

**TOWNSHIP OF FALLS
BOARD OF SUPERVISORS MEETING**

ROLL CALL:

JEFFRY E. DENCE, CHAIRMAN	PRESENT
BRIAN M. GALLOWAY, SECRETARY	ABSENT
ERIN M. MULLEN, VICE-CHAIRPERSON	PRESENT
JOHN W. PALMER, SUPERVISOR	PRESENT
TIMOTHY M. LOTECKIE, SUPERVISOR	PRESENT

The meeting was called to order at 6:00 p.m. with roll call and pledge to the flag. All Board members were present with the exception of Member Galloway. Also present were Township Manager John Shepherd, Township Solicitor Michael Clarke, Township Solicitor Lauren Gallagher and Township Engineer Joe Jones.

ITEM # 1 EXECUTIVE SESSION

Mr. Clarke said the board held an Executive Session prior to the start of this meeting to discuss several matters of personnel, two matters of litigation, and to receive information from his office as well as the Township Manager regarding an Ordinance amendment. This was for informational purposes only. No deliberations occurred and no votes were taken. The board also heard about a fee reduction request. This was for informational purposes only. No deliberations occurred and no votes were taken.

ITEM # 2 PUBLIC COMMENT – FIVE MINUTE LIMIT PER PERSON FORTY–FIVE MINUTE MAXIMUM

Ms. Debbie Diaz (Falls Township) requests that her statement and specific demands tonight be noted verbatim on the official public record. Ms. Diaz said she is here to establish administrative track opposing the MPM rezoning and environmental variance for the proposed Nuuly facility. The board must address the severe physical collision this project creates. The land deception is not a simple sand quarry reclamation. A quarry is a temporary pit below ground level. This plan constructs a permanent 80-foot tall concrete fortress expanding over 17 football fields right against the backyard fences of North Park, Thornridge, and the Pennwood Crossing manufactured home community. There are 359 engineered Amazon power grid collisions by this plant. The Township publicly banned data centers to protect our air. This plan installs an on-site power grid of up to 4 megawatts of natural gas generators. You must weigh this against the 250-acre Amazon data center campus which is already permitted for 76 active diesel generators, 3 proposed diesel engines, and 280 natural gas-fired backup engines and that is forcing an additional 4 mega layout generator laid out into a residential perimeter already carrying over 350 combined utility engines in a catastrophic cumulative health hazard. This facility sits directly down the street from Manor Elementary School at 401 Penn Valley Road and intersects the primary traffic routes of the Bucks County Montessori Charter School on Tyburn Road and will funnel 1,501 employee vehicles with a 24/7 fleet of tractor trailers onto East Penn Valley Road which introduces an immediate physical safety hazard to our school buses and

children walking to school. The Bucks County Housing Authority recently acquired 60.57 acres on Tyburn Road, less than a mile away for a dense workforce housing development. Shoving thousands of warehouse commuters into the exact same narrow residential corridor where hundreds of new families are moving is dangerously conflicting planning. The job deception - do not let the developer claim these provide local jobs to justify building next to a housing project. Offering low-wage fulfillment positions does not excuse trapping families downwind from diesel smog and heavy utility emissions. True community investment means protecting the air we breathe. The developer is asking to cut the mandatory natural riparian buffer along Martins Creek completely in half from 100 feet down to 50 feet. This replaces living filtration vegetation with concrete stormwater retention basins and that directly violates 25 PA Code 102.1514 and the PA Cleanstream Law by destroying the protective bald eagle nesting population along the Creek corridor. Ms. Diaz does not know if you are aware about the bald eagles but they are flying around here. Because of these extreme risks, let it be noted on official records that I am formally demanding the board table any votes tonight. We demand that the Township commission a comprehensive, independent, third-party cumulative air quality and public health impact study funded entirely at the developer's expense to evaluate the combined emissions of no lease infrastructure alongside Amazon's 359 backup engines. Furthermore, we demand the appointment of an independent environmental engineer to review the Martin's Creek watershed before any zoning changes move forward. Finally, let it be clear to note on the record under 7 PA Code 128.112 the state enforces a strict 500-foot legal protection perimeter around properties on a physically verified hypersensitivity registry. My home represents that registry line and this project actively encroaches onto a legally mandated medical boundary. The PA DEP Southwestern region has already officially accepted and launched by formal technical complaints, local zoning boards cannot exempt a developer from state level mandates. If you vote yes tonight or any other night that we plan on voting on this, without independent verification, you're choosing to open this township up to proactively legal liability. The record will show that you were warned on this microphone and I am fully letting you know that I am on the hypersensitivity list.

Ms. Kelly Kirkpatrick (Falls Township) said she has voted for each of you and wants to tell you that we do not want data centers and now Nuuly in our community. We have all seen and heard statistics about how these will have negative effects on our lives, from polluting our water and air to raising our utility costs. She is not here to repeat the same points but wants to ask you to take action. The Governor's Data Center Executive Order that was signed on August 19th stopped the fast tracking of permits and effectively put the power back into our community's hands. The Executive Order raised the bar for these companies to meet but we need to make sure our elected officials stand up to them as well. Ms. Kirkpatrick said no one wants the data centers and half don't even know that there is one being built and trying to expand. Now we have this almost million square foot Nuuly warehouse. Our residents have no clue. The people in power to make these decisions are you. You are the ones who are elected to protect our community. Ms. Fitzpatrick said she is tired of hearing you blame us for saying we should have known or we should have been here when things were being voted on. Take some accountability and just say you didn't do a great job of letting the community know so we could be here. Because of this, she is now

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showing up. From the commissions for trees to the environmental councils, she is voicing her concerns along with people from the community telling you firsthand how these things you're voting on will not be good for Falls Township. Now there is voting for the Nuuly warehouse. At a zoning meeting there was overwhelming concern and frustration that this should not be placed so close to schools and parks. There was a resident at the Environmental Council that said if they pump water from these reservoirs, it will cause structural damage to his house because it happened before when they did the Falls Park. There is also concern about traffic on a two-lane road, cutting off access to a community from their schools. We say put it down with the data centers or if it must be at that location, have them go out at Tyburn. You tell us they can't because it would make it hard for the company. Good – that is what we need. We cannot make it easy for these companies to do it the cheaper way and not consider the residents. They need to be inconvenienced, not us. We pay taxes for a lawyer who should have our best interest in mind and know how far we can push them. If you are not willing to speak up and hold up on approving anything that will move this Nuuly project forward, it is safe to assume you've already made your decision and the residents' voices do not matter. For anyone here today or watching on YouTube and are tired of our officials not representing us, think about joining the BucksMont Chapter of the Democratic Socialists of America.

Ms. Toni Battiste (Falls Township) said the supervisors would be doing their due diligence if they went to the Bristol site of Nuuly and checked the traffic issues when they are letting out and when they're coming in along with the school bus traffic. To date, the information that the lawyer was going to send out to at least her and a few others; she did not get it and she does not believe the others did either. Ms. Battiste hopes that is not a sign of things to come. Is there any update on the redesign of the zoning; the curative amendment? What legal entity is reviewing it? Ms. Battiste is asking because Governor Shapiro and Mr. Santarsiero worked hard to advance the data centers going up so quickly and fast tracking them. Ms. Battiste believes Mr. Santarsiero's law firm is the same law firm as Mr. Clark. So as not to have any hint of bias, a non-affiliated lawyer should be viewing it and preferably someone who is an environmental lawyer. There are cameras installed throughout a lot of the Township and they are getting more prevalent. They are at such intersections right now as the West Trenton, Pine Grove and Route 13 intersection. Woolston and Route 1 Bypass, Woolston and the Business Route 1 and Tyburn Road and the intersection of Business Route 1 on Oxford Valley Road at Pep Boys. They are ones that she sees and a few others now throughout the Township. One of them showed up on a map of flock cameras. Are these flock cameras or similar ones like Axon which is about one of a dozen others that are similar to flock, do we have a contract with them, what are they being used for, what are the conditions of their use, and can information obtained from them be used without a warrant. If the Township was involved at all with the work on North Olds, please have them park their equipment over in the parking lot of the Social Security building. Some park there but they keep parking this one vehicle right at the corner of Edgemont and North Olds. Anybody trying to come into that intersection and turn onto Edgemont at the same time somebody is exiting the rear of their vehicle sits out in the traffic which is very hazardous. She does not see a reason why that piece of equipment needs to be

there. It should be moved before somebody has an accident. If there was any involvement from the Township with getting Business Route 1 finished and repaved, thank you.

