

**BENSALEM TOWNSHIP COUNCIL
MEETING MINUTES**

**Monday
June 22nd, 2026**

COUNCIL MEMBERS PRESENT:

Ed Tokmajian, Jr., Council President
Jesse Sloane, Council Vice President
Joe Wenzel, Jr., Council Secretary
Ed Kisselback, Council Member
Joseph Knowles, Council Member

SUPPORTING STAFF PRESENT:

Judge Michael Gallagher
Scott Holbert, Land Development Solicitor
Nicole Khan, Senior Municipal Engineer
Debora McBreen, Council Clerk/Recording Secretary
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 Tokmajian 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 Tokmajian introduced the Mayor, Council Members and Supporting Staff.

Council President Tokmajian indicated that there is a revised Resolution for the Curative Amendment to be reviewed and approved by Council and added to the agenda.

Council Vice President Sloane motioned to add the Resolution for the Curative Amendment Zoning Code between current Agenda items 11 and 12. **Council Secretary Wenzel** seconded and the motioned carried 5-0.

3. **PUBLIC COMMENT-LIMITED TO AGENDA ITEMS ONLY:**

Council President Tokmajian 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 Vice President Sloane motioned to approve the Council Minutes for June 8th, 2026 as corrected. **Councilman Knowles** seconded and the motion carried 5-0.

5. **CONSIDERATION OF A RESOLUTION AUTHORIZING A SECOND ALTERNATE MEMBER OF THE ZONING HEARING BOARD:**

Solicitor Pizzo indicated that for many years the Township operated the Zoning Hearing Board with just 5 members. Back in 2023 the Township added an alternate to add some fixability when a board member might be absent it would allow the Township to continue to have a full quorum. What the Township has found is that it has been a successful endeavor in the alternate. What was happening at times, is that if there were fewer than five members to the board an applicant might want to postpone their hearing until they have the full five rather than four or three members.

In reviewing the current situation, the Zoning Hearing Board recommended to the Administration and the Administration agrees that adding a second alternate, which is allowed under the MPC, would provide that additional flexibility to the Board. The alternate serves for a three-year term, as opposed to the board members who serve for a full five-year term.

The Township Administrative Code only provides for one alternate to the Zoning Hearing Board. Before adding the second name, that is being recommended by Mayor, the first step would be for Council to adopt the Resolution creating the second alternate seat on the Zoning Hearing Board.

Council Secretary Wenzel asked with the Resolution being approved this evening, is the three years effective today or line up with the other alternate?

Solicitor Pizzo indicated that if Council is inclined to act on the appointment recommended by the Mayor as agenda item six, that individual will become the second alternate of the Zoning Hearing Board today.

Council Vice President Sloane motioned to approve the Resolution authorizing a second alternate member to the Zoning Hearing Board. **Council Secretary Wenzel** seconded and the motion carried 5-0.

6. **ADVICE AND CONSENT OF MAYORAL APPOINTMENT OF AN ALTERNATE MEMBER TO THE ZONING HEARING BOARD FOR A 3-YEAR TERM:**

Council Vice President Sloane motioned to accept and approve Mr. Matthew Trzaska as the alternate member to the Zoning Hearing Board for a three-year term ending December 31st, 2028. **Council Secretary Wenzel** seconded and the motion carried 5-0. **Judge Gallagher** swore in 1 member.

7. **ADVICE AND CONSENT OF MAYORAL APPOINTMENT OF ONE (1) MEMBER TO THE ECONOMIC DEVELOPMENT CORPORATION TO SIT OUT THE REST OF THE TERM FOR MICHAEL COOK’S SEAT, 2027, WHO HAS RESIGNED:**

Council Vice President Sloane motioned to approve appointing Mr. Adam Weltz to the Economic Development Corporation to sit out the rest of the term of Michael Cook’s seat 2027. **Councilman Kisselback** seconded and the motion carried 5-0. **Council Clerk McBreen** indicated that Mr. Weltz was out of town and sent paperwork to him to follow up with Judge Gallagher to be sworn in.

8. **ADVICE AND CONSENT OF MAYORAL APPOINTMENT FOR ONE (1) MEMBER TO THE ENVIRONMENTAL ADVISORY BOARD FOR A 3-YEAR TERM:**

Council President Tokmajian indicated that since the Environmental Board started this year, they have devoted a significant amount of time and investment in really creating value for the Board. Council greatly appreciates it and have been approached to add Katie Fisk to the Board. They recognize her experience and indicated that she would be a great asset to the Board.

Councilman Kisselback motioned to accept the advice and consent of the Mayor’s appointment of Katie Fisk for a three-year term to the Environmental Board. **Council Vice President Sloane** seconded and the motion carried 5-0. **Judge Gallagher** swore in 1 member.

