

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
APRIL 28, 2015**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:30 p.m.

Members present: Binney, Hammer, Miles, Rittler

Members absent: Goulet, Perry, Shero

Also present: Al Gryga (CMC Engineering) and Ron McGuigan (Brickman), representing The Brickman Group; Stephen Harris, Esquire (Harris & Harris), Chris Warshaw (CESO Engineering), Sean Earlen (Silvi), Patrick VanDehy (Gain Clean Fuels, Operation Mgr.), Julie Brickner (Director of Mid-Atlantic Region), representing Silvi.

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

Britton Realty of Morrisville has requested a continuance of their application; therefore, they will not be appearing before the Board tonight.

Item #1: The Brickman Group, 78 Cabot Blvd. East, Langhorne, PA 19047; TMP #13-003-008-008; Zoned: PIP. Owner: The Brickman Group Final Land Development for installation of a 30' x 60' ft temporary storage building within an existing asphalt parking lot area

Al Gryga presents the application. The site currently has an existing office building and a parking lot (approximately 9,000 sq. ft). There are two means of ingress and egress, one to the east and one to the west. We are proposing the addition of a 1,800 sq. ft temporary storage facility – it is metal tubing with a plastic top. The existing building is all offices with no storage. The storage facility will store their trucks, trailers, weed whackers, and other lawn mowing equipment. The storage facility will sit on top of the existing parking lot, so there is no increase in impervious. No other improvements to the site except the temporary storage facility.

Member Binney asks if Brickman leases the entire property.

Mr. Gryga states that at this time they lease 95% of the property. The remaining 5% of the property belongs to the owner. They use a small part of the building for a secretary and desk with one parking space needed.

T&M Associates April 20, 2015 Review Letter

Zoning Ordinance

Mr. Gryga asks for some waivers from the Zoning Ordinances. Member Binney explains that the Board cannot waive zoning ordinances.

With regard to Sec. 209-38.1(G), Mr. Jones suggests that if they put a note on the plans that you don't need a trash enclosure because it is inside, this comment would not require relief. Mr. Gryga states that there is a trash enclosure on the site. Mr. Jones suggests showing it on the plan and then an evaluation will be made after we see it on the plan.

Regarding Sec. 209-40, Mr. Jones suggests that the lighting and light levels be put on the plan and then an evaluation will be made after we see it on the plan.

Subdivision and Land Development Ordinance

Regarding Sec. 191-52, Mr. Gryga states that they are under 5,000 sq. ft. of disturbance, so the Conservation District doesn't require any kind of plan submission. Mr. Jones states that number is a little bit lower in Bucks County, but you will have to speak to the Conservation District.

Regarding Sec. 191-52.1(A), Mr. Gryga states that because they are not impacting anything beyond the existing parking lot, the natural resources inventory table is not necessary.

Regarding Sec. 191-52.1(B)(2) (metes and bounds), Mr. Gryga states that this falls under the same comment as above. Mr. Binney asks how you came about the determination of the wetlands – where did that information come from. Mr. Gryga states that it came off the original land development plan which was approved in 1997. Mr. Gryga states that he can apply a note to the plan indicating that.

Mr. Jones states he recommends that Mr. Gryga send him a copy of that land development plan. The natural resource table goes on all record plans. It is up to the Planning Commission as to whether they want to grant you relief from doing a plan review requirement. There is a wetlands margin that is in the natural resource protection category. That wetland margin is arguably already disturbed, but you are putting a building inside of that, and that is a determination that can be made at a later date. Those two items go together.

Member Binney states that there is a margin requirement of 100 ft. and the wetlands that are shown closest to the 1,800 sq. ft building appears to encroach into that 100 ft. setback.

Mr. Jones states that the first thing you have to do is show it on the table and then show that you have that disturbance calculated so that they understand the waiver request.

191-64(A) – adequate water supply

Member Binney asks how long Brickman has been located at the property.

Mr. McGuigan states a year.

Member Binney asks what the prior use of the property was.

Mr. McGuigan states that it was just a parking lot used for an auto auction. It was all blacktop. They stored vehicles there.