Mr. Wayne Bell (Falls Township) asked if anyone knew what crumbled rubber was. This is what is put on the turf fields for the children. The EPA does not regulate it. Tires off your car is a hazardous material. Once they crumble up the tires, the EPA does not want to have anything to do with it. The chemicals we all use for our cars (car wash) are siloxanes. Siloxane is the same chemical that is being used at Nuuly. Siloxanes break down into diatomaceous earth which is the same thing as silicon dioxide. Don't be confused with the crystalline silica that people tell you is green earth which was invented by General Electric. The green earth chemical that is ecofriendly is not ecofriendly. You must look into the chemistry of siloxanes D5. You will see how it's going to kill us in our environment. It is colorless and odorless. Procter and Gamble came up with sustain which is a detergent very similar to what the car washes use. Eventually what is going to happen in our environment is that we're going to have a bio accumulation of all these chemicals. You can use the two chemicals he displayed at your house but once you put it into a large scale like Nuuly, into an environment with the schools and the mobile homes and the waterways, it is going to kill us. You need to understand what Nuuly is doing in our environment, especially people with children. This is critically important. Why did you combine the EAC with Shade Tree and then tell him he cannot be on it? In the beginning of the year, he put his name in and is shot down. Do you have a technology board? Maybe you should combine the cable board with the technology board and the technology board could come in and discuss with you what the other boards are all doing that is subpar. They are not really serving you 100%. Mr. Bell said they are moving ahead with a lot of things on the Traffic Advisory Committee and he would like to be on one of the other boards as well as his wife Jennifer. Mr. Bell said he is talking about the EAC that you dropped it down to something simple and combined it. These chemicals here will not kill you on a small scale but on a large scale like Nuuly, these chemicals will kill you. Mr. Bell said he has to use a lot of RainX due to the dust at Pennsbury High School that he has to inhale; PM 2.5.

Ms. Jennifer Metzger (Falls Township) said she will address the issues for the agenda items when they come out. Ms. Metzger said for everything else, our community is being met with total radio silence on the status of the 8 East M-Y Lane and the Nuuly projects. When high profile land use issues bypass the public agenda, residents are left completely in the dark. They thought they would have come up since they're on the fast track. The concern with 8 East M-Y Lane is a waiver of land development which instead of you doing NDAs that we were upset about, it essentially says going forward a waiver means that nobody has to go to public meetings anymore. Ms. Metzger does not understand why there aren't Town Halls, there aren't conversations in the community and none of these projects are required to send out information to any of the neighbors. She said we are not aware of it when it's happening. She does not know where you're posting things when you're talking about advertising and she does not know what paper you are using. If she goes home and Googles something, anything you said you advertised 30 days ago or 60 days ago, she finds nothing. With Nuuly, Ms. Battiste is right. Ms. Metzger said she was talking to the lawyers directly and consistently about the Nuuly project since we heard about it two months ago in

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subcommittee meetings. Suddenly, once they stood in front of you and the Planning Commission, they said they were going to reach out to us. Now it is radio silent. There have been multiple people that have talked about adding drones in the area to try to help with surveillance and security in the Police Department. She thinks it would help especially with the E bikes and different things that are happening. There were numerous cameras that went up in the area so we are a little bit surprised that Middletown Township passed it. All the streetlights that are on our boundaries have these different cameras and speed sensors but we're saying we are not going to do it. It sounds like we need to have these conversations. Ms. Metzger said she has concerns about a lot of problems in our parks. There are a lot of police disturbances and there are a lot of issues, especially at our docks. You have Falls Township boat owners who say they can no longer use the docks. They are starting to talk about using marinas in other locations outside of Falls Township because it's so bad. When police are called out for an issue, they won't do anything about it. They won't even write infractions. You can no longer use the parks, and you hear people screaming and being beaten, you hear women being beaten. It is getting bad. Ms. Metzger said she lives on Hood Boulevard, across from Pennsbury. She wants to know how the contractor can have an entrance going into this whole project off Hood Boulevard. They have sections of the shoulder on Hood Boulevard and it is very tight. This is where the kids usually park. They can go into a rock driveway there. How is that possible? We didn't see anything about PennDOT clearing it and we didn't see anything about any requests for it. She does not understand how that suddenly happened. Now the dust that we were complaining about before is coming straight across because that privacy fence is now gone due to a very large opening. Ms. Metzger said for item number 25 Township Manager Comments and Supervisor Comments for transparency, verbal updates to the public on the legal structure status for 8 East M-Y Lane, Nuuly, Pennsbury and anything that you guys could kind of give us a clue about because we're not seeing the agenda until literally Friday. Ms. Metzger said she has a concern with the Shade Tree Commission and the Planning Commission. Commission by definition alone in our code gives a lot of power to those boards, but they also think they are just advisory and don't have any power. The subcommittees at this point are willing to make recommendations like a letter here or there but nobody feels empowered or comfortable to go to any of the county or state meetings. They feel they are only an addendum to your board and they are only able to give recommendations to you to the point where they are strapped even as Falls Township residents trying to even ask for help or understanding some of these projects. When you had the solicitors come to Shade Tree Commission to explain to the EAC Board what the difference was between the Advisory Council and the Shade Tree, even the solicitor didn't have appropriate information. Ms. Metzger said she has a lot of concerns.

Mr. Bob Wigg (Falls Township) said according to the Bucks County Courier Times, the Office of Transformation and Opportunity in Harrisburg took the Nuuly application in the state's permit fast track program in January of 2026 and he would like to know why the residents of Falls Township didn't hear about Nuuly in January. Nuuly wants to build a 2,547 square foot pump house pumping 151,000 gallons of water a day from our underground water aquifer and a water tank, no capacity given, while Keystone Trade Center advertises in the brochure significant processing water is available. They want to put

151,000 gallons of wastewater, not knowing the pollution levels, plus the waste from 2,000 employees in two shifts into our municipal sewer system that doesn't even exist in that location but does in the Keystone Trade Center. They want to widen Penn Valley Road according to the Township Engineers. For the site they want to build on by joining two parcels together, they could exit onto Tyburn Road. How Falls Township or anyone can justify this with Keystone Trade Center which Falls Township zoned and developed for this purpose is minutes away. Nuuly can have water, access to municipal sewage plus major railroad lines and highway systems rather than taking the chance on depleting the water supply of Falls Township residents, increasing traffic, pollution, noise and odors. There are two schools, thousands of residents and the Falls Township Community Park directly across the street. He cannot imagine one incentive for Nuuly to build in that location or for Falls Township to approve its zoning. Mr. Wigg reminded everyone that we have six quarries totaling 529 acres, under two miles to this site, three of which are already being backfilled and others will follow in the future. Unless Falls Township acts on behalf of its residents, we can be surrounded by more industry, traffic and pollution or try to preserve the remaining quarries for recreation such as a Falls Township Community Park or just open spaces for the residents to enjoy. Mr. Wigg referenced an article that said nothing has generated more discussions of Falls Township than the data center which is under construction at the Keystone Trade Center. Whether or not the residents support or oppose it, one thing has been clear. Our community cares deeply about the future of this Township. Our supervisors heard these concerns and we appreciate their continued feedback. Mr. Wigg said his opinions may differ on the project itself, but he believes everyone agrees that Falls Township deserves the strongest protection possible when it comes to the future development. That is why the board is considering updating our zoning ordinances. This isn't about reinvesting decisions that have already been made. It is about learning from our experience, listening to our residents, and making sure any future proposals are held to higher standards for infrastructure, public safety, environmental stewardship, and quality of life. Good government means listening and being willing to improve our laws when our community asks us to take another look.