9. **CONSIDERATION OF A MINOR LAND DEVELOPMENT:**

Applicant:	James Mee (Creative Architectural Metals, Inc.)
Location:	1642 Woodhaven Drive
Proposed Use:	Industrial – Addition to building
Zoning Classification:	L-I Light Industrial
Tax Parcel:	02-060-013-003

Solicitor Holbert indicated that the applicant is asking to be continued again.

Council President Tokmajian indicated that he understands that they are nearing completion of the storm water management design and asked if someone could give Council an idea of what **nearing** means?

Solicitor Holbert asked the Township Engineer, Mr. Wursta, if he knew how close they were?

Engineer Wursta indicated that Nicole Khan could talk to Council about what is going on.

Council President Tokmajian indicated that they have tabled this several times and he did come in front of Council, and recommended that he do a little more work based off of Council’s questions. Then asked, at what point will the applicant have a finalized plan in front of Council?

Nicole Khan, Senior Municipal Engineer, WK2, reached out to the Engineer today and had an email conversation basically answering a question from last week where they were discussing

the stormwater. Instead of using a simplified version, would he have to do a more extensive design because the site had changed over time; and they are now catching up with the stormwater trying to facilitate a design that makes sense for the site, even though there were prior changes that were done that were not accounted for.

That is part of the initiative here in Bensalem with stormwater management for land developments and move through quickly; and trying to be thoughtful as they are making engineer's designs according to what the site actually looks like today, not for what it is just for this specific application.

Ms. Khan has discussed it with the Engineer and is looking for an answer tomorrow and hopefully they can move forward and get something on paper for next month.

Council President Tokmajian indicated that her suggestion would be to then push it for the second meeting in July or the first meeting in August?

Ms. Khan indicated that she would like to have that discussion with the Engineer and would let Solicitor Holbert know as they move forward.

Council President Tokmajian indicated that Council needed to make a decision as far as what date Council would table it to.

Solicitor Holbert indicated that there is an open ended waiver of the MPC timeline, and Council could actually table it indefinitely; and when the applicant is ready, they can come back.

Solicitor Pizzo indicated that the indefinite table will require the applicant to re-notify the adjacent property owners via mail.

Council Vice President Sloane motioned to table agenda item nine indefinitely. Councilman Knowles seconded and the motion carried 4-1-0.

10. **CONSIDERATION OF A PRELIMINARY LAND DEVELOPMENT:**

Applicant:	Pen Ryn Mansion Associates c/o William F. Haas
Location:	1601 State Road
Proposed Use:	Restaurant/Catering/Hotel Facilities
Zoning Classification:	R-55 Riverfront Revitalization District
Tax Parcel:	02-064-001.001

Michael Meginniss, Begley Carlin, was here on behalf of the applicant, Pen Ryn.

Solicitor Holbert indicated that Mr. Meginniss handed him the affidavit with regard to notice of the property owners and everything is in order.

Solicitor Meginniss indicated that they are seeking preliminary and final land development approval to construct three accessory lodging structures at Pen Ryn. The applicant was before the Zoning Hearing Board and received a number of small dimensional variances to facilitate the construction; and went to the Planning Commission and received recommended preliminary final approval.

The property is approximately 9 ½ acres. It is located in the R-55 district. What you may not be able to see just on the site plan, but if you look at the top right, the property is exclusively surrounded by County owned property. It is very heavily wooded. It is very heavily buffered. That was a conversation at the Zoning Hearing Board, the extent of the buffering between the Pen Ryn property and the adjacent residential community on Echo Beach to the plan right.

The applicant is proposing the construction of three lodging structure, which would be associated with the three wedding venues. They will not be adding any additional trips as part of the construction. It is being proposed, essentially as an amenity to people who are already coming to the property for weddings and events.

Two of the structures will have 12 rooms, one will have 13 rooms. It will be made available exclusively for individuals already accessing the property, meaning it is not going to be marketed for the general public. Because of that, the applicant is not adding any additional trips as part of the development, this is just to maximize the guest's experience.

The three structures are approximately 5,000 square feet. The two are attached to existing structures, and the proposed lodging is not attached; and that's because it is associated with the River's Edge portion to the south of the plan.

One of the items, as a clean-up item, was one of the conversation points at the Zoning Hearing Board. It was an understanding that they want to maximize the greenspace and the foliage on the site. Notwithstanding the fact that it's already heavily buffered, Mr. Haas has gone through great expense over the years to make sure every portion of this site also has an appropriate level of trees.

They were initially asking for a partial waiver for 15 trees, but that is being withdrawn this evening. In working with The Township Engineers, the Township has found a space on that site to plant those trees.

