken Ferris, Township Solicitor  
Joseph Pizzo, Township Solicitor  
Philip Wursta, 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 their microphone.**

**1. OPENING OF THE MEETING:**

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

**2. INTRODUCTION OF COUNCIL MEMBERS, MAYOR AND STAFF:**

**Council President Knowles** introduced Council Members and Supporting Staff.

**RECOGNITION OF THE VALLEY ATHLETIC ASSOCIATION 14U SOFTBALL CHAMPIONS:**

**Council President Knowles** introduced Coach Taggart and Coach Seidman who proceeded to introduce the players that were recognized with a Certificate of Achievement from the Mayor and Council.

**RECOGNITION OF COUNCIL MEMBERS:**

**Council President Knowles** presented Councilwoman Michelle Benitez and Councilwoman Stacey Champion with a plaque for their service during their term.

**Council President Knowles** presented Councilman Pilieri with a plaque in recognition of his 29 years of service as a council member.

**Councilwoman Champion** congratulated the Valley Athletic 14U Softball Champions and wished them success in their future endeavors.

**3. 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 the agenda.

**Solicitor Pizzo** indicated that Agenda Item 7 which is the consideration of an Ordinance amending the zoning map of the Township to rezone Tax Map Parcel 02-070-001; and Agenda Item 9 which is the consideration of a text amendment to the Township Zoning Ordinance at Sections 232-258-“Use Regulations”, Section 232-259-“Area Regulations”, and Section 232-260 “Special Requirements”. Those two Agenda Items at the request of the property owner and applicant will be tabled.

**Solicitor Pizzo** did not receive a formal written request, but indicated that the Counsel for the property owner, Mr. Michael Meginniss, was present and asked Council President Knowles to allow Mr. Meginniss to make the request to table on the record.

**Mr. Meginniss**, on behalf of the landowner and applicant, indicated that Mr. Pizzo correctly stated that upon presentation at the Planning Commission last month and receiving some of the comments that were voiced both by the neighbors and by the members of the Planning Commission that they have decided to further analyze the property and layout.

**Mr. Meginniss** does not think that they need a MPC Waiver Request given the fact that this is a discretionary action on the behalf of Council, but will be analyzing this property moving forward; at which time they will be ready to proceed with an altered version of this plan. They will then either present it back to the Township or have a meeting with the neighbors to discuss what they are envisioning at that time.

**Mr. Meginniss** indicated that they will not be presenting that this evening and are not requesting a vote either with respect to the map amendment or with respect to the text amendment.

**Council President Knowles** indicated, just to clarify, this is the De LaSalle property outside of Wellington Estates. This is going to be reconsidered by Mr. Meginniss as the applicant and any further plans for the property will be presented in 2026.

**Mr. Meginniss** indicated that was correct.

**Solicitor Pizzo** indicated that it would be appropriate at this time to make a motion to table Agenda Items 7 and 9. They will not be tabled to a date certain. The applicant is going to be

reassessing the plans for the development of the property. At such time, the applicant may decide to move forward and a rezoning and/or text amendment would be necessary. They will resubmit notices to all of the adjacent property owners and the matter would again be publicly advertised.

**Council Secretary Benitez** motioned to approve Agenda Items 7 and 9 be tabled as presented by Solicitor Pizzo. **Councilwoman Champion** seconded and the motion carried 4-0.

4. **CONSIDERATION OF A LOT LINE CHANGE FOR**

Applicant: James My Truong & Toshia Dawson  
Location: 2647 & 2645 Linconia Avenue  
Proposed Use: Single Family Swellings  
Zoning Classification: Residential  
Tax Parcel: 02-007-059 & 02-007-060

**Solicitor Ronald Isgate**. Counsel for applicants James My Truong and Toshia Dawson indicated that somehow in the distant past, the lot line is actually through the garage at 2645 Linconia Avenue. Both applicants are in agreement and it is just moving it over to bring both lots in conformity.

**Council Secretary Benitez** motioned to approve the Lot Line change request for Tax Parcels 02-007-059 and 02-007-060. Councilwoman Champion seconded and the motion carried 4-0.

5. **CONSIDERATION OF A PRELIMINARY SUBDIVISION AND A PRELIMINARY LAND DEVELOPMENT FOR:**

Applicant: Voytek Kaniewski c/o 1186 Byberry Road, LP  
Location: 1186 Byberry Road  
Proposed Use: Residential – 8 Lots  
Zoning Classification: RA-1 Residential District  
Tax Parcel: 02-074-110

**Solicitor Pizzo** indicated that this application for this property that there was a question of zoning variances relative to the property going back several years. Ultimately, the issue went before the Township Zoning Hearing Board. The Zoning Hearing Board denied the variances necessary for what was then a proposal to construct twins on the site. Subsequently, the matter went up to the Common Pleas Court. On April 8<sup>th</sup>, 2025 an Order of Court was entered granting the variances necessary for the construction of 8 singles on the property consistent with the layout that's being displayed on the screen.

The Order of Court required the applicant to go through Land Development Application Review and Approval. The Township has undertaken the review of the Land Development Application which is before Council this evening for their consideration.

**Solicitor Pizzo** has been presented copies of the Certificate of Service by the property owner confirming that the required notices went out to adjacent property owners, and those notices appear to be in order.

