

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

ROBERT HARVIE, JR., CHAIRMAN	PRESENT
JEFFRY DENCE, VICE-CHAIRMAN	PRESENT
JEFFREY ROCCO, SECRETARY-TREASURER	PRESENT
BRIAN GALLOWAY, SUPERVISOR	ABSENT
JEFF BORASKI, SUPERVISOR	PRESENT

The meeting commenced at 7:02 p.m. with roll call and salute to the flag. All Board members were present with the exception of Member Galloway who was at work. Also present were Township Manager Peter Gray, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher, and Township Engineer James Sullivan.

**PRESENTATION TO RICHARD DIPPOLITO FOR ACHIEVING THE
“ADVANCED CERTIFICATION” FROM THE COMMONWEALTH OF
PENNSYLVANIA FOR EMERGENCY MANAGEMENT COORDINATORS**

Mr. Harry Crohe, from Bucks County Emergency Management Agency, presented Fire Marshal Richard Dippolito with the advanced certification from the Commonwealth of Pennsylvania and the Bucks County Emergency Management Agency. Mr. Crohe said Mr. Dippolito had to complete six courses and ten training sessions at the County Emergency Management Center.

**ITEM # 1 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON
FORTY-FIVE MINUTE MAXIMUM**

Mr. Dick Trimble said he is here to find out about what happened with the issue of the school bus ordinance and asked if they are exempt. Chairman Harvie said our solicitor has taken a look at the ordinances. As the ordinances are written, there is a limit as to vehicles weighing a certain amount and parking on residential streets. However, the way the ordinance is written, it does curve out exemptions for school buses. That does not prevent the police from asking who is responsible for the school bus to move it. It is up to the police to take a look and see if it is creating a dangerous situation or traffic hazard, or the board can take a look at changing the ordinance. They are still looking at this. Mr. Clarke said the code prohibits the parking of commercial vehicles whose registered gross vehicle weight is greater than or equal to 14,000 lbs. in residential districts at all times. There is another section where school buses are barred from overnight parking on residential streets. The fact that the ordinance specifically references school buses is an indication that it is not referring to school buses as commercial vehicles. That is also consistent with the vehicle code in Pennsylvania. When you look at all sections of the code, it is their opinion that

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school buses are allowed to be parked on residential streets during the day, but not overnight. Mr. Trimble thinks the ordinance needs to be changed because this presents a hazard. Mr. Trimble said the way Mr. Clarke presented this is that they can be parked there any time you want except at night. Member Dence said if they are stopping in there for 30 to 45 minutes, he doesn't think anyone would complain. Mr. Trimble said a lot of this has to do with geographics. Pennsbury does not want their buses on the streets. The next issue is he doesn't want police officers being the judge. Mr. Trimble said if you are not enforcing what you have, why bring up new ones. Mr. Clarke said the section Mr. Trimble references is a section from the zoning code. We are looking at the code of ordinances, Section 203-22 which regulates parking on township streets. We are enforcing the ordinance we already have, just not to Mr. Trimble's liking. Mr. Trimble said he will look at Section 203-22. Chairman Harvie said he thinks this is a valid complaint. There are some roads where you can park a bus and it wouldn't bother anyone, but they will take a look at this further and also talk to Pennsbury to see what they do. Mr. Trimble said he recently had occasion to be at the Quaker Penn Park and said the field down there is terrible. Kids were playing on the infield and their cleats tore up the field. There is a lot of money being spent on maintenance and the outfield is starting to grow into the infield. Mr. Trimble said the way the bleachers are located, it makes it hard to see the game unless you are sitting on the bottom or top row. Mr. Trimble said there is opportunity to purchase other property and feels it would be better suitable for their needs. Member Dence said when they looked at a place to have a field that location was available. Mr. Trimble said he thinks the township should purchase the St. Joseph the Worker property. Chairman Harvie said it was already sold.