Please note, which is listed in the WK2 Review Letter, the storm water levels are being reduced across the storm frequencies as noted and will go over them through the engineering comments.

Everything that is not a waiver request is a will comply in the Township reviews.

This is a property that is impeccably maintained and believe this is the next step to add a really nice amenity to individuals who frequent this site. This will be able to be done without any significant impacts.

Mr. Bill Haas, Pen Ryn, indicated that he has been interested in this since 1993. They have been asked by their hosts if they could stay on site. There are a lot of pluses with that, they just wouldn't have to leave after a night of revelry. That is the core reason. They have designed them to match the exterior of the existing buildings because he takes the National Register of Historic Places status to heart.

They are sort of self-contained, and would like to keep it that way. They do not want to be opened to the general public, or at all relative to the hotels. They are always open to any private functions.

Council President Tokmajian indicated, just to clarify, if anyone were to call to utilize the space, that's not using the facilities or does not have a reservation, just say it is someone in the public they would be told no.

Mr. Haas indicated that they are not geared for that. Everything on that site is geared for events. In reference to the tree issue, they planted hundreds of trees that were never required. One person did bring up that in the wintertime, the 1,000 feet buffer between the northern edge of the property and Station Avenue, you might see headlights. They are literally going to plant 15 to 20 pine trees that will block those headlights looking off into the bare woods.

Councilman Kisselback indicated that the parking seems to be short in terms of the amount they are providing and asked Mr. Haas to please explain to Council his reasoning for that?

Mr. Haas indicated that they have fields off of the River's Edge parking lot and have never had to use them. The only time that there would be parking problems would have been maybe when they had a Chamber of Commerce event on a Thursday evening when they are coming one person per car. They don't do pretty much any of those anymore. In the entire year they maybe will do three or four non-weddings. The weddings are all coming two, three maybe four people per car and have zero problem with parking. They have two on-site parking attendants.

Council President Tokmajian indicated that the calculation that was 482 parking spaces, that was based off of the current use in addition to the new use?

Solicitor Meginniss indicated that the number is 303 parking spaces. The determination was made at the beginning of the process because the lodging structure that the applicant is proposing is going to have the restriction that Mr. Haas has indicated. There are no additional guests who are coming to the property if this approved and the lodging structures are constructed. Meaning, if right now you have 400 individuals who are coming to the property and then they're being serviced by the three different wedding venues; after the construction you are still going to have the 400 same guests who are coming. The only difference is at the end, you might have 20 people in each of the lodging structures who remain instead of leaving.

Mr. Haas's comment about how the site is functioning right now with the parking is going to remain identical post construction, because there is not any increased demand for additional parking based upon this use. It is staying the same, the applicant is not asking for relief for that.

Mr. Haas indicated that this enormous trend in the last 10 to 15 years of bridal parties guests having buses, these large buses. On most occasions, not all, they don't even use the parking. For some of their largest weddings the average is 180 people. The only time they think about full usage is when it would have to be all three sites having very large weddings.

Council President Tokmajian indicated that with those buses coming in on site is the applicant concerned about them staying the night prior; and that they are increasing the number of cars. Because maybe in the instance where they didn't have the hotel or the boutique hotel, that they might have not brought those cars, and they would have got bused in.

Mr. Haas indicated that a lot of times they are coming from sometimes even a city the night before and will still have buses and then buses to get picked up in the morning, or limos and trolleys. If Mr. Haas thought they would need more parking they would be in for it. He just doesn't feel they need it.

Councilman Knowles indicated that it was good, especially for having a wedding and people book hotel rooms somewhere and out-of-town guest come in, relatives and such, otherwise they are there, some of them are drinking, dancing and then go out on the road looking for the hotel they booked. This way they can just walk to their room and leave in the morning. It is a good and safe thing for the community.

Councilman Kisselback indicated that each hotel would accommodate a bus, 15 rooms.

Mr. Haas indicated that Pen Ryn, 12 rooms and Belvoir, 12 rooms, additions are attached. The River's Edge Hotel is stand alone with 13 rooms.

Councilman Kisselback indicated you have a bridal party of 20 people for the 10 rooms then the other 2 rooms for immediate family.

Mr. Haas indicated that they don't want a hotel. This is really like boutique things. Otherwise, they would come in for 80 rooms. They don't want that because it is not what they do.

Councilman Kisselback asked if there was a bar facility?

Mr. Haas indicated that there is no bar facility. Their current packages always have an after event that they can get dessert stations and things of that nature. It is a very limited window. If you figure of the function, they might come in a couple of hours beforehand, then the function takes place. They are actually not even going into these rooms until maybe 10:30pm or 11:00pm. They have to be out pretty early the next morning.

Council Vice President Sloane indicated that on the stormwater management calculations it looks as though the calculations only go out to five years, why not longer?