**Michael Meginniss**, Begley Carlin, on behalf of the applicant 1186 Byberry Road, LP., his client has owned this property for over a decade. Mr. Meginniss has been working with the Township to have a productive development.

The underlying site is approximately 3½ acres and it is zoned in the RA-1 District. It's one of only a couple of properties which is zoned that way in the area. The vast majority are either R-1, R-2 or R-3. This property has gone through a number of proposals over the years. The proposal that went before the Zoning Hearing Board proposed the construction of 16 twins on the property and was denied. Then appealed, and the result of that appeal is the plan before Council this evening which is a revision to reduce the 16 twins and replace with 8 single family detached dwellings.

There would be 9 lots which would be approved and created as part of the subdivision. The ninth lot is a stormwater lot and the access to these homes would be through a private drive which would be managed by an Association, as well as, the stormwater facilities. The lot sizes are appropriately sized ranging from just over 10,000 sq. ft. to approximately 14,197 sq. ft.

Some of the discussions and alterations which have occurred during the part of this development...while the layout is static, there have been some improvements they have been made in conjunction with the Planning Commission, and some consultation and feedback that was received at that time.

On the landscape plan there is a hedge row that the applicant is proposing to plant, both on the plan north and the plan south which provides some additional landscape buffering from both of the adjacent properties. There is a pool on the north of the plan and it was expressed to the Planning Commission that there were some buffering concerns there, and they have agreed to plan and have this memorialized on a landscape plan. This is a condition of approval that the trees would provide the buffering from that property.

Mr. Meginniss has confirmed with his client that if it's desired by the neighbors and by Council, they have no objection. As well, on the property boundary to installing a fence and having it noted as a property feature depicted on an approved land development plan as an additional buffer if that is required.

In consultation with the Fire Marshal's office, they have agreed to have a no parking notation on the bulb of the cul-de-sac, as well as on one side of the street which will make it safe for EMS vehicles to traverse the private lane. They will have a painted curb and one of the waiver requests that they are initially seeking as part of the development for no sidewalks to be installed along the property frontage. They have always proposed sidewalks along the interior of the development, but there was static and firm feedback at the Planning Commission to desire sidewalks along the property frontage as well. Therefore, they have withdrawn that as a waiver request.

They are agreeable to install sidewalks both along the interior and along the exterior. This has put them in a position where the waiver requests that they are asking for are actually very minimal; far more minimal than most residential developments that have come before Council for consideration. The end result is going to be a productive positive development. They think that the Township has met them in the middle, considering the initial ask with the 16 dwelling units as compared to the eight single family dwellings.

The hope is that Council sees that they have taken some of the feedback in consideration regarding the concerns that have been raised to them during the process. They feel strongly that they will have a Homeowner's Association that's formed that will manage the common areas appropriately.

They can have a consideration of approval on other items that are depicted on the plan to ensure the landscaping, or fencing maintains in perpetuity and the end result would be eight nice single-family homes. Mr. Meginniss' clients construct very nice single-family dwellings throughout the County.

**Mark Havers, P.E.** Pickering Courts and Summerson, indicated that Mr. Meginniss generally covered the layout. There are 8 homes, a cul-de-sac, private drive and a stormwater facility located on the top left corner of the plan. There are raingardens behind all of the houses. This controls about 2 acres of off-site drainage that flows through the property where there's no controls today. They will reduce for small storms by approximately 50%. It is around 4 now but will be 2 when it is finished. Larger storms the reduction is about 80% reduction in the flow coming through. It is a significant reduction for on-site, as well as off-site water that it is handling.

They have submitted plans to the Fire Marshall and they have approved having one side of the road with no parking. As well as no parking in the cul-de-sac. The firetrucks are able to enter the site, maneuver and then exit. One side would be no parking and a painted curb.

**Councilwoman Champion** asked how the raingardens will be maintained?

**Mr. Havers** indicated that the Association would maintain the raingardens.

**Councilwoman Champion** asked if they are not maintained what is the result?

**Solicitor Pizzo** indicated that the developer, as part of their requirements of Township approval, will be entering into a Stormwater Facilities Maintenance and Monitoring Agreement with the Township. As part of that, together with the Township's MS4 requirements the applicant will be required to routinely maintain the stormwater gardens as well as all of the stormwater management facilities. They will be subject to routine inspection and reporting by the Township.

Should the applicant or any of the subsequent property owners/homeowners fail to properly maintain them, the Township has the right to enter onto the property to perform whatever maintenance repairs might be necessary to make sure the facilities are functioning properly and as designed. All costs of the Township would then be leaned against the property until paid by the homeowner.

**Councilwoman Champion** when looking at the plan are the raingardens on the backs of the properties and how far would a fence go on each property?

**Mr. Havers** indicated that the property owners can have a fence up to the raingarden. You cannot put a fence through a raingarden, they consist of a variety of plants.

**Councilwoman Champion** asked why they were installing raingardens?

**Mr. Havers** indicated for two reasons. One, its water quality to meet the MPDS requirements and two, it helps to control the off-site water.

**Council Secretary Benitez** asked if they could be repositioned so that they would not interrupt in having their own yard for their single home?

**Mr. Havers** indicated that the thought was, essentially, if you put it right in their back yard then their whole backyard is gone. This way, you are only taking half of the backyard. They still have a portion of their backyard. Half is on their property and half is on the adjacent property. It is all maintained by the Association.