Mr. Ron Kenney said he is speaking on behalf of his father, Mr. Roland Kenney. Mr. Kenney said he doesn't know why you said that an EIT cannot bring \$16M a year. An EIT of just 1% would produce about \$4M a year without raising taxes on the overwhelming residents of Falls Township, especially seniors. Even if it is split with the school district, it is still \$2M a year for both the school district and Falls Township. It is better than dipping into the long-term reserve fund. With the road program of \$6M soon coming to an end and a \$2M EIT contribution a year, we could utilize our reserve fund and replace those funds in about an 8-year period. Mr. Kenney said an EIT is a cost-free method of paying for our complex and avoiding possible real estate tax increases. Without this new income source, Mr. Kenney wonders where the money will come from to pay for this complex. We should do research to determine the potential income Falls would receive from an EIT.

Mr. Guido Mariani gave a brief overview on geothermal technology. Mr. Mariani said when Mr. Trump said the cost would be between \$250,000 and \$350,000, it did not mean in addition to the projected cost of the complex. Nor did it mean the \$250,000 to \$350,000 was more than the cost to have a conventional system, but it does cost about twice the price of a conventional system. After the initial cost, you are home free. We are estimating about \$125,000 to \$175,000 more to install geothermal in our complex. While it does cost more to install, geothermal systems do have the lowest life cycle cost of any systems that we know of. Someone had mentioned electricity and there is a small amount of electricity for geothermal use, but geothermal uses 25% to 50% less electricity than any conventional

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system. On average, geothermal has 48% greater efficiency than a gas furnace and 75% greater efficiency than an oil furnace. It lowers your utility bills by 40 to 80% over a conventional system. That is why there are 500,000 installations in the United States today. Presently, there is abundance of gas and, as a fossil fuel, it does have its bounds and limits. Where gas will be 25 to 30 years from now, we don't know. Mr. Mariani said that Mr. Trump said for a long-term owner and a complex this size, it is a no brainer. The efficiency rating is five times higher than ordinary systems, saving 40 to 80% on your utility bills, depending on what system you have in place. There is less maintenance. The pipes should last 25 to 50 years and the heat pump, 20 years or more. Return on investment is five years and you can get a 30% off tax break. That will expire December 31, 2016. Mr. Mariani said you have heard buy American. Geothermal heat pumps and the machines to put them in the ground are all made in the United States. Mr. Mariani said he is in favor of the new township complex and still favors option 1. He believes that will satisfy our needs well below the projected cost of \$17M. He also encourages having a study done on an EIT.

ITEM # 2 PRESENTATION FROM LYFT REGARDING SERVICES FOR FALLS TOWNSHIP

Mr. Gary Sanderson said he is the Vice Chairman of LYFT, a parent, and school board member who shares a passion to create a safe environment for our children. Mr. Sanderson introduced Pastor Vicki Allen from the Fairless Hills United Methodist Church, who is LYFT's Executive Chair Person, Ms. Emilie French, Community Mobilizer, and the LYFT Projector Director, Mr. Tim Philpot. LYFT is a volunteer, community coalition group to promote the healthy and safe development of youth and reduce risk of youth who reside anywhere in the Pennsbury School District. LYFT stands for Lower Makefield, Yardley Borough, Falls Township, and Tullytown Borough. LYFT is made up of individuals coming from 12 different sectors of the community coming together to bring their expertise, resources, passions, and unique points of view to address the challenges that face our youth today and to make the entire community a better place for our children to live and grow. LYFT is comprised of parents, youth, school officials, health professionals, law enforcement members, youth-serving agencies, media, government, and faith-based organizations. LYFT has been serving the youth in our community for over 15 years. Mr. Tim Philpot spoke about their mission and goals. Their primary purpose is serving the youth in the community. Their recent focus is on substance abuse prevention and helping with decision making among youth. They work with the school system. They are involved in or provide support for parents and after-school programs for children. They are involved with the prescription drug take-back program, and they participate in project sticker shock which reminds people in our establishments that it is illegal to provide alcohol for minors. They are involved in evidence-based prevention programs in the community, media outreach, and public service announcements. LYFT tries to promote to youth and parents that substance abuse is a preventable illness and there are ways for our youth to make healthy decisions. There is a change in landscape in the way LYFT operates. For years, they have been providing support and continue to do so but that has shifted somewhat. For