David Boginsky, Gilmore and Associates, indicated that the reason they designed to the 5-year storm is because the ordinance only requires you to design to the 5-year storm as far as in the zoning district that they are which is "C" near the river. They only have to design their systems to the 5-year storm. Near rivers or large bodies of water you don't want to retain a lot of water, especially up to the 100-year storm near large bodies of water. You want that water to get to the Delaware River faster than you would far upstream.

Council Vice President Sloane indicated that on the zoning variances a couple of them were not listed on the plans nor were they in the Zoning Hearing Board decision. The first one in the WK2 letter on the use regulations and the fourth one regarding off-street parking. The letter indicates that the applicant has obtained relief from the Zoning Hearing Board, but not in the records that Council has.

Solicitor Meginniss indicated that it is a combination of the fact that this property has gone before the Zoning Hearing Board previously. It is a list of prior variances that are consistent with the ones that they just received.

Councilman Kisselback indicated Section number one 196-36 Calculation Methodology and asked to have that explained to him.

Mr. Boginsky paraphrased the response and indicated that for development and development sites the ground cover used to determine the existing conditions, runoff volume, and flow rate for the developed portion of the site shall be based on actual land cover conditions. The applicant shall clarify if 20% of the existing impervious area is considered meadow in good condition for the existing drainage area rational calculations.

Mr Boginsky indicated that he had addressed that comment in working with the Township Engineers, Mr. Wursta and Mrs. Kahn. As part of the package they supplied a response letter to Section 1 196-36 Calculation Methodology.

Councilman Kisselback asked Engineer Wursta to explain the Calculation Methodology to him.

Engineer Wursta indicated that he would actually like Nicole to speak on the matter.

Nicole Kahn, Senior Municipal Engineer, indicated that for this they needed 20% of the impervious cover to be a different land cover. The idea is that when you are designing for stormwater management, instead of it being 100% impervious she asked the applicants engineer to make it 80% impervious and 20% would be good cover. That would create a smaller number and create a betterment that the applicant's engineer would have to attain.

When designing for stormwater, it's not just about designing for in that moment of looking at what is going in, and they want to see a betterment that comes out of the development. Not just designing for the 5,000 sq. ft. for the building; she would like it to be 5,000 sq. ft. that they are designing, but also at the same time that 20% betterment gives a reduction in the volume.

Mr. Bodisky indicated that was correct and it is a conservative approach. For example, if you came in for a project and you had an existing parking lot where you want to put a building on that parking lot, theoretically, that would be 100% impervious to 100% impervious. Whereas this calculation makes you utilize 20% of the existing impervious as meadow; which is a smaller number so that you got volume that you're going to have to retain in your stormwater BMP's, and it is going to go up. That theoretically makes your basins larger.

Overall, this is a conservative approach; and as part of the calculations in addressing this letter to Council's comment, they updated their calculations to account for 20% of the existing impervious as meadow. So that they had to change the basin slightly to account for that, and to fully address Mrs. Kahn and Mr. Wursta's comment.

Council President Tokmajian indicated that the applicant was increasing impervious space. Council is trying to address stormwater management across the Township. When Council looks to approve land development plans, they increase impervious space, they just want to ensure that they are putting in the right stormwater management.

Council President Tokmajian asked Mr. Haas if he had a water issue right now?

Mr. Haas indicated that they did initially down at the new River's Edge, but they had designed a significant stormwater management. That has long been alleviated. Up at the Belvoir Mansion, the upper parking areas, zero water issues.

Council President Tokmajian indicated that his question is primarily around the pipe, and he knows that this is common and they see it a lot with land development plans. The testimony a couple of minutes ago was to move the water faster rather than creating a basin and would an 18-inch pipe help to move the water faster rather than granting the 12-inch pipe?

Nicole Kahn replied it's not. The system is sized and designed for a 12-inch pipe. An 18-inch pipe is too big. That's the problem, that is why those two waivers are required. Stormwater designs don't always need 18-inch pipes. The ordinances have to have some changes and updates to what they are doing now, today. For instance, material and sizing.

The stormwater systems that they are putting in, raingardens, again, trying to hold back for volume control on sites, not just letting the water runoff to another location to get to an inlet. They are looking for more of the developers and the homeowners to keep their water on site instead of having a large rush of stormwater run through the streets or to other adjacent properties.

By having the right size infrastructure, by putting an 18-inch pipe, it's the wrong sized infrastructure for this system.

Council President Tokmajian asked is that because the system that's currently there has a 12-inch pipe?

Nicole Khan replied no, it's because what Mr. Bodinsky has designed for the three different locations. All of the systems are not connected, they're individual. The one standalone property has its own system. The mansion has 2A and 2B and another part of the property that has an addition has its own system. Each one is independent; they are not tied together.

