TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
FEBRUARY 28, 2017

Meeting commenced: 7:00 p.m. **Meeting adjourned:** 9:15 p.m.

Members present: Binney, Goulet, Hammer, Haney, Hughes, Leszczuk

Members absent: Rittler

Also present: Marcel Groen, Esquire, Carrie Nase-Poust, Esquire (Fox Rothschild), James Connelly (CEO of MLH Explorations) representing both MLH Explorations and PharmaCann; Nathan Fox, Esquire (Begley, Carlin, Mandio), Heath Dumack (Dumack Engineering) and Michael Muccie (owner) representing Trenton Auto Recycling, Inc.; Michael Young, RLA (Larson Design Group) representing Morrisville Dollar General; and Thomas Hecker, Esquire (Begley, Carlin & Mandio) and Adam Benosky, P.E. (Bohler Engineering) representing Morrisville Commons

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

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REORGANIZATION OF THE BOARD

Chairman:	Brian Binney
Vice Chairman:	Andrew Goulet
Secretary:	John Haney
Date and Time:	4th Tuesday of each month at 7:00 p.m.

Item #1: MLH Explorations, LLC, 150 Roebling Road (a/k/a 150 Solar Dr.), Morrisville, PA; TMP #13-051-001-024; Zoned: MPM. Owner: 150 Roebling Road Mortgagee, LLC. Special Exception for approval to allow the above property to be used as a Medical Marijuana Grower/ Processor (Section 209-30.J)

Item #2: PharmaCann, LLC, 150 Roebling Road (a/k/a 150 Solar Dr.), Morrisville, PA; TMP #13-051-001-024; Zoned: MPM. Owner: 150 Roebling Road Mortgagee, LLC Special Exception for approval to allow the above property to be used as a Medical Marijuana Grower/ Processor (Section 209-30.J)

Carrie Nase-Poust, Esquire, presents the application. We are here tonight on behalf of MLH Explorations and PharmaCann. The property is a former U.S. Steel site. It is approximately 32 acres, zoned MPM. Both of the applicants are proposing to each develop and use the property as a medical marijuana grower/processor facility on the property. That use is permitted under the MPM zoning district as a special exception. We have filed applications to be heard before the Zoning Hearing Board on March 14, 2017. Both applicants are proposing to use the property for the medical marijuana grower/processor facility. However, they would be separate and distinct from each other. They are proposing to develop and construct two separate buildings – each would contain a greenhouse area as well as a penthouse area. Each footprint would be between 50,000 to 60,000 square feet for a total building footprint of between 100,000 and 120,000 sq. ft.

Tonight we are here to review the use with you and to ask for your recommendation to move forward with the special exception. If the use is approved by the Zoning Hearing Board, we would be coming back for land development and would be in front of you again to review site design and land development issues.

James Connelly, CEO of MLH Explorations, states that they are a Pennsylvania based company which was formed late last year to apply for a license for medical marijuana. We are actually applying for a special license in partnership with a medical school. We have partnered with University of Jefferson Medical School and we will be filing an application as a clinical registrant. This means the state designed a special program to help facilitate research and development activities within the state of Pennsylvania to bring more vigor to an area and an industry in terms of medical marijuana. We are quite excited to do that. Our plans are to build out our facility, our greenhouse, and our head house. Our head house is the facility where we process. Based on the state regulations, you cannot dispense the product as a flower or as an edible, it has to be processed into a pill or an ointment or a gel or some other kind of pharmaceutical grade finished product. We will basically be growing the medical marijuana and then processing to this final formulation where it will be distributed to dispensaries throughout the state of Pennsylvania.

Mr. Connelly continues that from a staffing perceptive we are targeting probably 40 to 50 employees once the facility is up and running. During the construction phase, we will have 80 to 100 general contractors and staff and will work closely with the local unions to complete and construct the facility within a six to seven month time frame. The state is asking for applicants who get licenses to be operational within six months and we have plans to be able to do that.

Mr. Connelly states that in terms of our financial backing, we have a number of different investors. For the application we are filing, we need to show a minimum capital balance of $15 million and we have the investor commitments to go well beyond that. We are well capitalized and have the resources to be able to acquire the property and lease half the property to PharmaCann for their operations.