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the last nine years they have been the holder of a federal grant that takes federal dollars and lets local community coalitions make decisions about how they are dispersed. LYFT has been part of that for nine years, but it is a ten-year grant cycle which will soon be coming to an end. It is not a renewable grant. In order for them to remain viable and support the community, they are looking for additional support. They are also in the process of trying to determine who some of their key partners will be and what their main purpose should be going forward. Mr. Sanderson said LYFT's goals thus far are increased awareness, community mobilization, and positioning themselves to assume the responsibility of addressing risk to our youth and monitoring its progress. As their grant funds are exhausted, in order to continue their work, the responsibility for resourcing and planning will shift to the community itself. They will be holding a community stakeholders meeting in October. The purpose of this meeting will be to offer a more in-depth explanation of what, how, and when they will transition, and shifting certain responsibilities away from the fund granting. This will be a real challenge, but as long as they can work together, they can continue to help our youth. The date of the meeting is yet to be determined, but it will be an evening meeting in October at the social hall at the First United Methodist Church in Fairless Hills, 840 Trenton Road. Chairman Harvie thanked the LYFT representatives for their time. He has been to a couple of LYFT presentations over the past few years, as both a parent and as an elected official, and said they have very good speakers who are knowledgeable about different issues affecting teenagers today. Their events are also for parents to come together to hear about what is going on and what to be aware of. Chairman Harvie said he appreciates what they have done and continue to do.

ITEM # 3 CERTIFICATE OF APPROPRIATENESS – 88 AND 90 MAIN STREET – FALLSINGTON, PA – TMP # 13-020-262 – STRIP AND RE-ROOF WITH SHINGLES AND INSTALL GUTTERS

Member Rocco moved to approve the Certificate of Appropriateness for 88 and 90 Main Street in Fallsington to strip and re-roof with shingles and install gutters; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 4 CONSIDER RESOLUTION FOR GELEST – FALLS TOWNSHIP APPROVAL OF FINANCING APPLICATION FOR CONSTRUCTION

Manager Gray said a resolution has been prepared for a Gelest project to be financed by the Quakertown Area Industrial and Commercial Development Authority. Mr. Bob Cormack, Executive Director from the Bucks County Economic Development Corporation and also Administrator with the Quakertown Industrial and Commercial Development Authority, spoke about this item. Mr. Cormack said the corporation has been involved with Gelest since its conception. They have done numerous loans for the company. They currently have 97 employees and plan to increase their employment by another 15 employees. They are looking to finance a 22,000 sq. ft. facility. Their bond is \$10M. Chairman Harvie said this is a unique situation. It is to acknowledge the fact that this financing is happening in our township. It doesn't remove them from paying taxes. Mr. Cormack said the Industrial Development Authority (IDA) is a conduit which allows the company to receive a lower

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interest rate through the banking institutions because it is a federal program. The Quakertown Industrial Economic Development Authority, started in 1958, is a private, non-profit organization. Mr. Cormack said the approval is a regulation by the Federal Government. They are getting this financing through a third party. Mr. Barry Arkles, President of Gelest, said this is the first time they will be going through the Quakertown IDA. Mr. Arkles gave an explanation of how the IDA process works. Mr. Cormack said any of the authorities can do a tax-free financing project. Member Rocco asked if they are ready to start construction. Mr. Arkles said as soon as they get this approval they will go into final settlement with the bank and then ground breaking will take place a couple of weeks after that. Member Rocco moved to approve Resolution # 14-25 for Gelest – Falls Township approval of financing application for construction; Member Dence seconded the motion; all board members were in favor. (4-0)