The reason why the 12-inch pipe works, is because the basin that is designed for what they're doing. The underground storage has a level spreader to do any type, and if there is an overage it will come out. It's the wrong size, 18-inch for just this development is the wrong size at this time.

Council President Tokmajian indicated that when they look at the plan, they look at it holistically. He didn't realize that each one of them had separate water management.

Nicole Khan indicated yes, they do, DPO1, DPO2 and DPO3. Each development on that site has a different management tool being utilized. Each cross section is not the same for each basin that is underground for storage. Some have 18 with a spacing of 6-inch. Each chamber is specific and relative to the development where it is at because it has specific infiltration rates that are associated with each BMP. It is a personalized, specialized way to do stormwater management. Not just throwing everything in the same bucket and saying "Here you go.", its each one has its Own thing that is special and relative to each development.

Council President Tokmajian indicated that this is more beneficial to Mr. Haas than anybody at this point. The watershed runs down hits State Road and then it's going to go onto his property. Then obviously the water management then runs out to the river.

Nicole Khan indicated, just to give an idea, the river is tidal. That's why people down at Echo Beach, that is a problem. Because stormwater comes through Township drainage pipes up and onto State Road causing issues. They are trying to drain the water away from or have Pen Ryn hold their water on site, manage it effectively, and then slowly let it out to where it needs to be to get to the river.

Council Vice President Sloane indicated only for up to a 5-year storm.

Nicole Khan indicated, yes, because of the tidal inundation. We are part of the Delaware River Water South Watershed for that area. State Road is part of that network. That is why you can only design up to a certain point. If they do 100-year storm they are holding all of that back. It is not really good for that neighborhood. That area of the township where other parts are in the Neshaminy Watershed, they do require having the higher standards.

Council President Tokmajian indicated the waiver is not simply to reduce construction costs.

Nicole Khan indicated no it is not. It is because it's not the right size pipe at the right location.

Council President Tokmajian indicated that he noticed in the packet that wetlands certificates are required.

Mr. Boginsky indicated they have a wetlands certificate that they will have someone either himself or the person who originally did it will sign off on it. If they need to go out there again and recertify, he can do that as well, but that will be part of the package before they record the plan.

Regarding the wetlands, they are nowhere near the development or limited disturbance where they have wetlands. The only area they do have wetlands is on the top left corner of the site. That is the only area where wetlands are, and are nowhere near that area. There are technically wetlands within the property boundary, but nowhere near the development.

Council Vice President Sloane indicated there is a waiver, number 5 Sec. 201-112 – Motor Vehicle Parking Facilities – the requirement is that all public parking shall be illuminated to a minimum of one footcandle during after-dark operating hours. Then, asked for an explanation to the waiver request.

Mr. Boginsky indicated that in the existing condition they have portable solar lights and they are only needed during hours of operation. There were neighbors who were potentially complaining about headlights and things of that nature. The potential solution to this is to have these portable solar lights that are in that gravel parking lot area and only have them on during and event.

Solicitor Meginniss indicated that a lot of times people that are potentially looking at a waiver that is more problematic, which is to permit light spillage off of the property. This is weirdly sort of inverse of that. The applicant is asking for there to be less lighting.

Council Vice President Sloane indicated that keeping it maintained on the property sufficient for visibility for the pedestrians there, but not interfering with any of the neighboring properties.

Solicitor Meginniss indicated that was correct.

Council President Tokmajian indicated that the applicant was looking for a waiver regarding loading and unloading, and asked if he didn't feel the need for the folks with luggage to unload for their cars?

Mr. Haas indicated that they will be coming through the existing structures into it, and then on at River's Edge, they park right there and go up the walkway to the front door.

Council President Tokmajian indicated that the applicant didn't mention anything in terms of who is going to be on site during night hours to cater to those folks that are staying there.

Mr. Haas indicated that there will be two Innkeepers that will be there full time. The existing structures, before the additions will be locked off and alarmed from anybody that has now moved over into the additions. The Innkeepers on site will be 24/7. Between the current daily staff and then people who just stay overnight.

Council Vice President Sloane asked if that was two per facility or two for the entire site? What happens if you have all three venues booked at the same night, and you only have two staff, would you staff up for an evening?

Mr. Haas indicated that they would be there to call emergency personnel for anything like that. All of the structures are sprinklered and fire alarmed.

Councilman Kisselback asked the applicant if he went through all the subdivision and land development ordinance comments that they were requesting waivers for?