Board Questions

Member Haney asks about number of employees – 40 was for both or each.

Mr. Connelly says that it would be roughly the same number of employees for each – approximately 40 to 50 employees at each site, somewhere between 80 and 100 between the two locations.

Chairman Binney asks how many of these licenses are going to be given to Lower Bucks County.

Mr. Connelly states that Pennsylvania is going to provide 12 licenses to growers/processors, two per region. Region 1 is southeastern Pennsylvania which includes Philadelphia, Bucks, Montgomery, and Delaware Counties so there would be 2 licenses. The application we are going for is a clinical registrant, which is above and beyond those here. Given the fact that there are four medical schools within this region, it is likely there may be some additional grower/processor facilities in Pennsylvania. How many will be in Lower Bucks County, it's tough to say.

Chairman Binney asks what separates the license you are trying to acquire with the license that PharmaCann is trying to acquire.

Mr. Connelly states that PharmaCann is applying for the same license as a clinical registrant. They are working on a partnership with another medical school in Pennsylvania.

Chairman Binney states that the hope is that you both get licenses, but if you don't then we could have one or none.

Mr. Connelly states that there are eight licenses available for clinical registrants and eight medical schools. I think that the odds of securing that license for us are probably greater. There might be 50 applicants for two spots for the commercial growers, but a clinical registrant applicant has a much smaller applicant base. We have gone through a process with Jefferson and they selected us to partner with them. The odds are quite a bit more favorable.

Chairman Binney states that as part of the requirements for special exception in our ordinance, a security plan and a waste management plan needs to be submitted. I note that neither of you have submitted those plans.

Mr. Connelly states yes, our understanding is that we have those available for the Zoning Hearing Board meeting on March 14th. The state has very vigorous security requirements for these types of facilities, and our plan will certainly meet and exceed the minimum requirements the state has set for security.

Chairman Binney asks what happens to the by-products.

Mr. Connelly states we have whole waste management plan, it's processed down, and the state has regulations in terms of how you dispose of that. We will use recycled water through the growing so there will be minimum waste from that.

Chairman Binney asks if this will be a hydroponic operation. There's an operation in Lower Makefield that is hydroponic and it glows like a lighthouse. Will there be something to keep the glare down?

Mr. Connelly states that when we build the facility, the side walls will be 12 ft. of steel and there will be plate glass on the top with shades. One of the reasons we decided to go with the greenhouse was for its long term advantage. What we've seen in other states from a sustainability perspective, the greenhouse is able to produce better, higher quality products at a lower cost. What you are seeing in states that have facilities that have been operational for a while, is that the pure indoor facility (without the glass top to allow sunlight in) are struggling from a cost perspective because the utility costs are through the roof. Longer term, we feel the greenhouse will allow us to have a much more sustainable bulk product and cost from a competitive standpoint.

No other Board questions.

Public Comment

Shawn Stillwell is in favor of the application and states that she lost her 13 year old niece to brain cancer. Medical marijuana was such a gift; it allowed her to have an appetite and gave her comfort for the last 6 months of her life.

No other public comment.

Chairman Binney advises the Board that we are only here to recommend the use for the location and we are not here approving any land development plans.

Member Haney makes a motion to APPROVE the special exception for MLH Explorations and PharmaCann at 150 Roebling Road (a/k/a 150 Solar Drive) to use the property as a medical marijuana grower/processor.

Member Hughes seconds the motion.

All in favor 6-0. APPROVED FOR SPECIAL EXCEPTION (BOTH MLH EXPLORATION AND PHARMACANN) TO ALLOW PROPERTY TO BE USED AS A MEDICAL MARIUJANA GROWER / PROCESSOR.