ITEM # 5 KEYSTONE NAP DATA STORAGE FACILITY – PRELIMINARY AND FINAL LAND DEVELOPMENT – 49 MIDDLE ROAD

Mr. Henry Van Blunk, from Stark from Stark, represents the applicant, Mr. John Parker. The board approved subdivision of this parcel in April of this year. They are here tonight for land development approval. Also present this evening is Mr. Brian Champede, P.E. and the President of Keystone NAP, Mr. John Parker. Mr. Van Blunk said there is an existing 62,450 sq. ft. building on the 9.42-acre property. They propose to retrofit that building for a data center. They plan to install a 32-space parking lot. They have received the T&M review letter. Waivers are as follows: Section 191-45C, construction of the parking lot and storm sewer infrastructure within the easement; Section 191-62A, curbs; Section 191-78C2, partial waiver requiring plans showing locations and features; and they will withdraw the waiver request involving street trees because it is their understanding that trees will only be required on Solar and Middle Drive. The drive coming in is really their driveway so trees don't really need to go on there. The last waiver request is pursuant to the Remington and Vernick review letter where they suggested a traffic study. Mr. Parker gave an overview of the project. He said they will rehabilitate this facility and then have third-party hosted computer servers in there facility. There are major health systems in our region, educational, and large enterprise who will house their applications in their building. What they plan to do is to build out the interior of the building and then go three stories high with this type of infrastructure. Initially, they intend to have co-location services. Longer term, they see themselves providing additional services and running the data servers for their clients. Member Rocco asked if they have a redundant site elsewhere. Mr. Parker said they will have to have another site at least 30 miles away. Their intention is for this site to be the primary site. Chairman Harvie said this is basically a warehouse for information. Mr. Parker said this is someplace businesses can send data so that it is not on their servers in their own complex. This building is ideal to be repurposed for this use. The secondary plan is to take over the actual management. Member Dence asked if the entire building would be a data center. Mr. Parker said yes. The first area will be four floors of office space for data recovery type of activities. The remaining area will be for the installation of the server farms. Mr. Parker said the only reason they have kept that facility from demolition is because it has the electric gear that serves the rest of the facility. They do not plan to use

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the basement for phase 1, but possibly for future potential. Member Rocco asked how long construction would take. Mr. Parker said they have received their demolition permit so they will start within the next 7 days. Then they will take a development approach toward completing the core shell of the building itself. They expect to be done with the new shell of the building this year. They are pretty confident they can complete the envelope of the building this year. The data center will continue to grow inside of the facility. Mr. Sullivan said there are three waivers listed in the resolution. Section 191-45C, requiring that no permanent structure be placed in an easement; that is one of the waivers being addressed. Another waiver deals with street trees being provided where they don't exist. There are plenty of trees there. It wasn't clear, but they will need a partial waiver from the requirement of street trees. Section 191-78C2 showing everything within 200 ft. and that is a typical waiver. If the board does not require curbs, then this is not a waiver. Chairman Harvie said the resolution did not address the traffic study issue so that would be an additional waiver. Member Dence moved to approve Resolution # 14-26, including a waiver from the traffic study, approving the Keystone NAP Data Storage Facility, preliminary and final land development, 49 Middle Road; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 6 COUNTY OF BUCKS – CONDITIONAL USE – 8900 OLD BRISTOL PIKE, TMP # 13-040-045-001

Member Dence moved to open the Conditional Use Hearing for the County of Bucks, 8900 Old Bristol Pike, TMP # 13-040-045-001; Member Rocco seconded the motion; all board members were in favor. (4-0) Ms. Gallagher said this is a Conditional Use Hearing for the applicant, the County of Bucks. This relates to TMP # 13-040-045-001, located in the Township of Falls, Bucks County, PA. The applicant proposes a 12-ft. extension to a 150-ft. monopole for police radio co-location for the County of Bucks on a property located at 8900 Old Bristol Pike. This has been duly advertised and the applicant is represented by Mr. Thomas Hecker. Mr. Hecker said they are asking for approval to replace the old equipment with the new equipment in order to be compliant with the mandate from the federal government. Present this evening are Ms. Audrey Kenny, the Deputy 911 Director for the County of Bucks, Mr. Tom Olsen, Project Manager with Motorola, and Mr. Jack Dougherty, Technical Consultant with L.R. Kimball & Company. Mr. Hecker said there are a total of 24 radio sites a couple of which are located in Montgomery County and a couple in New Jersey, with the majority here in Bucks County. Mr. Hecker referenced the T&M review letter dated August 18, 2014 which points out some items needing to be addressed. Section 209-50.C211 requiring for them to demonstrate that the antennas must be located where proposed to provide safe and reliable service within the service area of the applicant. Mr. Hecker said exhibit A1 shows there will not be any gaps in coverage. Section 209-50.2-D2 asks for evidence of the license. A-2 is a copy of the RF license and the microwave license. The witnesses were sworn in. They all agreed with Mr. Hecker's testimony with one correction. Ms. Kenny said their original plan called for a site in Montgomery County. They have eliminated that site and added one in New Britain Township. Mr. Olsen and Mr. Dougherty agreed with Mr. Hecker's summary. Member Rocco asked about the height. Mr. Hecker said it is 162 ft. high which is consistent with prior zoning approval. Member