Mr. Brad Pesoli (non resident) said he is with Bucks Independence. Mr. Pesoli asked Chairman Dence about failing to report more than \$50,000 National IBEW said it gave you in campaign money. What expenditures have been made with this unreported money? Do you have any plans to report this money? Do you have any plans to run for re-election with this money in your campaign coverage. To Vice-Chair Mullen, as Mr. Dence's campaign Chair, can you provide answers to any of these questions?

Ms. Barb Brejcak (Falls Township) said she requested speed bumps on Stanford Road. She went to the Traffic Committee meeting and they were supposed to draft a letter to you requesting temporary speed bumps on Stanford Road. Did you receive a letter of recommendation, and do you have to vote on it? Mr. Shepherd said it is on the agenda tonight and under the traffic committee reports agenda item. It is on there for the board to at least take under advisement. He is not saying they'll vote on it as they have only had it for a few days.

ITEM # 3 CONSIDERATION OF APPROVAL OF HIRING POLICE OFFICER

Member Mullen moved to approve the hiring of Police Officer Jackson Ryan; Member Loteckie seconded the motion; all board members were in favor. (4-0) Officer Ryan was sworn in.

**ITEM # 4 CONSIDERATION OF APPROVAL OF ADOPTING RESOLUTION
ESTABLISHING 2027 MINIMUM MUNICIPAL OBLIGATION
(MMO) FOR THE POLICE PENSION PLAN**

Member Mullen moved to adopt Resolution # 2026-12 establishing 2027 Minimum Municipal Obligation (MMO) for the Police Pension Plan in the amount of \$4,150,333; Member Loteckie seconded the motion; all board members were in favor. (4-0)

**ITEM # 5 CONSIDERATION OF APPROVAL OF ADOPTING RESOLUTION
ESTABLISHING 2027 MINIMUM MUNICIPAL OBLIGATION
(MMO) FOR THE NON-UNIFORM PENSION PLAN**

Member Mullen moved to approve Resolution # 2026-13 establishing 2027 Minimum Municipal Obligation (MMO) for the Non-Uniform Pension Plan in the amount of \$10,207; Member Loteckie seconded the motion; all board members were in favor. (4-0)

**ITEM # 6 CONSIDERATION OF APPROVAL OF ADOPTING RESOLUTION
ESTABLISHING 2027 MINIMUM MUNICIPAL OBLIGATION
(MMO) FOR THE PMRS PENSION PLAN**

Member Mullen moved to adopt Resolution # 2026-14 establishing 2027 Minimum Municipal Obligation (MMO) for the PMRS Pension Plan in the amount of \$228,305; Member Loteckie seconded the motion; all board members were in favor. (4-0)

**ITEM # 7 CONSIDERATION OF APPROVAL OF APPOINTMENT BY
RESOLUTION TO APPOINT AUDITOR FOR THE 2026 FINANCIAL
AUDIT**

Member Mullen moved to authorize advertisement to appoint Auditor for the 2026 Financial Audit; Member Loteckie seconded the motion; all board members were in favor. (4-0)

**ITEM # 8 FLAGSHIP PENNSYLVANIA OPCO, LLC – CONDITIONAL USE –
547 W TRENTON AVENUE – TMP # 13-028-028-002**

Member Loteckie moved to open the Conditional Use Hearing for Flagship Pennsylvania OPCO, LLC Conditional Use for 547 W Trenton Ave, Tax Map Parcel # 13-028-028-002; Member Mullen seconded the motion; all board members were in favor. (4-0) Mr. Clarke said we have a procedural issue and will wait for Ms. Julie Von Spreckelsen to get back to the podium. Although we have a court reporter, Ms. Browndorf, who is confirmed for this evening, it does not look like she has appeared. He and Ms. Gallagher have checked their emails and haven't heard from Ms. Browndorf, so they are not sure why she's not here. If Ms. Von Spreckelsen has no objection, we will have Ms. Browndorf watch the video of this meeting and then create the transcript from watching the video. Ms. Von Spreckelsen said

she has no objection. Ms. Gallagher said this is a Conditional Use Hearing related to property located at 547 W Trenton Avenue. The application seeks Conditional Use approval to reuse and repurpose the existing pharmacy building into a car wash with 11 parking spots and 12 vacuum spots. This is Section 209-23D3, 209-23E8, 209-50G3 and 209-50H of the Township of Falls Zoning Code. This hearing was advertised in the Bucks County Courier Times. Ms. Gallagher said the exhibits are T1 - Copy of the Application, T2 - Copy of the Advertisement Improvement Publication, T3 - Proof of Property Posting and T4 – Copy of the Zoning Hearing Board decision. The applicant did seek relief from the Zoning Hearing Board earlier this year and received that relief. Ms. Gallagher said earlier today, Ms. Von Spreckelsen admitted a copy of the neighbor notification so that will be labeled as Applicant's Exhibit 1. Before we turn it over to Ms. Von Spreckelsen, Ms. Gallagher said if there is anyone in the crowd this evening that would like to seek party status of the application you should let us know now. Party status allows you to participate in the Hearing, present evidence, cross-examine witnesses, and is different from public comment. Everyone in the room will have the opportunity to comment publicly but if you'd like to participate in the hearing, you would come up and tell us your name, address, and the reason for party status this evening.

Ms. Jennifer Metzger said she has a concern about them being able to do the Hearing without the court reporter being live as it's expected to be. The Municipal Code is 913.2B for Conditional Use Hearing and 908.7 for the stenographer recording. Mr. Clarke said Ms. Browndorf has just entered the room. We will give her a minute to set up. Ms. Metzger said that is inappropriate. You advertised and we told you we never saw an advertisement. We didn't know where it was advertised. You decided that you were going start the meeting without her here and now you're saying she is here so it's no problem. Ms. Gallagher said no one has requested party status so she will turn this over to Ms. Von Spreckelsen. Ms. Von Spreckelsen (Eastburn and Gray) is here on behalf of the applicant, Flagship Pennsylvania OPCO LLC, the lessee of the property. The property, located at 547 W Trenton Avenue, is located in the Highway Commercial (HC) zoning district and is approximately 3.155 acres. On the screen is A2 - Applicant's exhibit booklet and tab 4 in the booklet is an aerial photograph of the existing property conditions. This property was part of a three-lot subdivision with the property to the North being developed with the Wawa convenience store with fuel facilities, the property to the South is the Wawa fly-through that is now shuttered, and the property that is the subject of this application is the property that's located in the middle of those two properties. That area comprises 14,611 square feet and it is a fully developed site. It has drive aisles, parking spaces, the building, cross-axis easements with the property to the North and property to the South, and then it also has two driveway entrances. Both of those are signalized entrances on West Trenton Avenue and Pine Grove Road. The applicant is proposing the repurposing of an interior renovation of the shuttered Rite Aid pharmacy and that would be a conversion to reuse it as a modern state-of-the-art car wash. It has wet and dry belts proposed and there are 11 proposed parking spaces for employees. There will be 12 vacuum spaces. Most of the other improvements that are existing there today, the lighting and landscaping, are all going to remain as is. As mentioned by Ms. Gallagher, the applicant required zoning relief from the Zoning Hearing Board, and this was granted on July 14, 2026. There were a number of