Item #3: Trenton Auto Recycling, Inc., d/b/a South End Auto Recycling, 791 W. Bridge Street, Morrisville, PA; TMP #13-028-082; Zoned: HC. Owner: Neil Lubow. Special Exception to allow used car sales (Section 209-23.C(6))

Nathan Fox, Esquire, presents the application. We filed a Zoning Hearing Board application for a special exception. We are here asking for your recommendation relative to the special exception to allow used auto sales. This property was previously used as an auto salvage yard and an auto recycling center. A use variance was

granted. However, the use has been abandoned for over a year. We are asking for a use variance to restore what was previously the use on the property.

Atty. Fox continues that his client is a professional auto recycling outfit, based in New Jersey. They have two locations; this will be their first location in Pennsylvania. In New Jersey, you are required to sell used autos or have a permit to sell used autos, which is not the case in Pennsylvania. They would like to have the same operation in Pennsylvania as they do in New Jersey. As far as the number of used cars that will be for sale at any one time, it would be eight at most. If you are looking from the roadway, the auto sales would be to the right of the building. They would be behind the fence and not placed out on the street. We are not going to add any new lights – we want to restore the property to the previous use and clean up the property.

Heath Dumack states that the site itself is just over an acre. It has double frontage, one on W. Bridge Street and the other on M-Y Lane. The site has an existing building on it and has a couple of fenced-in areas. The adjoining neighbors are Morrisville Borough with their water storage tank, the Moose Lodge, and Britton Industries.

Atty. Fox states that the hours of operation will be 8:00 a.m. to 6:00 p.m. Monday through Friday, 8:00 a.m. to 4:00 p.m. on Saturday and closed on Sundays. We are not proposing any additional lights and want to restore the property to the use that it was.

Chairman Binney says that according to the ordinance, the sale of used cars is permitted as a special exception, but a junkyard is not.

Atty. Fox states that is correct. We are going to the Zoning Hearing Board to ask for a use variance on March 14th, along with the special exception.

Chairman Binney states that it is the last property in Falls Township, it's the entrance to our community, and I personally don't think the entrance should be a junkyard. I'm fine with the sale of certain used cars there, as long as they are not parked on the road. Currently, trucks block the view coming out from M-Y Lane.

Michael Muccie, owner of Trenton Auto Recycling, states that he personally guarantees that it would never look like the property does now. There would be nothing in front of the gates. When we leave the building, there will be nothing outside. You can go and see my other businesses, I run the cleanest auto recycling facility in New Jersey. My other businesses are in Trenton and Ewing Township, New Jersey.

Public Comment

Christopher Brown, lives on Althea Avenue in Morrisville, asks if you plan on using the facility as a junkyard.

Mr. Muccie says yes I do.

Mr. Brown says so you will be taking junk vehicles in, processing them. Do you have a whole plan as far as getting rid of the coolant, the gasoline, the motor oil, etc. I've been to junkyards where they'll take an ax to the gas tank, with a bucket underneath to catch the gasoline.

Mr. Muccie says that it is old school stupidity. Every bit of our dismantling is done indoors. Nothing is done outside. The cars are stored outside, whatever has to come off the vehicle.

Mr. Brown asks if it would be a pick-apart type junkyard.

Mr. Muccie says no, there's no customers even allowed in the yard except to come look at the part before we take it off.

Board Questions

Member Hammer asks how you plan on policing people working in front of your location. We've had problems with other auto parts places where people are working on their cars, right in front of the place.

Mr. Muccie says he would police it himself. Nobody would be allowed out there to work on their cars. Too much liability involved if someone got hurt.

Member Hughes asks how the facility is run – cordon off your storage area, you let employees go back, bring customers back, they pick out a part …

Mr. Muccie says the modern way of doing it is that the car gets brought into the building, you put the VIN number into a computer and it tells you every part on the car. You check off on the computer, you price it, and that car goes on the internet. I switched over from having that walk-in business; I'm shipping everything. We are taking the parts off ourselves to fill our warehouse. We are not doing any scrapping – we are not crushing cars. Our cars get taken over whole to the scrap yard. We take off parts and put them in inventory in our warehouse, everything is itemized and on the shelf.

Atty. Nate asks how many cars you might have on the lot at a given time.

Mr. Muccie says 150 cars.

Atty. Nate says eight of those cars might be complete cars for sale.