**Council Secretary Benitez** indicated that it would seem like they were making their property feel like community space with the property owner not being able to have any privacy. There seems there could be a better way to lay them out.

**Mr. Havers** indicated that it is a common practice today. Everybody has raingardens or seepage.

**Councilman Pilieri** indicated that the raingardens would have to be presented on the plans to the proposed buyer. They are pleasing to the eye and he did not see an issue with the raingardens.

**Mr. Meginniss** indicated that generally speaking the Homeowner's Association's responsibility is to maintain common features and wanted to make sure that the stormwater features are maintained throughout Bensalem Township. It is the Homeowner's Association's responsibility to maintain the stormwater. As Mr. Pizzo noted, it gives the Township enforcement rights and also the private driveway. When it comes to general lawn area, while there wouldn't be a prohibition if it was agreed upon or desired by the Association to maintain people's private lawns. Typically, private lawns are not maintained by an Association because the same impetus or the same concerns regarding maintenance of a driveway or maintenance of stormwater facilities is not implicated necessarily on a lawn.

Although an Association would have in its documentation, which would be provided to the Township's Solicitors office, enforcement rights, obviously, if a lawn is not maintained in an appropriate condition. Typically, there is not an Association that hires one maintenance company, but that wouldn't be a preclusion. But it wouldn't be a mandate for an 8-lot single family development. A fence line to the rear could be installed, but with the layout of the raingardens, you would not envision somebody doing that. Theoretically you could have a fence that's installed with gates, but you would assume that people who are living here are not going to have a side yard fence between the 8 units.

**Councilman Pilieri** indicated that the HOA would take care of the sidewalks and the curbing, not the individual property owner.

**Mr. Meginniss** indicated that was correct.

**Council President Knowles** indicated with the stormwater management system being installed, minus 30% on the 100-year storm and minus 27% on the 50-year storm.

**Mr. Meginniss** indicated Mr. Havers is better equipped to reply to that, but for any development project in the Township, they want to do whatever they can to maximize the stormwater control. In addition to the basin, the raingardens are going to have on lock controls to mitigate any stormwater flow.

**Council President Knowles** indicated that the purple circles on the plan, are bushes or trees along the back so that the people who live behind the cul-de-sac will have buffering.

**Mr. Meginniss** indicated that was correct and they were trying to maximize the tree planting to the greatest extent possible on the site. The applicant is amenable if there is a request for some additional buffering or fencing. They want to make sure there is enough green space on the property as possible.

**Councilwoman Champion** asked that in terms of the fencing on both sides, would it go all the way down the property line?

**Mr. Meginniss** indicated that they would want to make sure that any of the existing larger trees, particularly to the rear, are situated in a way that they wouldn't be disturbed. His conversations with his client were more envisioning the plan south and the plan north in the rear of those homes.

**Councilwoman Champion** asked in regards to the landscaping would these be fast growing trees, and would it be in the documents or would the applicant be willing to work with the neighbors on either side if they also wanted new plantings on their sides of the property; if this were to be approved.

**Mr. Meginniss** indicated that in terms of the tree plantings that would be something if the Township is concerned about additional enforcement rights, it would be part of the landscaping plan that could be recorded. It could be a part of the Association's responsibility in terms of the maintenance of those trees instead of it being a single lot owner responsibility. Mr. Meginniss suggested that they could make the boundary trees a part of the Association responsibility for maintenance.

**Councilman Pilieri** indicated that he didn't think that the Township could put trees on other people's property because then if the tree falls down, they go after the owner of the property which the Township is agreeing to. He did not believe that the Township has ever done something like that and didn't believe that is something that can be done.

**Mr. Meginniss** indicated that if they have the landscaping and the trees as part of the Association documentation that becomes a feature in the development unlike any other substantive feature in a development that you can't modify without the Association's approval. It will also mitigate some cost on an individual property owner if there is a tree that has an issue that comes out of the Association rather than the pocket of an individual property owner to replace because it would be the Association's responsibility.

**Council President Knowles** indicated that the separate sheet regarding the waiver request that was submitted, is it 4 waiver requests the applicant is looking for and is this a Preliminary and Final?

**Mr. Meginniss** indicated that was correct and the 4 waivers that were identified were noted but that there was one not noted on the sheet and that is the Preliminary and Final request which would be at 201-43(c)5. The last item is a fee in lieu of recreation that the applicant is agreeing to pay on the site. This was not listed as a waiver but they would state for the record that they are agreeable to the fee in lieu of recreation.

**Mr. Meginniss** noted because it's couched as a full waiver and Council inquired, the waiver request, with respect to street trees, which is at 201-106, they are planting all of the street trees required along the property frontage. the street trees that the applicant is not planting fully are hollowed out on the plan. There is a requirement in the ordinance that they be every 20 ft. They are maximizing all the street trees that they can plant.

It is the existence of the driveway and some of the utilities that do not permit them to adhere to the 20 ft. spacing which is just on the inside. They are honoring it on the exterior, on the property frontage, and they are really maximizing it on the inside. They are trying to plant a tree in every inch of the property as they could along the cul-de-sac and the roadway.

They have it as a waiver but they wanted to clarify that they are complying with the requirements on the frontage and on the interior, it is a partial waiver.