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Rocco moved to close the Conditional Use Hearing; Member Boraski seconded the motion; all board members were in favor. (4-0) Member Dence moved to grant the Conditional Use Approval for the County of Bucks, 8900 Old Bristol Pike, TMP # 13-040-045-001; Member Rocco seconded the motion; all board members were in favor. (4-0)

The board went into Executive Session at 8:08 p.m. and the meeting reconvened at 8:34 p.m. Mr. Clarke said that during Executive Session, the board consulted with him and Ms. Gallagher on a legal interpretation relating to agenda item # 7, Superior Motors. They also discussed potential litigation related to the application based on the board's decision moving forward. They discussed this issue with the applicant's attorney, Mr. Bradley, who is taking a moment to discuss this with his client. Mr. Clarke suggested they move to agenda item # 8, while Mr. Bradley consults with his client, and then come back to agenda item # 7.

ITEM # 7 SUPERIOR MOTOR SERVICE, INC. – CONDITIONAL USE – 218 LINCOLN HIGHWAY –TMP # 13-007-006

Member Rocco moved to open the Conditional Use Hearing for Superior Motor Service, Inc.; Member Dence seconded the motion; all board members were in favor. (4-0) Ms. Gallagher said this is a Conditional Use Hearing for Superior Motor Service, Inc. The property relates to TMP # 13-007-006, located in the township of Falls, Bucks County, PA. The applicant, Mr. James McCoy, is represented by Mr. Michael Bradley. This conditional use is to allow used car sales, other than by a factory-authorized dealer, on Mr. McCoy's property. Mr. McCoy was sworn in. Mr. McCoy said they took over the Graeber's property a few years ago and they have been trying to improve the property. At the time when they opened the property, they planned to do automotive repair, towing, and storage for Falls Township. At this point, the business is growing and that is why he is asking for this small used car dealership. They plan to move an existing fence on the right side of the property to where the end of the building is. In that saved space they would repaint lines to allow for parking of cars that will be for sale. Mr. McCoy will comply with all PENNDOT regulations. There will be concrete wheel blocks on the front of the property and there will be bollards to designate which cars are for sale. Mr. Clarke said our ordinance does not permit the sale of vehicles unless by a factory-authorized dealer. This was in place to probably prevent the spread of too many random used car lots. The point, 'from a factory-authorized dealer,' is that you didn't mind if a Pontiac dealer was selling used cars; you just didn't want stand-alone used car dealers. That is why it is a conditional use at this property. The other issue Mr. Bradley has mentioned regarding bollards is what they have proposed and that is what zoning had spoken about. As part of this process, the board is allowed to impose that for the sale of used vehicles. Mr. McCoy was here previously and the board imposed restrictions for Mr. McCoy to follow. Member Boraski said he feels the zoning they received from the Zoning Board is unacceptable and he won't accept anything less than 10 feet himself. Mr. Clarke said Mr. Bradley and Mr. McCoy feel that the 5 feet is from the property line and they feel that the property line and the right of way line are the same. Mr. Sullivan has not yet been able to confirm this, but that is something they will need to determine. Member Dence pointed out in a diagram where the property line lies. Member Rocco asked how many cars they will be selling. Mr. McCoy said it will be 17 vehicles.