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variances relating to stacking distance length, access lanes, the location of the tunnel entrance, the location of accessory structures, to not provide a loading area and then a variance to permit that they can have two years from the date of the decision to obtain a building permit rather than the maximum permitted one year. There was one condition imposed by the Zoning Hearing Board and that was to add a 6- to 8-foot high sound barrier along Pine Grove Road to shield the outdoor vacuums where those are going to be located. We are seeking Conditional Use approval pursuant to Sections 209-23D3 and 209-23E8 of the Zoning Ordinance to permit a car wash use at the property. Conditional Use is a use that is permitted and one the applicant is entitled to, if the applicant demonstrates compliance with a specific objective criteria of the Zoning Ordinance. As testimony and exhibits will demonstrate, the proposed development meets all of the specific objective criteria of the Zoning Ordinance for a car wash use and meets the bulk area and setback of the Zoning Ordinance other than the dimensional zoning relief that was previously mentioned which is also contained within the Zoning Hearing Board's decision. That is entered into evidence as T4. Ms. Von Spreckelsen will run through the exhibit booklets. A1 - Proof of the notice to abutting landowners and the Affidavit of Service. Ms. Von Spreckelsen will refer to the exhibit booklet as A2 and then there are various tabs. Tab 1 is the Deed to the Property; Tab 2 is the Ground Lease between Morrisville Realty LLC (property owner and Landlord) and Flagship Pennsylvania OPCO LLC (the tenant). Also in that tab is the third Amendment to the Ground Lease which is dated September 25, 2026. Tab 3 - CV of Kestra Kelly, Professional Engineer with BL Companies; Tab 4 - Aerial photograph of existing property conditions prepared by BL companies dated July 14, 2026; Tab 5 - Rendered site plan and amended Conditional Use plan aerial prepared by BL companies dated February 3, 2026 last revised August 10, 2026; Tab 6 – Truck turning plans prepared by BL Companies dated February 20, 2026 consisting of two sheets; Tab 7 - Amended architectural site plan, amended proposed floor plan, and amended exterior elevations prepared by BL Companies dated June 5, 2026; Tab 8 - Building renderings prepared by BL Companies dated August 24, 2026 and Tab 9 - Lighting Plan in detail sheet prepared by BL Companies dated September 15, 2026. Tabs 1 and 2, the deed in the lease agreement and the amendment give the applicant standing to bring this Conditional Use application. This plan has been reviewed a number of times by the Township Engineer. They submitted a sketch plan and received a review letter. Based on that review letter, they amended their plans. We amended both the zoning plan and the Conditional Use plan and then went to the Zoning Hearing Board and obtained the zoning relief with the amended zoning plan. That approval was on July 14, 2026 and the amended Conditional Use plan was submitted to the Township on August 11, 2026 and that showed the revisions made based on the Zoning Board's decision. On August 25, 2026 we were before the Township Planning Commission who recommended approval of the Conditional Use application. Witness Kestra Kelly, Civil Engineer and Professional Engineer, was sworn in and presented testimony. Ms. Kelly reviewed her background. Ms. Kelly has been involved in land development for over 25 years and has been employed with BL Companies for a little over 11 years focusing on land development with design and permitting of projects all the way through construction. Ms. Kelly also analyzes zoning ordinances, land development ordinances, and drafts plans in compliance with those plans. Flagship is the brand of car wash that we are looking to put on the site. The parent company is Spotless. Ms. Kelly has been working with Spotless for

over two years on various levels of projects for them and definitely over 30 that have been in various stages of land development permitting. Tab 3 of the Exhibit booklet is Ms. Kelly's CV. With regard to this project, Ms. Kelly will do her due diligence, looking at the site to determine what is allowed there, what the code requires and how can they best fit a car wash on this site. At this point, it has expanded into getting through the Zoning Hearing Board and now here for Conditional Use. Tab 4 – aerial photograph, looking at existing conditions of the site. This is a fully developed site and right now it is a vacant Rite Aid with the associated features of the drive-through, car parking, loading, circulation, lighting, stormwater, and landscaping, fully developed with cross-access easements to the Wawa and the now vacant Wawa flyover. The site has two frontages (West Trenton Ave and Pine Grove Road) but it is not a corner lot. There are adjacent residential properties immediately to the South off of Sweetbriar Road and there is natural landscaping that exists today. That will remain as part of this application. There are apartments across from Pine Grove Road as well as commercial shops like Planet Fitness and Wendy's. It has a natural existing landscaping buffer and there are residential properties across West Trenton with an existing landscape buffer as well. Tab 5 is the rendered site plan. Ms. Kelly said they are looking to reuse the Rite Aid building. The full footprint will remain minus the drive through facility. All the entrances and access points are to remain the same with no proposed changes. Cars would enter in and go to one of three pay stations. There will be an employee there at all times that can help the customer. After the pay stations, customers would circulate in and enter into the building and this would be the wet tunnel, a traditional car wash tunnel. Customers would stay in the car while the exterior of the car is cleaned. The blowers to dry the vehicle are at the exit when they leave the building. At this point, one option is customers can take a right, circulate back through the site, and enter one of the self-vacuum stations. Another option is when you leave the wet tunnel to circulate back in to go into another queue and then you can go back into the building where you could enter one of two dry belts. This is where the customer would get out of their car, the car goes on the interior conveyor belt and the employees clean out the inside of the car. There is an interior waiting area for the customers to wait and then at the end they get back in their car and leave. There is always the option of a wet wash and then leaving the site. We are proposing 11 employee parking spaces and 12 vacuum spaces. We are maintaining the trash enclosure where it is today. The accessory structures are the pay stations, the vacuums, the producer pad (motor of the vacuums) and the mat cleaner. We have included the sound wall along Pine Grove Road in front of the vacuum spaces. This was a condition of the Zoning Hearing Board. The hours of operation are 8:00 a.m. to 8:00 p.m. every day. If inclement weather, they may close early. There will be 11 employee spaces and they anticipate 9 to 10 employees. This car wash is a national brand and they have good employee presence on site. There will be an employee at the pay stations and there is always an employee at the entrance of the wet tunnel to make sure you're getting in the right way. There will be employees within the building on the dry belts and at least one employee within the vacuum spaces to make sure everybody is getting what they need, making sure the site is being well maintained and kept up. For deliveries, they received a variance for needing a specified loading area. Most of the deliveries on site are going to be in box-type truck size vehicles and there is adequate space on site for them to stop and unload without interfering with any

of the car wash operations. Tab 6 - Truck circulation plans. The truck circulation plans show how cars and a Ford F-250 can get in and out of the site, in and out of the building, and into the spaces. It also shows how the trash truck would do pick up. Typically, they would schedule trash pickup for off hours or first thing in the morning so it does not interfere with operations. Stacking distance and lane length. This was one of the variances that we received which talks about the stacking. There were very specific requirements in the Zoning Code about that. We are providing three pay station lanes and each of those can have at least seven cars that can stack. That would be 21 spaces before you get through the pay station. We have gone out and studied these exact car washes for Flagship and the stacking really starts at the entrance of the wet tunnel so we have an additional three to four spaces over that. There will be an excess of 24 stacking spaces on site. It is important to keep in mind that even if stacking exceeded that, which we do not anticipate and believe it won't, we already have on-site circulation. We are not close to the public right of way at that point. The reason we know that the stacking is adequate is because we've studied it. We didn't just use typical car wash operation numbers. We went out and Traffic Planning and Design is the Traffic Design Engineers for this project. They studied foresights of existing Flagship Car Washes with very similar configurations - one wet tunnel and two dry tunnels of similar size that have been opened and operational for years. They counted the stacking and at the absolute peak, which you would imagine Saturday afternoon, it was 20 cars. By having 24, we have more than anticipated stacking on site. For interior renovations, we are looking to reuse the building so the building itself remains the same but we are aesthetically enhancing it to match the branding that Flagship brings to all their lots. All the vegetation on site will remain and we will be adding additional landscaping. Tab 9 - Lighting plan. All the pavement that is going to be there when we are done is pavement today. We are maintaining the same level of lighting. We've done a landscape plan, we will be upgrading the lighting just to be LED fixtures, full cut off, point on the ground to minimize any kind of light spillage and we'll have a zero lot line and zero lighting at the lot line adjacent with the residential. The driveways will have adequate lighting as needed. The Conditional Use criteria, specific objective criteria and first standards are found in Section 209-50G3. The first standard states that all activities must be conducted within a building enclosed on at least two sides with the roof. The applicant received a variance from the Zoning Hearing Board regarding that provision. The proposed car wash complies with the provision that the drainage from inside the building shall feed into a sanitary sewer system and that no drywall or septic tank will be permitted in connection with this use. This existing building is serviced by public sewer. It goes to a pump station that it shares with the other parcels of the subdivision and we will maintain that as part of the car wash operations. There are reclaimed tanks that are underground so a portion of the car wash water will get recycled and reused. It will go through an oil water separator before it enters into the sanitary sewer system. The proposed car wash meets the standards for accessory drive through. Once the cars enter through the pay stations, there are lanes that are divided by pavement marking and signage. They also have a bypass lane. There is a separate lane to enter the vacuum stalls. The next condition states the minimum frontage on at least one street will be 150 feet for all principal uses with accessory drive-through facilities and the property meets that minimum frontage. Ms. Kelly said we are closer to 244 feet along Pine Grove Road and 350 feet along West Trenton Ave. The next provision states the driveway