**Mr. Meginniss** suggested, as is customary with residential development, they will provide the Association documentation to the Township Solicitor's office for review. They can append the final landscape plan that will be to the satisfaction of the Township Engineer and the Township Solicitor and the Township Staff Consultants. That can be included in the Association documentation which is then a public document in addition to the standard Record Plan which gets recorded against the property. There will be a notation in perpetuity as to the tree planting and that would be an enforceable condition as against the Association as rights to the Township.

**Council President Knowles** asked if there was anyone in the audience who would like to speak for or against this project.

#### **PUBLIC COMMENT:**

**Dawn Fitch**, 1154 Byberry Rd. asked if there could be additional shrubs or fencing along the back three lots to where her property backs up for privacy?

**Mr. Meginniss** agreed for the additional shrubbery and/or fencing along that area.

**Rick D'Aguano**, 1200 Byberry Rd., asked for additional shrubs and a fence on his side of the road because he has pets and a pool and would like the privacy.

**Andrew McGuardo** asked a legal question regarding the property. Then asked, what is it when you actually request the ability to talking at the meeting?

**Solicitor Pizzo** indicated that when there is an appeal from the decision of the Zoning Hearing Board adjacent property owners are not given notice unless they appeared during the Zoning Hearing and requested Party Status.

There is a distinction between speaking at a Zoning Hearing and requesting Party Status. At the outset of every meeting Mr. Panzer, the Zoning Hearing Board Solicitor, explains that during the zoning hearings the property owners who are adjacent, as well as the public in general, are given the opportunity to speak in favor of or against an application or to ask questions.

However, to be able to ask questions of witnesses in order to receive documentation from a Zoning Hearing, you have to request Party status. If Party Status was not requested at that time, once that appeal was taken, the adjacent property owner would not be involved as

party because they weren't a Party at the the hearings before the zoning hearing.

**Thomas Reynolds**, 1130 Alberta Avenue, indicated that he did ask for Party Status as did 7 other people. To his knowledge none of them were afforded any opportunity to speak past that Zoning Board Hearing. The other attorney approved them as a Party Status.

Mr. Reynolds noticed that when notifications are made to the neighbors, whether they are a party or not it is supposed to be published and a certified letter sent. At that hearing it was agreed that on behalf of the 8 people there would be an email list generated.

**Solicitor Pizzo** apologized and said he cannot speak to that. As to this evening's proceedings this application was actually on Council's Agenda for November. Public Notice was issued and Notices were mailed to all of the adjacent property owners. At that time the matter was tabled because there were questions regarding the Fire Marshal's review. And so to give an opportunity for Council to have all of that information before making a decision, the matter was tabled from Council's November meeting to this evenings meeting.

At the November meeting everyone in attendance was told that the matter would be heard this evening. Also, his understanding from Mr. Meginniss, not only were Notices mailed out in advance of the November meeting, but notices were mailed out again in advance of this evening's meeting. Those notices go out by certified and regular mail.

**Solicitor Meginniss** interjected in terms of procedural disposition regarding the Zoning Hearing Board. Generally speaking, when somebody files an application to the Zoning Hearing Board individuals can request Party Status. Mr. Meginniss indicated that he was not counsel at that time on this matter. The Zoning Hearing Board denied the application and an appeal was filed by his predecessor.

When you file an appeal and because the adjacent property owner was a party, he should have been notified by the other law firm that was involved at the time, as to the appeal. At that time, nobody, just because they requested Party Status at the Zoning Hearing Board is automatically a party at the Court of Common Pleas. What that does it allows the adjacent property owner to file a Notice of Intervention or a petition to intervene at the Court of Common Pleas.

Solicitor Meginniss was not involved at that juncture, and did not know what happened or whether the property owners were notified or whether a notice of intervention was filed or not. The people who are parties to the underlying Zoning Hearing Board matter are not necessarily involved in the Court of Common Pleas. Often, but not always, what happens is if th neighbors who request Party Status and the Township or the Zoning Hearing Board denies it, the neighbors often do not participate in the Court of Common Pleas case; because the Township is filing the briefs on their behalf in defense of the denial.

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

**Council Secretary Benitez** motioned to approve and with regards to the waiver request for Section 201-106 it was noted that it was a partial waiver and the applicant is going to try and keep as many trees as possible. The issue there is the obstruction utilities and driveway. Fencing and shrubbery at the request of the neighbors and will be further discussed. The application will be Preliminary and Final. A fee in lieu of recreation is a will comply. The Fire Marshall's request noted as final approval is just to include the curb line painted yellow along the entire fire lane.

An HOA Agreement to maintain the responsibility of the trees and to maintain the requirement of the street trees. In other words the property owners will not be able to just cut down trees. Engineer Wursta indicated that in his review letter it was agreed by the applicant that there is a Traffic Impact Fee as well. 1186 Byberry Rd. Tax Parcel 02-074-110. **Councilman Pilieri** seconded and the motion carried 3-1-0.