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Mr. McCoy said he does not have an issue with what Member Boraski is talking about. Mr. Clarke said if the property line and the right of way are the same, it will be 10 feet from that line. Mr. Bradley agrees that it is 10 feet from the right-of-way line. The right-of-way line cannot be closer than the property line. Mr. Sullivan thinks the property line and right of way will coincide. Member Boraski asked if they discussed the chains and bollards. Mr. McCoy said yes and they had to comply with PENNDOT. Member Rocco said the property looks nice, but there was a concern about the safety of the bollards and the blocks and the parking blocks and if they are moved back, he is in favor. Mr. Clarke said there has not been a traffic engineer's review letter completed yet. One condition is that you comply with the traffic engineer's review letter. Mr. Sullivan believes he can turn this letter around in about a week so if the board votes on your approval tonight, one condition would be that you comply with the traffic engineer's review letter. Both Mr. Bradley and Mr. McCoy agreed with Mr. Clarke. Chairman Harvie said they appreciate the work Mr. McCoy put into the building and the work he does there, but he is not in favor of granting conditional use for this property. He feels that with the business Mr. McCoy has there now, he does very well and Chairman Harvie doesn't see the need to change things around just so he can have a used car lot as well as everything else. He wanted to address the April 15, 2014 T&M review letter and a couple issues were raised from him. One of them was about improvements to the front yard and driveway and he doesn't know if that was done yet. Mr. McCoy said the driveway on the left side had a 40-ft. opening and the right side had a 100-ft. opening. The original plan was to use the flower planter boxes to close up the driveway and then use striping in the parking lot. Instead of putting in the flower boxes, they put up the parking bollards across Rt. 1. They closed the left side to 15 ft. as requested by the township. If they get the conditional use, the parking bollards and the safety chain would close up an additional 65 ft. of the 100 ft. opening which the township was concerned about. That will take care of the flower boxes and the driveway closure. If this is approved, there will be traffic striping in and traffic striping out which is the mandatory driveway into the complex. Member Rocco asked where customers would park. Mr. McCoy explained their parking areas which total 70 spaces on the property. Member Dence asked if any new lighting was needed. Mr. McCoy said if they have to add a light they will come back and ask for approval to do so. Member Rocco asked about the hours of operation. Mr. McCoy said they plan to be open from 8 a.m. to 5 p.m. and occasionally until 6 p.m. Saturday hours are 8 a.m. to 3 p.m. Member Boraski asked if they would have to come back if they need a light. Mr. Clarke said it is not a matter they have looked at, but they believe it may just be a regular permit. Mr. Clarke said the zoning relief hours are Monday through Saturday from 8 a.m. to 9 p.m. They do have approval to stay open until 9 p.m. If you make that a condition of approval and the applicant complies then that changes and they can only stay open until 6 p.m. Mr. Clarke said based on the comments from Mr. McCoy, one condition from the previous conditional use approval dealt with site entrance and improvements shown on the prior plan. He thinks Mr. McCoy said they will change that to what is on the existing plan. Mr. Sullivan said they need clarification about radius coming into the site and the main entrance. Mr. McCoy said the original striping plan from 2012 showed striping and that will be consistent. Mr. Sullivan said the latest plan will need to show that as well. Mr. Clarke said they need clarification regarding hours of operation. Mr. McCoy said, if possible, he would like to be open from 8-9 p.m. That will be one condition listed in the

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conditional use letter if the board approves this. Mr. Clarke asked if they are agreeing to a 10 ft. set back from the right-of-way line. Mr. McCoy said yes. Mr. Clarke asked if they will comply with the traffic engineer's review letter. Mr. McCoy said yes. Mr. Clarke asked if they will comply with the T&M review letter dated August 15, 2014. Mr. McCoy said yes. Mr. Clarke asked if they agree that the hours of operation will be 8-9 p.m. Mr. McCoy said yes. Mr. Clarke asked if they will comply with the township fire marshal regarding access of fire equipment and emergency vehicles. Mr. McCoy said yes. Mr. Clarke asked if they will comply with all of the other relevant sections of the township ordinance and codes. Mr. McCoy said yes. Member Rocco moved to close the Conditional Use Hearing; Member Boraski seconded the motion; all board members were in favor. (4-0) Member Rocco moved to open public comment; Member Boraski seconded the motion; all board members were in favor. (4-0) Mr. Brian Binney said the reason they have conditional use is to stop the proliferation of used car lots on Rt. 1. He doesn't think it is necessary here because they already have a functioning business. He said they are asking for approval to sell 17 cars now and thinks in time they will want to expand it. When business goes well, that is what you do. With the exception of the smart truck and the Hertz Rental Car facility, every other used car lot on Rt. 1 has a physical separation, curbing, grass, and a barrier to separate it from the road. Mr. Binney doesn't think it is appropriate to give this gentleman relief that we are not enforcing on everyone else. Mr. Binney said it is troublesome that the previous conditions imposed on them were not done until now because they are here again asking for something that he doesn't think is appropriate. The question about the right-of-way line was brought up at the Planning Commission meeting, but he doesn't think they were given an answer. Mr. Dick Trimble said he thinks we have enough used car lots around Rt. 1 in Falls Township. He suggests getting some site plans so they know exactly what they will be doing. Mr. Clarke said the board and the professional staff were provided with site plans and they have had a chance to review them. Some of the questions with Mr. Bradley were about the site plan, but they will be taken care of with the traffic engineer review letter. Member Dence moved to close public comment; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Rocco asked if this conditional use goes with the life of the property. Mr. Clarke said yes; it is not with the applicant; it goes with the property. Member Dence moved to approve the conditional use for Superior Motor Service, Inc., 218 Lincoln Highway, TMP # 13-007-006; Member Rocco seconded the motion; all board members were in favor with the exception of Chairman Harvie who voted no. (3-1)