entrance and exit lane of the drive through facility must be set back at least 100 feet from an intersection. The proposed car wash meets that standard. The proposed car wash meets the provision which states that stacking areas, separated from other traffic circulation on the site, shall be provided for vehicles waiting for service in the drive through lane. All the existing common access driveways to connect both West Trenton Avenue, Pine Grove Road, the Wawa and the Wawa fly through are all maintained. There is no stacking anticipated or designed to be in those connections. The last provision states that the stacking distance shall be 220 feet in length and a minimum of 10 vehicles. A variance from that requirement was granted by the Zoning Hearing Board. General subjective standards are standards that are applicable to any Conditional Use that's being proposed and the proposed car wash is consistent with the spirit, purpose, and intent of the Zoning Ordinance. This is an existing commercial site that we are adaptively reusing to remain a commercial site. We are developing it in a way that is using the property efficiently and we are not expanding upon the impervious or expanding upon where the site has been developed. The proposed parking access and service areas are adequately illuminated at night and the lighting will protect the roadways and neighboring properties from direct glare or hazardous interference. The applicant is working within the existing pavement areas so any light spillage on Pine Grove Road with vehicles at the vacuum spots will be shielded by the sound wall. There are adequate utilities, access roads, and drainage facilities for the car wash. Adequate measures have been taken to provide ingress and egress to minimize traffic congestion in public streets. The applicant will comply with the August 19, 2026 Conditional Use review letter of the Township Engineer. Member Palmer was concerned with water going down the road after vehicles are washed and having that water freeze during winter months. Ms. Kelly said when the cars leave the building, they should be dry. If there are any remanent drips, we can implement heated concrete which helps with the evaporation and preventing any type of ice from accumulating. By that point there is going to be a very small amount of water dripping off of the cars. Member Palmer asked if there were an option to get it heated dry and blown. Ms. Kelly said there is no option to skip the drying process. Mr. Ray Garganio (Vice President of Development Construction for Spotless, including Flagship) was sworn in. Mr. Garganio explained the way their sites work. They have significant more blowers than a lot of their smaller sites have which gets the vehicles drier. When you come out, there will be heated concrete coming back to either exit or to loop around. We believe by the time you get there, you should not have any water when you get to the main sections and as you loop around and get to the vacuums, there should be no water there at all. The heated concrete helps. Member Palmer asked about the buffer coming out in the exit. There are some trees facing towards West Trenton. Mr. Garganio asked if he were opposed to making it more of a wall where people won't hear that blowing going to West Trenton? Mr. Garganio said we can add a fence there; that is not a problem. They have done a sound study and when you get to that section, when you hit the road, it is down to under 50 decibels. Mr. Garganio does not have a problem with the fence there. When it comes through for the final approvals, the professionals can say if they like it or not but we are good with that. Member Loteckie asked about outsiders that don't pay taking up the vacuum spots. Mr. Garganio said for the most part, we have somebody going through there and watching. They could be members who use the vacuum first and then get

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a car wash. It is not a huge problem for us, but it may happen occasionally. The vacuums turn off after the car wash closes. Mr. Loteckie said the Wawa gas tankers usually use that cross area to get to the fill stations, just passed the vacuum area. Mr. Garganio said they have worked with Wawa on this and they know what we are doing. He personally, was not part of that conversation. Ms. Kelly said that may be happening now since the lot is vacant but they believe there is adequate area for the fuel trucks to circulate around. Member Mullen asked if the wall or fence was a condition that was placed by the Zoning Hearing Board. Ms. Kelly said yes. That is on the Pine Grove Road side and those are near where we are proposing the vacuums. Member Mullen referred to the other side where there are the residents. In your sound study where all those trees are, were they adequate sound buffers for that side? Ms. Kelly said everything is less than the noise that the roads make today. Most of the car wash operations are contained within the building and then the vacuum spaces themselves are further away from that property line. Member Mullen asked if the sound study confirmed that it was adequate? Ms. Kelly said yes. Member Mullen wanted to make her comment that if we are adding a condition that a sound buffer be added along the exit as Member Palmer talked about, she would prefer that to be natural sound buffers rather than a fence in terms of landscaping. Member Mullen asked when you did this study for the 20 cars at absolute peak, can you tell her if you did that study at another location or is that proposed at this location? Traffic Planning and Design did the study. It was at four existing Flagship locations in the Virginia/Maryland area. Member Mullen asked if you are in the back of the line, what is the amount of time it takes you to get through the tunnel. Ms. Kelly said it is about three minutes per car to go through the tunnel. We can fit three to five cars within the tunnel. If you go into the full service lanes, they take a little longer. As a site gets more business, they get better at it and it goes faster. Member Mullen said there was a reference to the traffic evaluation letter prepared by TPD. She was fine with that. There was a comment from the Engineer about the sanitary sewer system. Ms. Kelly said we understand the current situation with sanitary sewer. There is a pump station that serves these three parcels. It is charged into the Falls Authority treatment area and she has confirmed capacity within that area. It goes into the Bucks County Water and Sewer capacity conveyance and there is a connection management plan so that is a will comply that we'll get on that connection management plan. We deal with sewer a lot in the car wash operation business. We have Ebert Engineering as part of the team so we can work with Bucks County Water and Sewer on any upgrades to help with that connection management. Ultimately, it goes into the wastewater treatment plant that has capacity. We understand there is a process that needs to be done that we will comply with for sewer. We have done our due diligence and we understand what needs to happen. That is part of the reason for the relief we got at zoning to get the two years because we know we still have some work to do. Chairman Dence had a question regarding parking. At your peak you said there are 20 cars. Ms. Kelly said that is the absolute maximum observed stacking. We don't think that is going to be a daily peak necessarily, but that is what we designed for. That is cars and we consider that to the entrance of the wet tunnel which is where the stacking starts. Chairman Dence said it doesn't seem like there are enough vacuums for the number of cars you have going through there. Ms. Kelly said if a customer goes into the interior dry belts and has the employees clean out the inside of their car, there is no reason for them to visit the vacuums and do it themselves. Not everybody that goes through the

wet wash automatically goes into the vacuums. Chairman Dence asked Ms. Kelly if there would be an issue with the cars cutting through going to Wawa because that's like a road now. Ms. Kelly said they think it is going to be self-regulating. At certain times of the day people will want to do that and they can. There is nothing we are doing that would prohibit them from doing that. She thinks they will probably learn over time that it is easier to just go around. Manager Shepherd asked for an explanation of the sound wall that was required by the Zoning Hearing Board. Ms. Kelly said it is not fully engineered but it is intended to be what we have used on other sites for this application. It is a two-sided wood fence with sound attenuating fabric and materials in the middle. That will be reviewed by the Township Engineer. Member Mullen moved to close the Conditional Use Hearing; Member Loteckie seconded the motion; all board members were in favor. Ms. Von Spreckelsen asked to move the exhibits into evidence. Ms. Gallagher said they will be received.