**Solicitor Pizzo** indicated so that the record is clear, the applicant will comply with all of the requirements and comments set forth in the Township Engineer’s review letter of May 28<sup>th</sup>, 2025. The Township Traffic Engineer’s review letter of May 28<sup>th</sup>, 2025. The Township’s Traffic Impact Fee review letter of July 25<sup>th</sup>, 2025. The Township Traffic Safety review of May 7<sup>th</sup>, 2025 and the Fire Rescue review memoranda of May 13<sup>th</sup>, 2025, November 20<sup>th</sup>, 2025 and December 4<sup>th</sup>, 2025. As to the landscaping, the record should also reflect that an amended landscaping plan will be prepared to add and demonstrate a hedge row, buffering and fencing as is ultimately determined and approved by the Township. That amended landscape plan will be recorded in the office of the Recorder of Deeds of Bucks County together with the Record Plans and will also become part of the Homeowner’s Association Agreement and Homeowner’s Association documents for the project. The waivers are going to be granted as reflected by Council Secretary Benitez’s motion

**Council Secretary Benitez** amended her motion to reflect Solicitor Pizzo’s comments and additions.

**6. CONSIDERATION OF A PRELIMINARY AND FINAL LAND DEVELOPMENT FOR:**

|                        |  |
|------------------------|--|
| Applicant:             | Gail L. Faulkner, Trustee & Joseph Faulkner, Trustee |
| Location:              | 4437 Street Road                                     |
| Proposed Use:          | New Service Building 7 Showroom                      |
| Zoning Classification: | H-C1 – Highway Commercial                            |
| Tax Parcel:            | 02-008-006-001                                       |

**Gavin Laboski**, Solicitor for the applicant. This is the Faulkner project to rebuild the Buick GMC showroom that was destroyed by the tornado in July of 2021.

Regarding the plans, the former site shows the sales building which was solely sales associated with Buick GMC. They shared the service area with the other dealerships on the sort of campus of dealerships. After the tornado, Faulkner, along with the mandates from their manufacturer are required to build a new building that has both the sales and the service under one roof. The building is proposed at 39,000 sq. ft. It will have 20 some lifts, 30 some bays and will be a state-of-the-art Buick GMC dealership.

The area in the back where they used to use as service, will be part storage for tires and things like that which they will need for everyday use. Faulkner has worked really hard with the Township and their professionals to get to this point. They are extremely grateful for the accommodations and the work that all the Township has put in to the changes on Street Road that are proposed.

It has been quite an ordeal for Faulkner as you can imagine given the devastation that they have suffered. This represents a new chapter with a brand-new building. There are very few Engineer comments. The 2 review letters are all will comply. There is a waiver letter with 5 very relatively minor waivers. Essentially, this is a rebuild of a building that was destroyed and is going to

operate the same way that it did before in terms of providing sales and service for Buick GMC.

**Councilman Pileri** complimented Faulkner for having such a clan and beautiful site.

**Mr. Laboski** indicated that the waivers are as follows: There is a partial waiver from showing existing features within 400 ft. There is a waiver for the diameter of the storm sewer pipe to be reinforced concrete. There are 2 waivers that there is a question about the vehicle display area along Street Road. Mr. Laboski thinks that it complies to the extent that it does not comply. They will do a fee in lieu of sidewalks. And a fee in lieu of some of the landscaping requirements.

**Council President Knowles** 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 portion was closed.

**Councilwoman Champion** motioned to approve the plan as presented for Tax Parcel 02-008-006-001 with the waivers as discussed, for a fee in lieu of the trees and a fee in lieu of the sidewalks due to the grading; and a trash compactor instead of things and also providing fencing or screening for the compactor.

**Solicitor Pizzo** indicated that the applicant will comply with the comments and requirements of the November 25<sup>th</sup>, 2025 Township Engineer review, the November 25<sup>th</sup>, 2025 Township Traffic Engineer review, the October 28<sup>th</sup>, 2025 the Fire Rescue Departments Fire Chief review, and the October 28<sup>th</sup>, 2025 Traffic Safety review. The fees in lieu of trees and sidewalks have been noted and they will comply with the determinations of the Township Engineer in regard to both.

**Council Secretary Benitez** seconded and the motion carried 4-0.

7. **CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING MAP OF BENSLEM TOWNSHIP AND THE ZONING CLASSIFICATION OF BUCKS COUNTY TAX MAP PARCEL 02-070-001 OF THE SAID ZONING MAP FROM BP BUSINESS AND PROFESSIONAL TO R-44 RESIDENTIAL/COMMERCIAL AND ESTABLISHING AN EFFECTIVE DATE HEREFOR:**

**This item was tabled by a prior motion.**

8. **CONSIDERATION OF AN ORDINANCE AMENDING THE ZONING MAP OF BENSLEM TOWNSHIP AND THE ZONING CLASSIFICATION OF BUCKS COUNTY TAX MAP PARCEL 02-041-022-002 OF THE SAID ZONING MAP FROM G-C GENERAL COMMERCIAL TO R-1 RESIDENTIAL, AND ESTABLISHING AN EFFECTIVE DATE HEREFOR:**

**Michael Meginniss, Solicitor** for Begley Carlin on behalf of the applicant, Walter Lesnevec. Mr. Meginniss is proposing to change the subject parcel at the intersection of Hulmeville and Galloway Roads. This property has had a history of an evolving zoning designation. It was residential then it was commercial and the applicant is asking Council to rezone it back to residential. Specifically, to go from GC, General Commercial, to R1, Residential.

This site was the subject of a Zoning Appeal that was filed back by Inspire Credit Union when they were proposing to locate the Credit Union on this parcel, which is approximately 8.6 acres. Mr. Meginniss' firm is not participating in that appeal. But his understanding is that appeal is still outstanding and rezoning this property would move that appeal once and for all.