Solicitor Meginniss indicated they did not, and stated that everything is a will comply with the exception of the waivers and stated for the record what they are requesting. Referenced the May 7th, 2026 WK2 review letter and indicated the following:

A waiver to permit an aerial of existing features associated with the development in lieu of providing the required information within 400 ft. of boundaries. The applicant will provide any additional information if needed. This is a fairly standard waiver request, and this is a unique site because within 400 ft is essentially is essentially just County open space for this property.

A waiver request for 201-61 which is preliminary and final approval.

In tandem, they are withdrawing the waiver request listed as 201-106, this is not a waiver that the applicant is looking for any longer.

Two waiver requests in 201-112 entitled Motor Vehicle Parking Facilities. The first waiver 201-112A, is actually duplicated from the Zoning Hearing Board that was relief that was received at the Zoning Hearing Board but is also listed in Saldo. They are within a foot of the requirement there, they are at 6.19 ft. as a minimum offset from the parking area and buildings. There are no safety concerns or hazardous conditions with that waiver request.

A waiver request from 201-112 relating to footcandles, noting the request to allow for less lighting than the ordinance requires rather than the inverse.

A waiver request from 196-47 which is another existing feature waiver. The applicant is providing the information up to the property line, just not beyond the property line.

A waiver request from 196-61 which is the design criteria to permit the 12-inch diameter pipe in lieu of the 18-inch pipe that is required.

Not sure if this a separate waiver, but what you are seeing is all of the developments going to the HDPE piping rather than the RCP piping that is still required in the ordinance.

A waiver request from 196-61 and that's a minimum cover waiver where the applicant is request 1 ½ ft. of cover, 2 ft. is required and noted that it was in a grass area. The concern that's raised in granting that waiver is, if it's an area where there are vehicles that are driving on top of it. In this case the 1 ½ ft. is not going to cause any sort of threat or negative condition with respect to the piping.

These are the waivers the applicant is seeking. Everything else is a will comply in all of the Township review letters.

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

Kevin Tillsner, 600 Old Street Road, Arbor Lane Apartments, and indicated that Council had questioned Pen Ryn in regards to building a basin. That might not be the worst idea considering the subject. He was here for a couple of weeks ago and was that question related?

Council President Tokmajian indicated this is unrelated to any data center.

Council Vice President Sloane indicated these are more for water retention basins for stormwater management. Those are requirements for any property in the Township.

Council President Tokmajian indicated to alleviate any particular problem downstream from the river for those folks that do live on the river.

Council President Tokmajian indicated that seeing no one else come forward, the public comment portion was closed.

Councilman Kisselback motioned to approve the preliminary and final approval of the Pen Ryn Mansion Associates, 1601 State Road, TMP 02-064-001.001 based on the WK2 reference letter of May 7th, 2026 the approval of all of the zoning ordinances that the client has met. Subdivision and land development ordinance. Section 201-41 require a waiver. Section 201-61 would also request a waiver and asked to grant that. 201-12 request a waiver and asked to grant that, as well as A and C which is another waiver request. Stormwater Management site plan and asked to grant the waiver on 197-47 as well as 196-61. Section B on 196-61 which is relative to the coverage of 1.5 ft. versus 2 ft. **Council Vice President Sloane** seconded the motion. **Council President Tokmajian** asked Councilman Kisselback if he wanted to add the Wetlands Certificate as well as there are items on the Gilmore letter, will comply just to ensure that they have that part of the motion; the sewage planning module as well as the erosion and sedimentation control plan? **Councilman Kisselback** indicated that any complies that are listed we will put that as part of the motion. **Council Vice President Sloane** revised his seconded motion. Solicitor Holbert was asked if everything was captured, and indicated that he believed so. The motion carried 5-0.

11. **CONSIDERATION OF A REDUCED PERMIT FEE FOR TENTS TO RENT FOR THE ST. GREGORIOS MALANKARA ORTHODOX CHURCH LOCATED AT 4136 HULMEVILLE ROAD:**

Solicitor Pizzo indicated that the Township has received the request. It has been reviewed by the Building and Planning Department, those items that can be reduced to 50% as provided by Township policy and the reduction is recommended by the Administration.

Council Vice President Sloane indicated that there were two invoices in here. One has a permit fee of \$325, the other has the Township Invoice for \$250 and asked if there was an explanation on the discrepancy.

Solicitor Pizzo indicated he did not have one but generally the Administration includes all of the items that it receives as part of the request. Then the worksheet that is provided at the top of that is where they put in the items that are eligible for consideration and what the recommendation is.

Councilman Knowles motioned to reduce the permit fee work for St. Gregorios Church from amount of \$250 as approved to \$125. **Council Secretary Wenzel** seconded and the motion carried 5-0.