Mr. Muccie says at most they'll be 8 to 10 vehicles for sale. What happens is people junk a car – the transmission went. But I have the same car that has a transmission; I'll put the transmission into the car and then sell that car instead of making it a parts car.

Member Haney asks what the turnaround time is; how many cars do you bring in per week, piece out, and then send out to the junkyard.

Mr. Muccie says approximately 8 to 10 cars a week. Turnaround time depends on the car. If it's a late model wreck, you could hold that same car for 3 to 4 years. I'm not in the scrap business. I'm not buying cars to crush them. I'm buying better cars for the parts. Everything is done inside the building – there is no dismantling outside. Because a lot of cars are smashed up, we use forklifts to bring the cars into the building. This building has a dismantling section in the back, and in the front there is a repair shop, where I can put in my motors and transmissions.

Chairman Binney asks if you are waiting to dismantle a car for when you have a customer for a part.

Mr. Muccie says yes. Sometimes, if a car comes in that is smashed everywhere, but it has a good motor and transmission, I will pull the motor and transmission and put it into inventory and the rest of the car will be scrapped. It's different with every car. No two cars are like.

Chairman Binney asks if there will be any walk-in business.

Mr. Muccie says yes, because people will call and then come. We use something called carpart.com. You put your zip code in, and it will tell you everyone that has that part throughout the country. A lot of people come to us when they see we have the part. A lot of it is shipping as well.

Atty. Fox asks how many employees on a daily basis you will have.

Mr. Muccie states it will be myself plus five, including office people.

Member Haney makes a motion to APPROVE the special exception to sell used cars at 791 W. Bridge Street, Morrisville, PA 19067.

Member Hughes seconds the motion.

All in favor 5-1, Binney dissenting. APPROVED FOR THE SPECIAL EXCPEPTION TO SELL USED CARS AT THE PROPERTY.

Item #4: Dollar General Morrisville, 1279 Old Bristol Pike, Morrisville, PA 19067; TMP #13-047-042; Zoned: NC. Owner: Marek Tchorewski/Anthony Malinowski. Preliminary Land Development –- Construct a 7,489 sq. ft. retail store

Michael Young, RLA, presents the application. The current use of the property is vacant land. We are proposing to construct an approximately 7,500 sq. ft. building to be used as a Dollar General store. The entrance drive has been shifted to be in alignment with Wawa's driveway at PennDOT's recommendation. We are proposing 33 parking spaces, a loading and unloading area for deliveries, a trash area that is enclosed, adequate site lighting per the ordinance, stormwater facilities. We are providing an on lot sewer system and a public water connection for that. We have received all zoning variances needed.

We have addressed all comments of the Township's Traffic Engineer, the Township's Fire Marshal, Township's Shade Tree Commission and Disabled Persons Advisory Board. We have also submitted to the Bucks County Planning Commission and the Bucks County Conservation District.

Since the remaining comments from the Township Engineer are technical in nature, we are seeking preliminary and final land development approval.

T&M Associates' Review Letter of February 21, 2017

All items are a will comply, with the exception of the following:

Subdivision and Land Development Ordinance

191-36(D)	Requesting a waiver -- driveways to have curbs
191-37(B)	Requesting a waiver -- 15 ft. separation between buildings and parking facilities/ curb perimeter of parking areas
191-39(G)	Requesting a waiver -- sidewalks along frontage – **DENIED (sidewalks are required)**
191-62(B)	Requesting a waiver -- curb and widening along property's frontage on Old Bristol Pike

Board Comments

Member Leszczuk asks how long the construction will last.

Mr. Young states once the project has received all approvals, six to nine months.

Chairman Binney asks Mr. Jones if there are any outstanding stormwater issues.

Mr. Jones states no, we are comfortable with the design. We have worked with their engineer and have provided almost double capacity for what our current design criteria is. There is a good infiltration rate for each of the areas tested and both basins have more than enough volume to handle the design stormwater. They will actually work

together to spill into each other before anything spills out; if it does, it would drain out to the front of the property and circulate back through.

Mr. Young states that is correct. There is an inlet by the access driveway that will capture that water coming off of Old Bristol Pike and route it through a pipe system to the basin. The basins do have double capacity.