Based on the location both with Galloway and Hulmeville Roads it causes significant issues when it comes to developing anything in a meaningful manner that's consistent with the GC Zoning District, particularly the property is not deep enough to facilitate appropriate circulation. The idea to change the map and move it to R1 seemed like an appropriate starting point for consideration. What followed from there was a drafting of a land development and subdivision submission which is not before Council for consideration. That would be before Council for their review and presentation in the 2026 calendar year.

The parcels in the immediate vicinity are zoned R1, this would facilitate a minimum lot size of 12,000 sq. ft. The school to the rear is zoned R11 but the R1 zoning designation seems to be far more appropriate than the current zoning, or anything else that they could have this property zoned to be.

The applicant is requesting to revise the map to R1 and to bring it into greater conformity with the surrounding areas. And then subsequently, we'll move through the process with the Township for the Land Development submission, the comments and then the proposed development at that time.

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

**Council Secretary Benitez** motioned to approve the zoning change request for Tax Parcel 02-041-022-002 from GC General Commercial to R1 Residential. Councilwoman Champion seconded and the motion carried 4-0.

9. **CONSIDERATION OF AN ORDINANCE OF THE TOWNSHIP OF BENSLEM, BUCKS COUNTY, PENNSYLVANIA AMENDING THE TOWNSHIP CODE OF ORDINANCES AT CHAPTER 232 "ZONING", AT ARTICLE v.-"RESIDENTIAL DISTRICTS", DIVISION 11.5-"R-44 RESIDENTIAL/COMMERCIAL DISTRICT", SECTION 232-258-"USE REGULATIONS", SECTION 232-259-"AREA REGULATIONS", AND SECTION 232-260 "SEPCIAL REQUIREMENTS-STREET AND PARKING; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND ESTABLISHING AN EFFECTIVE DATE HEREFOR.**

**This item was tabled by a prior motion.**

10. **CONSIDERATION OF A REDUCED PERMIT FEE FOR THE PROPOSED ADA WALKWAY AT STRUBLE ELEMENTARY LOCATED AT 4300 BENSLEM BOULEVARD:**

The School District has submitted a request to the Township for a 50% reduction in the permitting fees for the proposed ADA walkway at Struble Elementary School which is intended to connect the new outdoor learning center located across the parking lot in the wooded area from the school itself.

Administration has reviewed the application, the fee for the same is \$1,698 a 50% reduction of the fees that are permitted to be reduced brings the amount down to \$853.25. Administration recommends the Council's favorable consideration of the School District's request.

Council Secretary Benitez motioned to approve the reduced permit fee for Struble Elementary. Councilwoman Champion seconded and the motion carried 4-0.

11. **CONSIDERATION AND SIGNING OF AGREEMENTS FOR:**

**Applicant:** Byberry-39, LLC – “Byberry Woods”  
**Location:** Byberry Road located opposite Amwell Road  
**Proposed Use:** 39 Residential Townhomes  
**Zoning Classification:** R-3 Residential  
**Tax Parcel:** 02-033-108,02-033-109 and a portion of 02-033-109-001

- 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 that about 10 years ago Council approved a Land Development Application for the property identified as TMP 2-33-108, 2-33-109 and a portion of 2-33-109-1. The approval was for the requested construction of 39 residential townhome units and a single-family dwelling on the subject property.

The applicant, for a variety of reasons, largely having to do with environmental remediation of the site that took a number of years, then of course the intervention of COVID thereafter which resulted in a good bit of the delay.

The applicant, Byberry 39, LLC, has moved forward to begin construction of the project. Consistent with the Township's policy for projects this old, the Building and Planning Department and the Township Engineer undertook a review of the plans to make sure there have been no subsequent changes to any Township Ordinances having to do with zoning, subdivision and land development or stormwater management that would impact the plan as was then approved back in 2015.

That review has been undertaken and any required revisions were made consistent with the approval at the time. The Record Plans have been reviewed by the Township and are in a form

ready for recording. The Land Development Agreements for the project have been prepared by the solicitor's office and are in a form acceptable for Council's consideration and approval.

All of the monies required by the Township for the construction of the property, including a very sizeable escrow for public improvements, have all been posted with the Township and it is recommended that Council give their favorable consideration to the agreements at this time.

In addition to the Land Development Agreement, as discussed briefly during the application from Mar-Mar the Stormwater Best Management Practices Operation and Maintenance Agreement for the site as well; which imposes the same requirements on this site as were imposed on the Mar-Mar site up the street.

**Council President Knowles** asked if there was anyone in the audience who would like to speak for or against this application.

The following came forward:

**John Fluhardy**, 1199 Alberta Avenue, went to the Building and Planning Department to look at the plans for the property and they indicated that they had no plans. Would they also have the results of the remediation?

**Solicitor Pizzo** indicated that there must have been some miscommunication at the time. The Township certainly has Land Development plans. The Township does not oversee remediation, that is overseen by the Pennsylvania Department of Environmental Protection.

**Engineer Wursta** indicated the Township Building and Planning Department's Director, Mr. Ken Farrall, will get back to Mr. Fluhardy with regard to his question. The DEP was outside of the Township boundaries; however, the Township should have gotten a notice that should be made part of the file.

**Engineer Wursta** took Mr. Fluhardy's information and told him that someone from the Township would be in contact with him tomorrow.

**Louis Tremarki**, 4924 Bensalem Boulevard, asked what was the scope of work for the remediation for contaminates? Mr. Tremarki indicated that he received an email that specifically states significantly contaminated.