**ITEM # 8 BETTER HOMES HEARTH AND PATIO – CONDITIONAL USE
386 LINCOLN HIGHWAY – TMP # 13-008-052**

Member Rocco moved to open the Conditional Use Hearing for Better Homes Hearth and Patio, located at 386 Lincoln Highway, TMP # 13-008-052; Member Dence seconded the motion; all board members were in favor. (4-0) Ms. Gallagher said the applicant is Mr. Peter Stillitano, doing business as Better Homes Hearth and Patio, relating to property at TMP # 13-008-052, in the Township of Falls, Bucks County, PA. This conditional use hearing is to allow the replacement of an existing 2-sided sign with a new 2-sided digital sign on the property located at 386 Lincoln Highway. Ms. Gallagher said this was duly

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advertised and the applicant represents himself. Mr. Stillitano was sworn in. He said they went from a complete all-digital sign, to a half and half sign so that their name is always prominent and then the bottom portion would advertise their messages. They will comply with the township engineer's review letter as well as the traffic engineer's review letter. Mr. Stillitano feels that the sign would be a beautiful addition, will make the front of his property look better, as well as help his business. The proposed sign is very close in size to the old sign. Chairman Harvie said anything you put on the digital portion of the sign would need to meet the ordinance of the township. Mr. Stillitano agreed and said anything on the digital portion would only pertain to his business. Ms. Gallagher gave an explanation of why they have an ordinance for LED signs. Member Dence moved to close the Conditional Use Hearing for Better Homes Hearth and Patio, located at 386 Lincoln Highway, TMP # 13-008-052; Member Rocco seconded the motion; all board members were in favor. (4-0) Member Dence moved to approve the Conditional Use Hearing for Better Homes Hearth and Patio, located at 386 Lincoln Highway, TMP # 13-008-052; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 9 SKETCH PLAN PRESENTATION ON THE FORMER ACME PROPERTY, TMP # 13-028-028 – LOCATED ON WEST TRENTON AVENUE AND PINE GROVE ROAD

Mr. Thomas Hecker said there has been interest in redeveloping the property which is the subject of this application. The proposed use is for a WAWA convenience facility, pharmacy, and fast-food restaurant. They began examining this property several months ago. The property had been placed under agreement and the intended use was going to be for a medical office building. The conclusion is that it was not going to make it as a medical office and the buyer dropped the agreement of sale. Mr. Hecker said his client is Mr. Tom Verechio of Buckingham Retail Properties. As soon as the property was not going to proceed as a medical office building, Mr. Verrechio was able to get it under agreement. Mr. Hecker said they wanted to come in as a courtesy to the Board of Supervisors. They have filed an application with the Zoning Hearing Board and plan to move forward with that application. Mr. Eric Brits, Civil Engineer and Consultant from Bohler Engineering, is present this evening. He has worked on several WAWA projects. Mr. Mike Rudell is also present. He is a WAWA representative and has all of the information about WAWA operations and site plans. The property they are looking at is the old Acme. It is located at West Trenton Road and Pine Grove Road. There will be construction of a WAWA, a Rite Aid, and a fast-food building totaling approximately 25,000 sq. ft. More than 20% of the site will be greener than what it is today. There will be 12 fueling positions at the WAWA, including auto diesel. There will be a peaked canopy covering the pumps. They will need to get conditional use approval and dimensional and signage relief. This will be their most up-to-date WAWA and will have both front and back entrances. It will be a 24-hour operation, 7 days a week, 365 days a year. Member Rocco asked if they have any new technology or outside seating. Mr. Rudell said right now they are testing a loyalty program. If successful, they will roll it out to the public next year. As of right now, they will provide space for outside seating, but do not plan to have that when they first open. Member Rocco asked how many WAWA stores there are. Mr. Rudell said they have over 600 stores in 6