Mr. Jones states that we have a new stormwater management operation and maintenance program in place so we will pay close attention to this facility.

Chairman Binney states that it appears that the delivery trucks have to maneuver through the whole parking lot to get in and out and when it's loading and unloading it appears it will be blocking a substantial amount of parking spaces. When will deliveries occur?

Mr. Young states that they don't have a set delivery time or day because they wait till the store is built. Their deliveries by a tractor trailer is once a week. Dollar General doesn't have peak hours – it's pretty steady business.

Chairman Binney asks what the hours of operation will be.

Mr. Young states typically the hours are between 8:00 a.m. and 9:00 p.m.

Member Goulet asks if it's Saturdays and Sundays too.

Mr. Young states that is correct. He also states in response to Chairman Binney's previous question regarding the parking interfering with the loading zone, we did receive relief from the Zoning Hearing Board. Dollar General says that at their peak, the most parking spaces they need are 30 spaces. When they break down their use including employees and customers, there is never more than 8 to 10 cars on this property at any normal business hour.

Chairman Binney asks about signage.

Mr. Young states that signage will be addressed through the permit process.

No public comment.

Member Goulet makes a motion to recommend approval for Preliminary and Final Development for Dollar General, 1279 Old Bristol Pike, Morrisville, PA 19067, TMP #13-047-042, based on T&M Associate's letter dated February 21, 2017, with waivers requested for Section 191-36(D), 191-37(B), and 191-62(B), Remington & Vernick's letter dated February 21, 2016, the Fire Marshal's letter of February 15, 2017, the Shade Tree Commission's letter of December 15, 2016 and the Disabled Persons Advisory Board letter dated November 22, 2016.

Member Hammer seconds the motion.

All in favor 6-0. APPROVED FOR PRELIMINARY AND FINAL LAND DEVELOPMENT

Item #5: Morrisville Commons, LP, West Trenton Ave. and Pine Grove Rd, Morrisville; TMP #13-028-028; Zoned: HC. Owner: Morrisville Commons, LP. Conditional Use – for the sale of fuel. Amended Final Land Development for construction of a 5,585 sq. ft. Wawa Food Market with gas, a 14,578 sq. ft. Rite Aid Pharmacy, and a 1,850 sq. ft. restaurant (drive-in)

Thomas Hecker, Esquire, presents the application. We are here tonight for an Amended Final Plan as well as a C onditional Use for the sale of fuels. The Planning Commission previously recommended approval and the Board of Supervisors approved a Final Plan that showed the development of this site for a small restaurant with a drive-

thru facility, a Rite Aid Pharmacy which is currently under construction, and a larger 6,000 sq. ft. fast food restaurant with a drive-thru facility. We are proposing to amend that plan by replacing the 6,000 sq. ft. drive-thru restaurant with a Wawa convenience store with the sale of fuel. Under the terms of the Ordinance, the sale of fuel is permitted by Conditional Use and thus we have submitted the Conditional Use application. We are also requesting your recommendation for approval for the Amended Final Plan, which effectively replaces the larger restaurant building with the Wawa with fuel sales.

The plan submitted does not need any zoning variance relief. In the Amended Final Plan there is a list of waivers that were previously approved by the Township in connection with the prior plan. Because we have changed the plan, we are requesting reaffirmation of those exact same waivers.

Adam Benosky continues and shows two plans (original plan and the proposed plan). Both plans show the intersection of W. Trenton Avenue and Pine Grove Road. As Mr. Hecker explains, the plans are similar with the original plan showing the 6,000 sq. ft. restaurant and the proposed plan showing where the Wawa and pumps would be located. We've reduced the footprint of the building to 5,585 sq. ft. and then have added the gas canopies located between the proposed Wawa and the Rite Aid. Same Rite Aid on each plan, same small restaurant on each plan, all the landscaping has remained the same, all of the setbacks have remained the same, and the waivers we are requesting are the same waivers previously approved by the Supervisors. All access points remain the same. The signals that exist today are remaining. The access point from Pine Grove Road remains the same.