Ms. Jennifer Metzger (Falls Township) has questions about the fencing that they're saying is going to be two panels with attenuating material in the center. They talk a lot about Virginia and Maryland but have they done that up here? Ms. Metzger is concerned about the water overspray and if it's going to cause an ice hazard. For anyone with disabilities when we looked at this, we were talking about the parking spaces and everything else but we didn't know about any of the inside area. What about red and green lighting so you know you can go or not? Are you going to know when someone is coming out of the facility? People cutting through is going to be an issue. Ms. Metzger is curious about the still residue tanks and where are they going to be added? They have been talking a lot about the land development and they are going to use the building but where are they going to put the tanks and how long is this construction going to be? Ms. Kelly said the tanks will be underground. We don't know 100% the exact location; that is the next level of design but they would likely be located close to the wet tunnel itself. It's probably going to be in the vicinity of the pay station lanes. We know we still have design and permitting to do and we are making modifications to the site and we are going to go through the required permitting for that which will include sanitary sewer permitting, stormwater management, and erosion sediment control to happen during construction. The underground reclaims of tanks are solid concrete. Ms. Metzger wondered how often they would be drained. It was mentioned it would probably be quarterly but she is wondering since we don't know where that's going to be. Would that be an issue with traffic or anything like that or slowing down your operation because it is such a tight space? Ms. Kelly said this would occur quarterly or as needed if it needs to be done sooner. This is a pretty large site for this type of car wash operation compared to some that we work with. Ms. Metzger asked if they would be bringing staff in for this facility? Mr. Garganio said the closest facility to this location is Phoenixville, Chalfont and Vineland, NJ. There will be some people from there but then we'll bring more experienced people coming up from the South that will spend a week and then someone else will come the following week just to make sure everyone is trained on a site like this. A normal car wash is where you have one tunnel for wash and you have the vacuums. Those are easier to train because they're more about cleanliness. This one has those full service belts and it takes a lot of experience with the managers knowing how to do the timing and everything else. By the time this is built maybe they can do it with some of the local people because we'll have some of these sites open for a while but he still thinks

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we will have people coming up from Maryland to help train. Ms. Metzger asked about the length of time for construction. Mr. Garganio said we have done some of these in six month, but it's probably going to take seven months as there is a lot of demo inside the building. Ms. Metzger is concerned about the waste runoff and contaminants and said the oil water separator before going into the sewer was mentioned. What about the rest of the contaminants? Ms. Von Spreckelsen said they do want to ask questions, but there wasn't any party status granted. It is typically only for party status that people get to ask questions. Ms. Toni Battiste (Falls Township) said for the projects that we're getting that require water and sewer, why aren't they getting a letter from the appropriate water and sewer authority at the time they put in the application and a written notice from that authority that says yes, we have enough water to supply you for this and we have enough sewage space and we can process your effluent safely? You are giving us a list of what chemicals you're going to be using? Why are we doing that? We just spent at least an hour going through a hearing and everything else. What if the sewer doesn't have enough space? Mr. Jones said they submit an application to TOFA and in this case TOFA issued a letter that says they will serve. He believes that is what the applicant has obtained. Ms. Battiste asked why isn't it done before we go through this? Mr. Clarke said because Bucks County Water and Sewer is under a connection management plan and they only review under the connection management plan when they are as full approvals.

Mr. Wayne Bell would like the applicant to provide the MSDS sheet and a cache sheet. He is a simple person who loves research. If you have cash, you need to have security and cameras. You are right on the line of a lot of activity in that area and you may want to consider some type of non-cash or security cameras. If you are going to have a convenience store in there, you may want to work something out with Wawa. You may want to work something out with the technical school to have some students from there come and work at your car wash. Help out the community somehow. Mr. Bell said he won't have to be using his forever chemical. Save the environment. Save the trees. Chairman Dence asked Ms. Gallagher to explain why they are getting Conditional Use instead of a typical land development. Ms. Gallagher said Conditional Use relates to the use of the property only. Conditional Use under the Municipalities Planning Code is a permitted use, and once the objective criteria of the ordinance are satisfied, the use is permitted and the applicant is entitled to relief. The board can attach any reasonable conditions to that approval. The applicant this evening has offered agreement to a few conditions which will be incorporated in the written decision. Land development has to do with the development of property, not necessarily the use. This project, as it is currently proposed, does not trigger any land development review under the Township code. This will be Conditional Use only and will be subject to all permitting requirements and the ADA requirements and things like that under all the various codes of the Township. Chairman Dence said it is basically a permitted use that we are going to put conditions on. Ms. Gallagher said Ms. Von Spreckelsen did a thorough job this evening, going through all the objective criteria of the Ordinance. Chairman Dence said he knows this is a Conditional Use but personally feels there are too many car washes in Falls Township. It seems like there is a car wash on every corner. There is a car wash in Morrisville a couple hundred feet from this one that he heard was going to be rebuilt at some point. Chairman Dence wanted to make it clear to everyone how the Conditional Use works. It is a permitted use. We are just putting conditions on

there to make sure it is the way that we want. If this were a development, then we can deny it if they are asking for waivers of the subdivision land development Ordinance. Ms. Gallagher said we are looking for a motion. If the board wants to discuss any reasonable conditions, we can do that in Executive Session or can consider them publicly as well. Member Mullen moved to approve the Conditional Use for Flagship Pennsylvania OPCO, LLC, 547 W Trenton Ave, TMP # 13-028-028-002; Member Loteckie seconded the motion; all board members were in favor. (4-0)

There was a break in the meeting at 7:56 p.m. and the meeting reconvened at 8:00 p.m.

ITEM # 9 654 LINCOLN HIGHWAY, LLC – PRELIMINARY/FINAL LAND DEVELOPMENT – 654 LINCOLN HIGHWAY – TMP # 13-017-231

Mr. Tim Duffy (Hill Wallack) represents the applicant. Also present were Mr. Heath Dumack (Dumack Engineering) and Mr. Brian Brzezinski (Principal Owner). Mr. Duffy said the property is located at 654 Lincoln Highway and is about 3 acres in size. There is frontage on both Lincoln Highway and Trenton Road. It has been abandoned and overgrown for many years and the plan is for a single two-story residential building with a total of 84 units. This project was first brought to the Township about three years ago and was originally going to be two buildings, four stories in height, and a total of 96 units. Over the course of obtaining zoning variances, including a land use appeal to the Court of Common Pleas, we ended up working with the Township and have reduced the scope of the project to be only two stories in height and reducing the number of units to 84. Among the two conditions, as part of the resolution of the land use appeal, were to put a fence four feet in height along the shared property line and also follow-up provisions of the zoning ordinance relative to lighting. After the original plan was submitted, we went through the Township Engineer's review letter, made revisions, came back and resubmitted it. It went to the Planning Commission earlier this year in February with the Township Engineer's January review letter and obtained recommendation from the Planning Commission for approval. There are a total of eight waivers and substantive comments, all of which are will comply. Mr. Dumack gave an overview of the plan. The building contains 84 units and the design of the project is a 55 and older condominium community. Stormwater management is controlled through two different underground storm systems, one favoring Lincoln Highway and then one about two-thirds of the way toward the Trenton Road site. Landscaping and lighting are all will comply and meet the township ordinances. Referencing the January 28, 2026 Jones Engineering review letter, requested waivers include the following: Section 191-8B to allow us to submit this application as both preliminary and final. Section 191-30J requires us to obtain Highway Occupancy Permits. Regarding sidewalks, we had initially requested a waiver regarding sidewalks along Lincoln Highway and Trenton Road. When we were in front of the Planning Commission, we agreed that we would not request the waiver and we withdrew that waiver and will comply with township ordinances regarding sidewalks. The next waiver is under Section 191-37B to allow separation between a building and parking spaces of 6.4 feet rather than the required 15 feet and separation of 6.58 feet as opposed to 12 feet at the property line. This is in a few different locations. The next waiver is under Section 191-37G2 from the

