

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETINGS
SEPTEMBER 23, 2014**

Meeting commenced: 7:30 p.m.

Meeting adjourned: 8:05 p.m.

Members present: Binney, Perry, Rittler, Vergantino

Members absent: Miles, Goulet, Shero

Also present: Stephen Harris, Esquire, representing U.S. Oil (the applicant), Zach Freshner, P.E., CESO (engineer for the project) and Tim Kurtz and Larry Silvi from Silvi Concrete Products

For the Township: Joseph Jones, P.E. (T&M Associates); Tom Bennett, CCEO & Zoning Officer; Diane Beri, Recording Secretary

Item #1: Silvi Concrete Products CNG Facility, 355 Newbold Road, Fairless Hills, PA 19030; TMP #13-028-060-001; Zoned PIP. Preliminary / Final Land Development for installation of compressed natural gas fueling equipment.

Stephen Harris, Esquire, presents the application. Silvi Concrete received a variance from the Zoning Hearing Board to approve a filling station for their compressed natural gas (CNG) trucks. They are switching their fleet from diesel to CNG. The trucks will continue to park just as they are parking now except instead of having a person filling the trucks overnight, they will be hooked up to the CNG fueling facility and the trucks will fill overnight. This is a private facility for which Silvi has already received approval from the Zoning Hearing Board for fueling their own trucks with CNG.

U.S. Oil approached Silvi about renting a parcel and placing a public filling station on the site. The reason for this is that by combining the public and private facilities, you get fast fill. As you look at the plans, it shows two fast fill stops up top and two fast fill stops down below. What this does for the facility is that it allows the facility to serve Class A vehicles. The present, private fueling station stays exactly the same. There is a canopy and two fast fill fueling stations for the public use. There is an existing driveway and another that will be created.

The Clean Energy facility about a mile from this site only fills at about 3 gallons a minute, so it would take about half hour to fill a truck. This fast fill will allow up to 10-12 gallons a minute so you can fuel an 80 gallon truck in 10 minutes. That's the reason the change was made from a purely private facility to a public/private facility.

Member Binney asks if the Zoning Hearing Board granted approval for the private use only so the ZHB did not address the canopy and the quick built for public use.

Atty. Harris states that is correct. We understand that, as stated in T&M's review letter, we need to go back to the Zoning Hearing Board and get approval for the public facility. We will be filing an application to allow the public facility in the next week to ten days. We rushed to get this before you tonight so we can identify those areas where we need to do more work in coming into compliance.

U.S. Oil has built 22 facilities like this around the United States with this prototypical design. Currently, there are two facilities being built in Pennsylvania. These are remote, unmanned facilities. They are monitored 24/7, 365 days a year with remote cameras. It is all done by debit-type cards – there are no attendants – everything is done remotely. Because there are no on-site employees, parking requirements are not relevant.

We will be asking the Zoning Hearing Board for a variance to have permission for a public facility and a variance to reduce the parking requirements. We also will file a minor subdivision plan which will subdivide the land being

leased by Silvi to U.S. Oil to run this public CNG fueling operation. When we have T&M's comments on the minor subdivision, we will address the engineer's comments regarding the dimensional variances that will be required.

Member Binney states that he thinks it would be appropriate to have that review now. My understanding is that the minimum lot size for this zoning district is big.

Mr. Jones states that he agrees with Member Binney and adds that there will be many variances needed that will be triggered by the subdivision.

Atty. Harris states that they recognize that.

Member Binney states that he thinks it would be appropriate for this Board to see this.

Atty. Harris states that this is a preliminary presentation. We recognize that we need to go back and get the subdivision plan worked up, get the application filed, revise the plan, and bring it back to you. We wanted the Planning Commission to get the first look at our proposal. One of things we are interested in is the Planning Commission's response to what is being proposed here and whether it sees any major issues so that they can be addressed. We wanted to get your preliminary thoughts on our project so that we can incorporate them as we move forward.

Member Binney states that it appears that the canopy is 5 feet off the ultimate right of way. In this zoning district there is a 100' front yard setback. I expect that this canopy would be very tall and that the current screening that you mentioned would not screen the canopy sufficiently. I think the canopy is a little too close to the road.

Atty. Harris states that we will look at it.

Member Binney states that in principle, I am not opposed to what you are trying to do here. Silvi Concrete runs a good operation and the facility is pretty clean. I just want to see it done in an appropriate manner.

Atty. Harris states that is why we are here tonight. Silvi is leasing the space to U.S. Oil who is going to be the owner and operator of this facility.

Member Binney asks if the facility is supplied by pipeline or delivery trucks.

Atty. Harris states that it is supplied by pipeline that runs down the road.

Member Binney asks if you are going to take the comments in the review letters and revise the plans and then come back before the Planning Commission.

Atty. Harris states that is correct. With regard to the comments about DEP permits and OSHA permits, the only thing that is needed in this regard is a notice of intent to construct a CNG facility that is issued by DEP, which we will get.

Mr. Jones states that there is also a shore line requirement next to a lake or a pond, so you might want to look at that section as well.

Mr. Jones also states that although Atty. Harris has indicated that the parking would be near the existing building, we would want that shown and the calculation shown that you are putting back the proper amount, including accessible spaces. Also, the traffic engineer states that if you are opening it for public use, a traffic impact study is required, so you would need to work that out with Remington, Vernick.

Regarding T&M's September 15, 2014 review letter, are you stating that everything in the Subdivision / Land Development and Stormwater Management sections are will comply items?

Atty. Harris states yes. When we bring the plan back, we will bring it back with a waiver letter so that this Board will know what waivers are being requested.

Mr. Jones states that when you submit for the Highway Occupancy Permit (HOP), or if you are in preliminary discussions with PennDOT, you should include T&M Associates as a team member, so we will be able to keep track of all the correspondence and reports.

Mr. Freshner states that is already in progress. We will be submitting information to them shortly.

Member Binney states that regarding the canopy, he would like to see it set back further from the road.

Mr. Freshner states the trees with the mounding that is along the right of way will be well above 19 feet. All the canopy lighting meets dark sky requirements, it's down lit, it is recessed. We could probably relocate the canopy somewhat but not the full 100 feet that is required without encroaching into the current Silvi operations. We are trying not to impact the operational flow of their trucks.

Member Binney states that in your stormwater management information you indicated that there is a big lake and all the water is running into the lake. Isn't that lake in the process of being filled?

Mr. Kurtz states that presently it comes under the mining division of the DEP, so they are allowing us to fill it with certain debris of broken concrete and that type of material. Slowly but surely it is eventually being filled. In the next several years, we will probably go for a reclamation permit and close it up.

Mr. Jones states that would affect your stormwater management analysis which should be addressed in your re-designed plans.

Mr. Kurtz states that he believes the reclamation will leave the lake there, but in a different format.

Atty. Harris states that he understands these concerns and will take a look at it.

Atty. Harris requests that the application be tabled. We will go to the Zoning Hearing Board and we will return to the Planning Commission as quickly as possible.

Member Binney makes a motion to TABLE the application.

Member Rittler seconds the motion.

All in favor 4-0.

APPLICATION IS TABLED.

Item #2: Approval of minutes

Motion to approve August 26, 2014 minutes.

All in favor 4-0.

Meeting adjourned 8:05 p.m.