Member Goulet states that on the proposed plan, he believes you will have more traffic cutting through where you make the left off of Pine Grove Rd (Rte. 13). They can cut through the Rite Aid to try to get to the pumps at Wawa.

Adam Benosky states there is also the ability to come around the backside of the Rite Aid and go all the way around to the pumps.

T&M Associates review letter of February 21, 2017-- Conditional Use for sale of fuel

209-45(G)(2) Atty. Hecker states that another section in the sign ordinance exempts gasoline pricing signs from the Conditional Use requirement so this will be resolved.

Chairman Binney asks if the gasoline pricing signs will be at the two proposed development sign locations.

Mr. Benosky states that is correct.

Chairman Binney asks if there are other signs out at the corner.

Mr. Benosky states no, just what is shown on the plan (one being moved to get it out of the setback).

All other items are will comply items.

Atty. Hecker states that the Fire Marshal's letter, the Traffic Engineer's letter and the Township of Falls Authority letter will be complied with.

Member Goulet asks if diesel fuel will be sold.

Atty. Hecker states there is diesel sold because there are more vehicles today using diesel. This facility is not intended to be providing fuel to tractor trailers. The internal circulation is not going to work. Tractor trailers have very large volume tanks and these pumps are not high volume tanks. It would take forever to fuel them.

Chairman Binney states there is nothing to prevent a contractor with a dump truck and trailer to come in here and get fuel.

Atty. Hecker agrees there is nothing to prevent it; however, this is not something Wawa is intending. The larger the vehicle, the less likely it is to occur because of the maneuvering within the site.

Member Leszczuk asks if the Wawa will be opened 24 hours, including the pumps.

Atty. Hecker states yes.

Member Hughes asks about the diagram showing the pumps. There are two pumps at each location where you show four cars waiting. So it's a car and a pump and a car waiting in each location.

Mr. Benosky states yes, that's what the exhibit shows. Where I show two vehicles, one is at a fueling position getting gas and the other is waiting to use the pump. The ordinance requirement is that we show ten vehicles stacking – we show twelve vehicles. There is more room – this is just showing the minimum requirement.

Member Hammer asks how many transactions a day Wawa conducts.

Atty. Hecker states he couldn't answer that question; he doesn't have that information available.

Public Comment

Joel Rosenberg, on behalf of himself and his father who lives on Stevens Rd. He opposes the application due to its close proximity to Trenton, the fact that the only access to Rte. 1 is down W. Trenton Avenue, that the Zoning Hearing Board denied their application two years ago, that traffic will increase, that small businesses will go out of business, that property values will be devalued, and that taxes will increase.

Mason Joseph Hobbi, lives and works in Falls Township. He opposes the application and states he is not against Wawa, just the fuel sales due to trucks using the site.

Kevin Stillwall, Falls Township resident and owner of the Shell station in Morrisville, states he opposes the application due to the increase in traffic, that they won't be able to have unrestricted view of the gas pumps, that diesel will bring all kinds of truck traffic, and that the only access to Rte. 1 is down W. Trenton Ave.

Christopher Brown, a resident of Morrisville Borough, states he is in favor of the application because he knows Wawa to be a good neighbor (grew up in Yardley with a Wawa), he is dissatisfied with the small businesses in Morrisville (the 7/11 can't compare, the Dunkin' Donuts), that we need a 24 hour gas station and that Wawa would be a great thing for the community.

Denis Lanctot, Esquire, represents some of the parties at the Zoning Hearing Board who opposed the application, states his opposition is that the Zoning Hearing Board denied the zoning variance request for the 1,500 ft. between service stations.

Margie Bringham, resident of Morrisville, is in favor of the application and states that she travels at night frequently and considers Wawa a safe and friendly environment, always clean, bright and busy.

John Daly, resident of Morrisville, is in favor of the application, and states that as a former tow truck driver, truckers know where you can get gas and if a facility is hard to maneuver trucks won't go there.

Denise Scuario, resident of Morrisville, is in favor of the application because she prefers Wawa to other stores, that it will relieve the congestion at the Wawa in Yardley Borough and that our community should have access to a well lit and safe environment to buy coffee and get gasoline.