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requirement that trees be in curbed islands. That waiver is being requested where there are underground obstructions that would prevent them from planting trees. The next waiver is from Section 191-44D which would require grading closer to the property line than five feet. The next comment is regarding Section 191-52 and this is will comply that we will get the MPDS permit. The next two comments are about wooded areas within the current site, requesting a waiver from Section 191-52.1B4B2 regarding disturbance of woodlands and the other is from Section 19152.1B4D so as not to require us to mitigate the woodlands. The issue is that there are many tires at this site that we are going to be removing and remediating and in the process of that, most of those trees are already compromised and as part of that entire cleanup of the site, it is not possible to do that without removing the woodlands. There were two oil tanks on the property that had already been removed. The site was a mechanic's garage for decades and unfortunately, the gentleman never paid to have the tires removed. There are several mounds of tires that go into the ground. Mr. Brzezinski has been working with the Department of Health. There were some calls and concerns about mosquitoes and he had an exterminator come out to remediate some of those issues. Section 191-64B is a will comply regarding public water supply and working with the Falls Township Fire Marshal. Member Mullen said this has been a long process and thanked everyone for being amendable to the township's needs. Chairman Dence asked how we got to this point. Originally this project was denied at zoning. The applicant appealed to the Court of Common Pleas. When we were in front of the Court of Common Pleas we worked out a settlement of that appeal in conjunction with the Township, the Zoning Hearing Board, and the Court of Common Pleas entered an order that approved that settlement including conditions which were the fence along the long parking area and compliance with the lighting requirements. It was reduced to two stories as opposed to four. Mr. Clarke said once the zoning was resolved through that settlement, then they had to go through the land development process. It has been reviewed by Mr. Jones, all of our consultants and Mr. Clarke's office. This is in front of the board tonight for preliminary and final because this plan is essentially in its completed form. We do not anticipate there are any significant changes that would happen between preliminary and final. Mr. Duffy said they have been working with the Township on this since 2023. Mr. Dumack said part of this involves Highland Avenue which is a paper street. It runs from Lincoln Highway to Trenton Road to the West of the site. That is the next item on the agenda. The intent is to vacate that road with 50% of that vacation going to the client and 50% will go to each of the residential homeowners backing up to this site. They will each get 20 feet of additional property.

Ms. Terry McKeown (15 Oak Lane) asked about the fence that is provided along the property line. The applicant said it's four feet in height. Mr. Duffy said that is what the requirement was under the the court order, four feet. Ms. McKeown said they were under the impression that it was going to be a six foot solid fence. Mr. Duffy said he misspoke. It will be a six foot solid fence. Ms. McKeown asked if the lighting would be down lighting. Mr. Dumack said the lights will have what is called a shoebox structure to aim them down. Ms. McKeown asked about pole lighting. Mr. Dumack said there are some utility light poles along the line common with her but they're aimed towards the building, not towards her. Ms. McKeown asked about the dumpster. Mr. Dumack said the dumpster was a condition of the Planning Board and they will relocate it to the East side of the property

adjacent to Trenton Road so it is away from all the residences. Chairman Dence said once that is on the plans in that location, they cannot move it from that location.

Ms. Toni Battiste asked about Route 1 access and if it will be Northbound only. Mr. Dumack said yes, but that is conditioned on PennDOT. Ms. Battiste asked how many parking spaces there would be and if they are allowing two cars per unit. Mr. Dumack said there are 148 parking spaces. The ordinance only requires 1-1/2 cars per unit. Ms. Battiste asked where they would be putting the cluster boxes for the mail. Mr. Dumack said they would be in the building and that would be part of the architectural. Ms. Battiste said as an ex postal employee, you need to make sure you have space because most of the ones they are placing for apartments are outside. Mr. Dumack said he will make sure that is taken care of. Ms. Battiste asked who will check on the remediation to make sure all the oil is removed. Mr. Dumack said the oil tanks were removed and there was a third party inspection company that came out to monitor the closeout. Ms. Battiste said the guy poured oil right into the ground. Mr. Dumack said when we do the tire removal, we will be doing visual and site inspections to monitor for that as well. Mr. Jones said the Township will have eyes on the site for inspections and also through the MPDS permit and infiltration and stormwater facilities that they have to construct will have a lot of observation that will be five or six feet underground. We would detect any potentially contaminated soil and they would have to remediate it.

Ms. Jennifer Metzger referenced the Municipal Planning Code, Section 508 specifically says that although you can combine the steps for preliminary and final approval, you are not required to. By combining the steps for preliminary and final, you are eliminating the public's secondary chance to review any technical revisions. You are saying that everything is hushed behind closed doors just like when you do the waiver of land development. We no longer have to hear it in public. Regarding the petition, did 9 and 10 get combined? Chairman Dence said no. Ms. Metzger said right now we're just talking about the ability of him getting land development to move forward, clearing the tires, taking out all of the trees and not having to replace the trees. There are 675 trees coming out and he is replacing three of those trees. The woodlands are being disturbed. Mr. Jones said their review letter requires them to do the calculations and provide a fee in lieu of in accordance with Chapter 199. One of the reasons they were not going to do the tree replacement was because the median separators that go in the parking lot and the EV chargers. If you do preliminary and final now, we won't hear anything about the EV chargers. Mr. Dumack said the EV chargers were shown as future so the conduit would be installed for future EV potential. Ms. Metzger asked how many are there, was that planned out, and are they in place of the disability parking spaces? Chairman Dence said they still must have the disability parking spaces no matter what they do. Mr. Dumack said they will be on the opposite side, adjacent on the West side along the paper street, so we'll be running conduit under the paving from the main building to the EV charger location but the EV chargers will not be put in unless required at a later date by the homeowner's association. Ms. Metzger said this is an 84-unit condo complex, only two levels high. Is it the full 50 feet or with the wetland disturbances and everything else, do they have zoning for it to be taller? Mr. Dumack said we have no wetlands disturbance. The ordinance requires a maximum of 50 foot height for any building in this zoning district. Member Mullen moved to approve Resolution # 2026-15 for

Board of Supervisors – September 28, 2026

Preliminary and final land development for 654 Lincoln Highway, LLC, TMP # 13-017-231; Member Loteckie seconded the motion; all board members were in favor. (4-0)

ITEM # 10 CONSIDERATION OF APPROVAL OF ADOPTING AN ORDINANCE TO VACATE HIGHLAND AVENUE UPON PETITION OF 654 LINCOLN HIGHWAY, LLC

Chairman Dence said there is a street that's not really there at this property. We are vacating the paper street. Half goes to the property and half goes to the homeowners so 20 feet goes to the client and 20 feet goes to each homeowner that butts up against the paper street. That is by operation of state law.

Ms. Jennifer Metzger said no one is using the street so there is no impact on emergency services. You are dissolving a public road to help the developer. Chairman Dence said no, it is not a public road. The road is on paper. Right now it is covered. Ms. Gallagher said the road only exists on paper. It was never open. By operation of law after 21 years, it reverts back to the ownership of the property owners. The Recorder of Deeds however, requires some affirmative action from the Township in order to recognize that. Ms. Metzger asked if they are going to reimburse the homeowners for half of the road that they're going to keep or use or are we basically giving the public asset to them for free? Ms. Gallagher said it reverts to the center line to this property owner and then the other half of the road goes the other abutting property owners and it is subject to access rights of all these property owners. Again, the road was never open. Chairman Dence said that is a state law. Member Loteckie moved to approve Ordinance 2026-2 to vacate Highland Avenue upon petition of 654 Lincoln Highway; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 11 CONSIDERATION OF APPROVING THE PROPOSAL OF GOLF CAR SPECIALTIES, DATED AUGUST 27, 2026, FOR A 2027 NEW ELECTRIC GOLF CAR IN THE AMOUNT OF \$11,336.00

This is for purchase of a golf cart the amount of \$11,336. It will be used by park security mainly to reduce the impact on trails in the park, rather than using cars. Member Loteckie moved to approve the purchase of a 2027 electric golf car in the amount of \$11,336 from Golf Car Specialties; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 12 CONSIDERATION OF APPROVAL OF SALT BIDS FOR 2026/2027

Member Loteckie moved to approve the purchase of salt for 2026/2027 from Riverside Construction at a price of \$75 per ton; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 13 CONSIDERATION OF APPROVAL OF RESOLUTION FOR THE BUCKS COUNTY 2026 HAZARD MITIGATION PLAN