11A. CONSIDERATION OF A RESOLUTION FOR AN AMENDED CURATIVE:

Solicitor Pizzo indicated that in reviewing the Minutes that were approved this evening, pages 20 and 21, when Council approved the Declaration of the Curative Amendment at the Council meeting two weeks ago. Included in the Declaration was direction to the Administration and the Township Solicitor to review the Zoning Ordinance to see if there were any other items that they thought might need to be included within the Curative Amendment. And if so, there was a window of 30 days within which the Township can accomplish that under the Municipality's Planning Code.

He has undertaken that review, whereas at this point, they are not recommending anything else be included as part of the Curative Amendment other than the items that were identified in the Declaration. Those items are, the use commonly referred to as a data center, together with all such similar accessory and appurtenant uses. The use identified as a wind energy system together with all such similar accessory and appurtenant uses. As to the Township Zoning Ordinance, there is a section that is an overlay section called Solar Energy Systems overlay. As to that one, the Declaration acknowledges that section may be in need of revisions to the definitions, regulations and the specific zoning districts within which solar energy systems and solar energy facilities can be permitted.

They will keep that as the scope of the Curative Amendment. Out of an abundance of caution, even though they are not adding anything to it, he would like for Council just to confirm that what Council identified 2 weeks ago is the full scope of it. Within that 30-day window, had they identified something else, they would be asking Council to expand the Curative Amendment to include other items. Since they are not expanding that, again, as a belt and suspenders function. He is just asking Council this evening to confirm and affirm that the items identified in the Declaration are the items that are the scope of the Curative Amendment.

Councilman Knowles indicated that the Solicitor mentioned solar and windmills that power the data centers. He remembered someone from the audience who spoke out regarding portable nuclear trailers or something of that sort.

Council Vice President Sloane indicated small modular reactors.

Councilman Knowles indicated that shouldn't the Township be concerned about controlling those small modular reactors. Is it something Council should add?

Solicitor Pizzo indicated that he would defer to the Nuclear Engineer on Council. But within the 180 days there was a lot to be addressed. The Solicitor's understanding, including the conversation he had with Councilman Sloane, is that it is not likely anything that's going to be introduced in front of Council in the next 180 days; and that is the purpose of the Curative Amendment. The fact that it is not in there, does not preclude them from down the road doing that. The 180 days pause, those are the items within the scope of the Curative Amendment.

Council Vice President Sloane indicated that all of that for the nuclear would be regulated by the Nuclear Regulatory Commission, which is the federal agency. To his knowledge nothing has been docketed for Bensalem ever. Those companies are being pretty open about where they're looking to go and working with those communities to make sure it is a good relationship there, and that no one is trying to force something in. Power sources were included in the conversation that Council had two weeks ago and that is included in consideration of that amendment.

Council President Tokmajian indicated and just to clarify as well, once they adopt the Curative Amendment, Council cannot adopt a second one for a certain amount of time.

Solicitor Pizzo indicated that was correct, for 36 months.

Council Vice President Sloane asked Solicitor Pizzo if this resets the 180-day clock?

Solicitor Pizzo indicated that it does not.

Council Vice President Sloane indicated that it just clarifies the scope of that.

Solicitor Pizzo indicated that there is within the 180-days that 30 days within which you make the initial Declaration to when Council locks it down. He believes what they adopted two weeks ago locked it down, but since they left themselves some wiggle room to expand it; he would be more comfortable if they said "Okay, it's locked down now."

12. **PUBLIC COMMENT:**

Alex Stancheck, 2919 Carter Road, asked if they have to vote on this right now? And is this the final language? Will there be a draft language that the public can comment? Ask Council to go on record either today or in the future if they are for or against data centers. (These questions and comments were addressed below.)

Council President Tokmajian indicated that Council is voting on the amendment today which will put a pause on any data centers, solar farms. This is not the final language for the ordinance. It gives Council 180 days to draft the ordinance before a data center approaches Bensalem Township if they should want to install one here.

Solicitor Pizzo indicated that this was the final scope.

Council Vice President Sloane indicated that this is defining the scope of where the Township ordinance is lacking; and that's where Council is going to go and focus and fill it in with new portions of the Township Code, that address the development of data centers and such.

Council President Tokmajian indicated that once Council receives an initial version, the Township will advertise it, then it will be placed on the Council agenda. Constituents can come to the Township building to get a copy of the proposed ordinance. You can then come before Council when it has been placed on the agenda, which should be sometime in the fall. Council has to make a decision on the actual finalized ordinance.

Solicitor Pizzo indicated that they had targeted September having something for all of Council to start to work from, and still on target for that. They have already started churning away.

Council Vice President Sloane indicated that at the last Council meeting he thought it would be a good opportunity to have an initial review and discussion when first presented. That way Council can keep the public informed, get some feedback from the public before Council finalizes it at a Council meeting after that.