Atty. Hecker states we have nothing further to present in the way of testimony. We ask for your favorable recommendation to the Board of Supervisors that this application is a revised plan, a plan that does not require zoning variances, and which meets the standards of Conditional Use under the ordinance.

Chairman Binney explains to the audience that this is a Conditional Use application; this is not an application for a zoning variance. Even though a Conditional Use sounds like it's optional, a Conditional Use according to the law is a use by right. This use is permitted by right in this district under these circumstances. The conditions are reasonable conditions that can be placed upon the applicant (such as buffering and signage). This is a completely different application than a zoning variance. I just want everyone to understand that. The plan we have in front of us complies with all the setback requirements and zoning requirements.

Member Haney makes a motion to approve the application for Conditional Use for the sale of fuel at Morrisville Commons, LP., W. Trenton Avenue and Pine Grove Road, Morrisville, PA 19067, TMP #13-028-028.

Member Goulet seconds the motion.

All in favor 5-1, Hammer dissenting. APPROVED FOR CONDITIONAL USE FOR SALE OF FUEL.

Atty. Hecker continues with the Amended Final Plan for land development. In our overview, this plan is the same with regard to all the improvements that were previously approved which showed this building as a restaurant. All the traffic improvements are the same, stormwater management is the same, significant landscaping and buffering is all the same. This does not require zoning relief. We are asking for reaffirmation of the waivers which were previously requested and approved by the Board of Supervisors.

T&M Associates' Review Letter dated February 21, 2017 – Amended Final Plan

All items are will comply, with the exception of the following:

Subdivision and Land Development Ordinance

191-36(B)	Requesting a waiver – driveway access on street of lower classification
191-36(D)	Requesting a waiver – driveway grade 6% on access driveway (instead of 5%)
191-37(B)	Requesting a waiver – parking within 15 ft. of proposed building
191-37(C)	Requesting a waiver – parking spots 9' x 18' for restaurant and drug store
191-37(G)(1)	Requesting a waiver – curb raised planting beds at the end of each parking row -- **DENIED**
191-39(G)	Requesting a waiver – no sidewalks along a portion of Pine Grove Road frontage
191-44(D)	Requesting a waiver – grading 5 ft. of right of way lines on both streets
191-61(A)	Requesting a waiver – no sidewalks along a portion of Pine Grove Road frontage
191-62(B)	Requesting a waiver – new curb and road widening along roads where there is frontage
191-78(C)(2)	Requesting a partial waiver, subject to adequate information for Township's engineer review

Chairman Binney states that the Disabled Person Advisory Board has mentioned in their letter that they are requesting one or two handicap accessible spaces at the other entrance of the building.

Atty. Hecker states they will comply with that request.

Public Comment

Mason Joseph Hobbi states his opposition to the application and expresses concern about people crossing Pine Grove Road from Morrisville to get to Wawa and possibly getting hurt.

Sarah Hobby, a resident of Falls Township, states her opposition to the application because of increased traffic in the area.

Member Haney makes a motion to recommend approval for Amended Final Land Development for Morrisville Commons, LP, West Trenton Avenue and Pine Grove Road, TMP #13-028-028, based on T&M Associates' review letter dated February 21, 2017, with the following waiver requests for Section 191-36(B), 191-36(D), 191-37(B), 191-37(C), 191-39(G), 191-44(D), 191-61(A), 191-62(B) and a partial waiver request for 191-78(C)(2), the Fire Marshal's letter dated February 20, 2017, Remington & Vernick's letter dated February 3, 2017, the Bucks County Planning Commission letter dated February 7, 2017, and the Township Disabled Persons Board's recommendation to add two handicap accessible parking spots at both entrances.

Member Leszczuk seconds the motion.

All in favor 5-1, Hammer dissenting. APPROVED FOR AMENDED FINAL PLAN FOR LAND DEVELOPMENT.

Item #5: Approval of minutes

Motion to approve minutes of November 22, 2016.

All in favor 6-0. Minutes approved.

Meeting adjourned 9:15 p.m.