Member Binney asks if there are more people in the building – as it relates to water usage. Are you filling trucks with the water?

Mr. McGuigan states no.

Mr. Jones states you wouldn't need a waiver – you can put a note on the plan stating that there has been no increase in demand due to the proposed use, which would be signed by a professional.

Member Binney states that he would prefer a letter coming from the Sewer Authority stating there is no increase in demand. Mr. Gryga agrees.

191-78(C)(2) Requesting a partial waiver, subject to adequate information for Twp. Engineer's review

Regarding Sec. 191-78(C)(8), Mr. Gyrga states that the applicant wasn't going to disturb anything that would be listed in the site capacity calculations so this section wouldn't be applicable.

Mr. Jones states that it is the same as the other comment. The site capacity table comes from the natural resource protection calculation – it's the same table.

Member Rittler makes a motion to recommend APPROVAL of preliminary and final land development for The Brickman Group, 78 Cabot Blvd, Langhorne, PA, TMP#13-003-008-008, based on T&M Associate's letter of April 20, 2015 with waivers requested for Sections 191-38(A) and 191-78(C)(2), and Remington Vernick's letter of April 8, 2015, the April 15, 2015 Shade Tree Commission letter, and the Fire Marshal's letter of April 2, 2015.

Member Miles seconds the motion.

All in favor 4-0. APPROVED FOR PRELIMINARY AND FINAL LAND DEVELOPMENT

Item #2: Silvi Concrete, 355 Newbold Road, Fairless Hills, PA 19030; TMP #13-008-061; Zoned: PIP. Owner: Riverside Inc. Complex Inc. Waiver of Land Development for installation of CNG fueling station to supply fuel for Silvi vehicle fleet.

Stephen Harris, Esquire, presents the application. Silvi filed for a public and private compressed natural gas (CNG) fueling facility. The Board of Supervisors denied the plans for the public facility because part of the facility was located in the flood plain. We are before you with just the private facility. Silvi's fleet is changing from diesel to CNG. With diesel fueling, there's an employee going from truck to truck overnight to fill the vehicles. With the CNG facility, they can hook up to a slow fill CNG hose and the vehicles will be filled overnight. The only change to the existing facility is the addition of the compressor station instead of the diesel fuel tank. There are CNG transmission lines in Newbold Road. They will bring a line into the compressor facility, which compresses the natural gas in the line to put into the vehicles.

Everything else will remain the same – all the driveway entrances and exits, the traffic patterns and the impervious surface. The only change is the compressor station which is a less than 5,000 sq. ft.

We are asking for a waiver of land development. We have received all the necessary variances from the Zoning Hearing Board to build the facility.

T&M Associates April 21, 2015 Review Letter

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

Subdivision and Land Development Ordinance

191-78(C)(2) Requesting a partial waiver, subject to adequate information for Twp. Engineer's review.

Member Hammer asks questions regarding the way in which the fleet vehicles are filled, how fast they fill, what happens if there's a leak overnight. Discussion occurs regarding the day-to-day operation of the CNG facility and details on safety.

Member Binney asks about the existing utility easement shown along Newbold Road and asks if it is a water utility easement.

Chris Warshaw states that it is a recorded utility easement. We did not perform any underground utility locations to find out what is underneath that section.

Member Binney asks if the underground gas line being brought in is plastic, metal, steel?

Mr. Warshaw states that line up to our meter is all under the jurisdiction of the gas company, so they will bring it in and meet all the PennDOT requirements for crossing the road as well as any other requirements for a gas line.

Member Rittler makes a motion to recommend APPROVAL of a Waiver of Land Development for Silvi Concrete Products CNG facility, 450 Newbold Road, Fairless Hills, PA, TMP #13-028-061, based on T&M Associate's letter of April 21, 2015, with a partial waiver request of Sec. 191-78(C)(2), and Remington Vernick's letter of April 20, 2015.

Member Hammer seconds the motion.

All in favor 4-0. APPROVED FOR WAIVER OF LAND DEVELOPMENT

#3: Approval of Minutes

Motion to approve March 24, 2015.

All in favor 4-0.

Meeting adjourned 7:30 p.m.