**Solicitor Pizzo** indicated that he did not know the nature or the scope. The Township's requirement at the time of approval was that obviously the sight had to be cleaned up to the specifications of the Department of Environmental Protection. Their remediation standards for residential property are significantly greater than they are for non-residential properties. Solicitor Pizzo indicated that he did not know if there was a report in the Township or if there is just written confirmation from the DEP to the Township that all of its requirements have been satisfied and the property is clear for that sort of activity.

Stormwater runoff plans would certainly be in the Township. If the Township does not have the actual reports, the Township will have records that it's been approved by DEP.

**Engineer Wursta** indicated that the stormwater management was taken care of as far as the development goes.

**Council President Knowles** asked Mr. Tremarki to give his information to Mr. Wursta and he will be in contact.

**Council Secretary Benitez** motioned to approve the Developer's Agreement for Tax Parcel 02-033-108, 02-033-109 and a portion of 02-033-109-001 for Byberry 39, LLC as discussed. **Councilwoman Champion** seconded and the motion carried 4-0.

12. **OTHER BUSINESS:**

**Ken Ferris** – Indicated it has been a pleasure working with Council and wished everyone a Merry Christmas, Happy Hanukah and Happy New Year.

**Mr. Pizzo** wished everyone a Merry Christmas, Happy Hanukah and Happy New Year to everyone in the community. Enjoyed working with Michelle Benitez and Stacey Champion these last 4 years. Thanked Councilman Pilieri for his 29 years of working together and a well-deserved retirement and wished him all the best for the future.

13. **PUBLIC COMMENT:**

A constituent approached the podium and indicated that Tom Panzer approved his Party Status and never received notification for the Common Pleas Court schedule and wants Council to find out why that didn't happen.

**Anthony Williams**, resides in the Clusters. Mr. Williams indicated that he had approached Council regarding plugging his car in; his home is a townhouse, there is no community and the street is owned by Bensalem. There was a discussion with Council and Mr. Williams felt that Council dismissed his request. Mr. Williams indicated that Mr. Pizzo stated that it was time to do something. Mr. Williams called the Township several times and has come to the building but the only response he received was that they are working on it.

**Council President Knowles** indicated that Mr. Williams lives in a development that did not have a driveway and that if Mr. Williams needed to plug the vehicle in, he would have to go across the sidewalk.

**Mr. Williams** indicated that the plug could be tunneled under the sidewalk; and if the Township can assign handicap parking spaces, why can't they assign his space so that he can, at his expense, install a charging station with a kill switch inside of the house.

**Council President Knowles** indicated that there are developments that when you buy a property in that development, there is an understanding that you do not have assigned parking. It is shared parking.

**Mr. Williams** indicated that nothing has happened in the past 3 years.

**Council President Knowles** indicated that the Township cannot put charging stations at everybody's property.

**Council Secretary Benitez** indicated that the Township, in general, has seen a lot more of the charging stations come up in common areas for the public. But in Mr. Williams specific situation, she didn't see how the Township would be able to complete something like that. If, for example, there is a kill switch on Township property inside of his residence, if the Township does not have access to it that is not going to be feasible. The Township would need full access to that device. There is a safety concern.

**Mr. Williams** indicated that it is being inspected just like anything else, it is part of code.

**Council Secretary Benitez** indicated that if there is a kill switch inside of Mr. Williams' residence for access and the Township does not have access to....

**Mr. Williams** indicated that he would put the kill switch outside.

**Solicitor Pizzo** indicated that they were presupposing that it hasn't been looked at. If it were a simple solution, obviously it would have been done. It has been looked at. The neighborhoods that were mentioned, based on the fact that they were built at a time when this wasn't a consideration, there is a host of issues associated; not the least of which is the cost to the taxpayers throughout the Township for creating charging stations within neighborhoods. It has been looked at and at this point the Township hasn't gotten to the point with the technology versus where the Township is a community, that the Township has a solution that will take care of Mr. Williams individual problem.

**Mr. Williams** indicated other towns have addressed it and doesn't understand why Bensalem doesn't address it.

**Solicitor Pizzo** indicated that he would be happy to talk to Mr. Williams on what some of these other communities have done that perhaps Bensalem is unaware.

**Mr. Williams** indicated that the other towns have done public charging.

**Solicitor Pizzo** indicated that public charging is different than putting charging stations in individual neighborhoods. There is a cost associated and there are any number of issues associated with that, not the least of which is ultimately who is going to pay.

**Mr. Williams** indicated that the Mayor stated that Solicitor Pizzo was on it and you were installing charging stations. Mr. Williams didn't see any charging stations or Township property. Mr., Williams indicated that when he returned the following year it was explained that there was a considerable cost involved.

**Solicitor Pizzo** indicated that there or a number of charging stations throughout the Township.

**Mr. Williams** wants to charge his car in front of his residence.

**Mr. Williams** indicated that in early spring PennDOT had approved redoing I-95 at Street Road and wanted to know the status.

**Councilwoman Champion** indicated that she had looked at this plan online. There is a website for PennDOT that has all of the projects listed and the last date for that project was January 2025 and there has been no update since. This a PennDOT issue. The Township has no control when

it comes to PennDOT. As a Township and as specifically as a Council they can ask, but then PennDOT gets funding when they go through all their processes. It takes time, money and effort to get all of their conceptuals and all the different planning that they have to do.