Council President Tokmajian indicated that there will be an initial version come September 1st. At that point then they will get constituent feedback in addition to feedback from Council. Council will more than likely revise that ordinance and then adopt a finalized ordinance at some point before the end of the year.

Council President Tokmajian indicated that he will leave that up to Council, if they so choose, to put out a statement regarding their opinion.

Kevin Tilsner, 600 Arbor Lane Apartments, indicated that he hopes Council is for data centers and here to do it in a safe, sane sustainable way. There are engineering options that will allow to create a feedback loop to keep everything together, keep the problems contained.

Council President Tokmajian indicated that Council took in all of the public comment from two weeks ago, and they are also looking at some other draft ordinances across the state. Council is also consulting with the Bucks County Planning Commission. This is all being taken into consideration to draft a strong ordinance.

Councilman Knowles asked Solicitor Pizzo if he was looking at all the other ordinances in the area that are currently presented.

Solicitor Pizzo indicated he was scouring the state and actually outside of the state as well. Part of the issue that Bensalem faces is that some of these other areas in the state are dealing with data centers that are being built from the ground up on what used to be a 100-acre farm. In Bensalem's case, they are focusing on the existing 200,000 sq. ft. warehouse that already exist today in an industrial park in the Township that could potentially house a data center sometime in the immediate future that isn't going to be built from the ground up. Therefore, there are challenges to that you don't necessarily see out in Cambria County or Wyoming County.

Sam Stancheck, 2919 Carter Road, indicated that the Solicitor was scouring states and looking at that, but does the Township have anyone on staff or contracted that can look to get advice or guidelines as to what environmental impacts it would have on the Bensalem area.

Solicitor Pizzo indicated that the Township has consulted already with the County Planning Commission and intend to remain in contact with them. Right now, the Township is approaching

this from a data gathering, and information gathering. Any source of information that the Township has encountered, any individual, they are open and they are listening.

Council Vice President Sloane indicated that he has been sending Solicitor Pizzo a lot of information from sources such as Engineering Professionals Societies regulations on data centers in communities nationwide. It is not just a Pennsylvania thing, or just a Bucks County thing, they do have resources that they are finding really from across the board.

Council Vice President Sloane motioned to adopt the Resolution before Council as presented. **Council Secretary Wenzel** seconded and the motion carried 5-0.

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

13. **OTHER BUSINESS:**

Council Clerk McBreen wished everyone a Happy Fourth of July!

Councilman Knowles wished everyone a Happy Fourth of July! It is the 250th Celebration. Stay safe and enjoy yourselves.

Council Secretary Wenzel wished everyone a Happy Fourth of July. Please be safe and go to a licensed place to watch fireworks. Don't be doing this on your own in your backyard.

Solicitor Holbert wished everyone a Happy Fourth of July!

Solicitor Pizzo safe and Happy Independence day!

Councilman Kisselback wished everyone a Happy Fourth of July!

Council Vice President Sloane wished everyone a Happy Fourth of July, celebrate safely, have fun with the family. Hopefully there will be some nice weather.

Council President Tokmajian indicated that they received an email regarding e-bikes, electric scooters and saw on social media that there was an accident on Bensalem Boulevard to one of the models mentioned. The email response from the Mayor's office was that they are looking at the ordinance in terms of being able to strengthen up the ordinance at all. Asked Solicitor Pizzo if there was anything that they can look at to put into place to restrict, or outline rules and regulations for them around the Township.

Solicitor Pizzo indicated that electric pedal cycles, as they are referred to in the motor vehicle code, e-bikes, e-scooters, electric motorcycles are all considered vehicles in the motor vehicle code. As such, they are governed by the rules of the road. Bensalem Police have the ability to issue citations to persons who are violating the motor vehicle code with an e-bike just the same way they would if they were doing it with their car. One of the things that the Administration is looking at is the necessity, is there a problem with e-bikes, e-scooters and the like in Township property, essentially Township Parks. Conflicts between riders and pedestrians. The Police Department is working to determine if there is something that they should be doing greater on Township property than they are doing right now? The Administration will be coming back to Council shortly with a recommendation in that regard.

Council President Tokmajian will reach out to the Mayor's office in regards to advertise what are State Laws are regarding the vehicle code for those electric pedal cycles.

Council Secretary Wenzel indicated that the Police Department put something out there in the Spring on Social Media and a couple other different things.

Council President Tokmajian wished everyone a Happy Fourth of July! With the forecasted bad weather, everyone stay safe. If you see flooding, please do not drive through the flooding.

14. ADJOURNMENT:

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

The Bensalem Township Council Meeting of June 22nd, 2026 can be viewed in its entirety at the following websites:

www.bensalempa.gov or www.youtube.com

Respectfully Submitted,

Debora F. McBreen
Recording Secretary