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states. Chairman Harvie said they think traffic will be the biggest issue for this site. There are other WAWA locations that do not have easy access and they are a traffic nightmare. We do not want to create any problems where there aren't any. Mr. Clarke asked if the applicant is Mr. Verrechio. Mr. Hecker said yes. Mr. Clarke asked, after all approvals, if the demo will be done by Mr. Verrechio. Mr. Hecker said yes. Mr. Clarke asked after demolition and the site work and pad sites would be built by Mr. Verrechio. Mr. Hecker said yes. Construction would then be turned over to the individual retailers.

ITEM # 10 CONSIDER AUTHORIZATION FOR ADVERTISEMENT FOR LED STREET LIGHTS FOR FALLS TOWNSHIP

Member Rocco moved to approve the authorization for advertisement for LED street lights for Falls Township; Member Boraski seconded the motion; all board members were in favor. (4-0)

ITEM # 11 MINUTES – AUGUST 19, 2014

Member Dence moved to approve the minutes from August 9, 2014; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 12 EXECUTIVE SESSION

Executive Session was held after agenda item 6. (see summary after agenda item 6)

ITEM # 13 MANAGER COMMENT

- A. Member Dence moved to approve the earth-disturbance refund for 7 Noblewood Lane in the amount of \$1,200; Member Rocco seconded the motion; all board members were in favor. (4-0)
- B. Member Dence moved to approve the services of Beyer Barber for the Gasby 45 evaluation in the amount of \$3,800; Member Rocco seconded the motion; all board members were in favor. (4-0)

ITEM # 14 BOARD COMMENT

Member Dence asked about the road program and the problems on Bernard Drive. Mr. Sullivan spoke about the broken water main which fell apart. They have been approached to replace that portion of the main. They are still negotiating to see what the cost would be to do that work. It will take about four weeks which will put the paving operation into October. They have to do the water main, then the storm sewer, and then pave the road. The reality is 6-8 weeks to do something like that. Mr. Sullivan said asphalt can be done at 40 degrees and above. He hopes to have an answer by the end of this week for the cost of the work and what Falls Township might contribute to do that work.

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Member Boraski – no comment.

Member Rocco congratulated Mr. Dippolito for his advanced certification. Member Rocco asked for Manager Gray to look at the fencing on Cardiff Road that backs up to the park. Some of that needs to be repaired or replaced. In regard to geothermal, Member Rocco said we keep hearing about this and it is something they are looking at. He believes it makes sense.

Chairman Harvie announced a public meeting involving PECO. The meeting will be held in the evening on September 18th at the Pennwood Middle School. It is open to anyone who wants to meet with PECO in regard to the frequent outages in the area. We are still looking to have them meet here in this room at some point. This is something that PECO has done in other areas. Chairman Harvie said he received an e-mail from a Fairless Hills resident about people dumping in a vacant lot near where she lives. It is unfortunate if our police officers don't actually see someone doing it. It is illegal to dump any type of waste anywhere other than a trash can. In Falls Township, he never really understood why people do it simply because we have free trash collection. There are a couple of times a year when Waste Management will not pick up yard waste, but that is because they are doing special collection during certain times. They have spoken about stiffening the fines for littering and dumping. We will try to work on the resident's problem to help her out. It is lack of respect from the people who do this. Chairman Harvie said we just celebrated Labor Day. The recession that started in 2007 ended, but the effects have not gone away. There are people working harder, but not making more money. We, as a country, have to start thinking about where our priorities are in terms of salaries for the work they are doing, and what it takes to raise a family. Families now have no choice but to have both parents work, while at the same time we see companies making record profits and making record highs. We have to start making some decisions based on how we can get people working again and show a true respect for work and labor. We have to think about why the holiday began and how the country has changed over the past couple of decades. Chairman Harvie thanked everyone who works hard, but doesn't always get the respect they deserve. He hopes things can change a little bit. Chairman Harvie thanked the staff and professionals here in this building, as well as his fellow board members.

Member Rocco moved to adjourn the meeting; Member Boraski seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 9:48 p.m.



Jeffrey Rocco, Secretary