**Solicitor Pizzo** indicated that at no point in time did anyone, referring to Council, tell the public that the I-95 Interchange at Street Road is going to be done this summer. That was never communicated to the public by anyone on Council.

**Engineer Wursta** indicated that the Street Road Slip Ramp is a PennDOT project. It is going to connect Virginia Avenue right in that location as a new slip ramp on to I-95. That is in design and it is a PennDOT design and it takes years for those types of things to happen. That is being worked on but it's all in PennDOT's consultants and their design. PennDOT had a meeting and it is moving forward, but it is one of those things that PennDOT does on their schedule. It is the same thing in the Street Road and State Road area, PennDOT has a project that is going from Bristol all the way down State Road and it takes time. There are flooding issues and that sort of thing that the Township has gotten PennDOT to address. They are taking time and consideration but there is no time frame as far as when that it is going to be specifically done.

**Mr. Williams** spoke on how deplorable a stretch of road was along Street Road up to the Faulkner dealership.

**Solicitor Pizzo** indicated the Mr. Williams was presupposing that Council travels the same stretches of road that he does. The complaints are sent to the State Representatives to the State Senators asking them to share it with PennDOT as well as them coming directly from the Township. Not only has the Mayor complained about the condition of Street Road, but also where the shoulder of the road does not get cut by PennDOT for months at a time and the grass grows extremely high. It is PennDOT's responsibility with all of the things that Mr. Williams was talking about.

**Solicitor Pizzo** indicated that everything Mr. Williams spoke about has to do with State highways. It has to do with the design of State highways, has to do with the repair and maintenance of State highways. It is all through PennDOT and Mr. Williams can reach out to the Governor's office to the PennDOT offices on his own as well, and assured Mr. Williams that the Township is registering complaints routinely. Everything that Mr. Williams has said today will be shared with the Mayor's Administration tomorrow.

Mr. Wursta will be in contact with the Regional Director of PennDOT tomorrow to let him know that the Township has heard, yet again, the conditions of these roads. And that the Township has heard, yet again, about the amount of time it's taking for PennDOT to move forward with projects that are wholly PennDOT's.

**Mr. Williams** indicated that television stations can get things done.

**Solicitor Pizzo** indicated that maybe Mr. Williams should get a hold of 3, 6 and 10 and see if they can get in touch with PennDOT's Regional Office and get some action on the things that Mr. Williams has talked about.

**Louis Tremarki**, 4924 Bensalem Boulevard, indicated that on Bensalem Boulevard the school zone for Struble there needs to be more signs around in that area indicating you are sitting in a school zone.

**Council President Knowles** indicated that the Township can look at that and see whether there is a need for more signage along there.

**Solicitor Pizzo** indicated that ultimately PennDOT issues a permit for that intersection for the signalization and the signage. PennDOT has a set of specifications that are every bit as thick as the pile of paper that sits in front of him. PennDOT determines for a school zone especially, how far the signs are supposed to be, what height they are supposed to be, all of which are dictated by PennDOT.

**Council President Knowles** indicated that he appreciated the input and will look into whether any additional signage can be put there.

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

### **OTHER BUSINESS - Continued:**

**Council Secretary Benitez** thanked everyone for their love and support and true mentorship. She has gained so much experience and skills and has made so many friends along the way during this journey. Appreciated knowing all of Council, their dedicated service to this community and felt as though they were a really great team. They accomplished a lot and quoted Dr. Seuss “Don’t be sad that it is over, smile because it happened.” Thank you!

**Councilwoman Champion** wished everyone a Merry Christmas. Thanked everyone for the honor of allowing her to serve. Her time in elected office may be coming to a close for now. Her dedication to the Township is far from over. She has been involved in the Township since she was a child with her parents and she will continue teaching our children to be servants to the community. She will always speak up as to the direction the community is heading in and advocating for the best interest of the residents just as she has always done before holding office. She will remain committed to ensuring that the safety of our residents and visitors always comes first; and those decisions made are with real consideration for financial pressures that many families face that raising taxes should never be a first answer and she will continue to voice concerns when policies risk placing additional hardship on the community.

The one thing that she wanted to reiterate because she knows this is a very divisive time in the world and that she hopes every member of Council remembers the responsibility that the residents and fellow Council members deserve dignity, fairness and respect; and she will always speak when she believes that is not being upheld.

Councilman Pilieri thanked the members of the board working together has been a wonderful experience. For 29 years he would like to thank the voters for their support, 15 years as a Volunteer Fireman, 29 years on the board and he too, is not going anywhere.

**Council President Knowles** indicated that Council reconvenes on January 5<sup>th</sup>, 2026 for the Reorganization meeting and wished everyone a happy holiday. It was a pleasure and an honor serving with Mr. Pilieri and other past Council people. Ms. Benitez and Ms. Champion have been a pleasure to deal with and work with and appreciated their active membership to the community.

Saturday, December 13<sup>th</sup>, is the Tree Lighting ceremony at 5 o'clock here at the Township building.

**14. ADJOURNMENT:**

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

The Bensalem Township Council Meeting of December 8<sup>th</sup>, 2025 can be viewed in its entirety at the following websites:

[www.bensalenpa.gov](http://www.bensalenpa.gov)

or

[www.youtube.com](http://www.youtube.com)

**Respectfully Submitted,**

**Debora F. McBreen  
Recording Secretary**