Mr. Shepherd said this is really a county hazard mitigation plan, required by FEMA nationwide. They require periodic updates to identify hazards within the County. They do that on our behalf and then provide it to all the local municipalities to adopt those

resolutions which adopts the county plan. Doing this permits us to apply for various grants through FEMA that may be available related to hazard mitigation. Member Loteckie moved to approve Resolution # 2026-16 for the Bucks County 2026 Hazard Mitigation Plan; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 14 CONSIDERATION OF APPROVAL OF AGREEMENT FOR VENDING MACHINES AT THE MUNICIPAL BUILDING

Member Loteckie moved to approve the agreement for vending machines at the Municipal Building; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 15 CONSIDERATION OF APPROVAL OF VEGETATION REMOVAL AND LIEN AGREEMENT FOR 439 AUSTIN DRIVE

Member Loteckie moved to approve the vegetation removal and lien agreement for 439 Austin Drive; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 16 CONSIDERATION OF APPROVAL OF RECOMMENDATIONS FROM THE NEIGHBORHOOD TRAFFIC ADVISORY COMMITTEE

Chairman Dence said there are a lot of things in here you cannot really do without the whole neighborhood being on board with this. When we spoke about striping Austin Drive, a lot of people got very upset, even at the idea of striping. They didn't want to change the aesthetic of Austin Drive and have a center line. Mr. Shepherd said he would like to try to take that one under advisement. He is not sure what the widths are there so we should look at that. The supervisors have a recommendation from the committee. Chairman Dence said the next road is Stanford.

Ms. Barbara Brejcak (Falls Township, Stanford Road) spoke about the closed road and doesn't know how long it will be closed. This is near the golf course. Stanford is a thorough fair to begin with and it's an emergency road as well. Since that road has been closed, people have been flying down the street through the stop sign where the kids wait for the bus. Ms. Brejcak had asked originally and then went to the Neighborhood Traffic Advisory Board and they were going to send a letter to you for temporary foam speed bumps until that road is fixed. Ms. Brejcak said she already bought speed bumps herself and put them out. Mr. Jones said the road should have opened in October. We had the change order approved but we ran into an issue with the foundation design for the culvert. The geotechnical engineer recommended piles and we think we can save significant amount of money if we don't use piles and so we're having the geotechnical engineer reevaluate the new culvert system so that we can save that money. That delayed the construction. Mr. Jones said his understanding with the contractor is that road will be reopened before the holidays. Chairman Dence was not sure about Mr. Dippolito's thoughts on temporary speed bumps. The last time we suggested speed bumps, the fire companies all reached out to us and said no, it was a bad idea. The other problem with speed bumps is that it's not going to necessarily stop the speeding cars. They are going to hit them in the middle of the night. The people that drive over them are going to slow down and then speed away from them. There is a lot of noise that comes along with speed bumps. When a landscape trailer hits it, even if they are going slow, it's a lot of noise. Ms. Brejcak said the one day that she had the

speed bump out, it was not very noisy. She went through the whole neighborhood and everybody signed a petition agreeing to it. Even if it's only halfway across the street, it slowed people down. Chairman Dence suggested having the police put the flashing light out there and giving that a try. Ms. Brejcak thinks that would help. Chairman Dence said the last one is Makefield Road. Mr. Shepherd said that is another one to send back through the channels and look into some sort of a study with RVE. We can talk to them and at least see what they can or can't do based on the complaint that we received.

Ms. Jennifer Metzger (Falls Township) said when any of the recommendations mention speed bumps, they are talking about the pillows - the ones that are only halfway so they won't affect the wheelbase of the fire engines or ambulances. When we were talking about Makefield Road, the problem is that it is a very long street. There are crosswalks but there is nothing that slows down the traffic. There are three middle schools and bus traffic. You have the kids passing and all of this speeding traffic. Between the buses, the middle schools, and the traffic, they were asking for traffic study to look at it to see if there's anything that we can do to make it a little bit safer. Ms. Metzger asked if they had a motion. It is in their recommendation for a safety audit to be conducted on Makefield Road. Chairman Dence said there is a problem when you first come off of Woolston and you're coming up Makefield and the first section on your left if someone's there to stop, nobody is waiting for them to turn or going around them.

**ITEM # 17 CONSIDERATION OF APPROVAL OF AUTHORIZATION OF
ADVERTISEMENT AMENDING THE CODE OF THE TOWNSHIP
OF FALLS CHAPTER 203 – “VEHICLES AND TRAFFIC,” SECTION
9 – “STOP INTERSECTIONS,” SUBSECTION B – “TWO-WAY STOP
INTERSECTIONS” AND PROVIDING FOR AN EFFECTIVE DATE
BY ORDINANCE**

Mr. Shepherd said this is remedy related to some of the Thornridge Drive traffic calming. There will be two stop signs, both on Thornridge Drive at the intersection of Teaberry Lane. Ms. Jennifer Metzger asked why there was no address on this agenda item so they could make sure they are here to discuss the proper topic. Ms. Gallagher said this is authorization to advertise. The text of the ordinance does include the location where the stop signs will be placed. Once authorized for advertisement, then it will be advertised, will be placed on the Township's website, and available for the public to view. Ms. Metzger said Section 710.C.1 says you need to actually disclose what you are putting on the agenda before you discuss it or make a decision on it. Chairman Dence said we did. Ms. Metzger said it is not on here where it says 399 Thornridge Drive. Mr. Clarke said we are authorizing advertisement of an ordinance. Member Loteckie moved to authorize advertisement amending the code of the Township of Falls Chapter 203 – “Vehicles and Traffic,” Section 9 – “Stop Intersections,” Subsection B – “Two-Way Stop Intersections” and providing for an effective date by ordinance; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 18 CONSIDERATION OF APPROVAL OF AUTHORIZATION OF ADVERTISEMENT AMENDING THE CODE OF THE TOWNSHIP OF FALLS AT PART II [GENERAL LEGISLATION], CHAPTER 198 [TAXATION], BY CREATING ARTICLE VII [REAL ESTATE TAX] INCLUDING SECTIONS 62 [ALTERNATIVE COLLECTOR], 63 [INTEREST CHARGED], 64 [REASONABLE CHARGES, EXPENSES, AND FEES], AND 65 [ENABLING], TO CREATE A PENALTY, INTEREST, AND FEE SCHEDULE FOR DELINQUENT REAL ESTATE TAXES

Mr. Clarke said this is authorization to advertise. Chairman Dence said this is basically from the county for delinquent taxes. If someone is delinquent with their taxes, when the county collects those taxes, we get all 100% of what is owed to us. The county adds 5% on so it would be 105%. If we didn't do this, the county would collect 100% and we would only get 95%.

Ms. Jennifer Metzger asked how this has been done in the past. Are you're saying that the county's been collecting it the entire time? Mr. Clarke said every time there is delinquent taxes, it needs to be sent to the Tax Claim Bureau. The Tax Claim Bureau then collects delinquent taxes. Forever, they have been operating under one law. They have been operating under the Municipal Claims Law and Lien Act. Now they are combining that law and the Real Estate Tax Collection Law Act RETSL. When they collect the money under this new method, they will be returning 100% to us whereas in years past, they have only returned 95% to us. Ms. Metzger asked why is this an alternative collector? Why wouldn't it just go through our standard tax collectors that we already have? Mr. Clarke said by law, once it is delinquent it must go to the Tax Claim Bureau. Ms. Metzger said we are doing an alternative collector instead of doing it through the elected office. Chairman Dence said it goes to the Tax Bureau. She has never collected it. This isn't bypassing our tax collector or something like that. These are delinquent taxes. They go to the tax bureau for collection. In the past we didn't get all 100% of the money that was owed to us. Member Loteckie moved to authorize advertisement amending the code of the Township of Falls at Part II [General Legislation], Chapter 198 [Taxation], by creating Article VII [Real Estate Tax] including Sections 62 [Alternative Collector], 63 [Interest Charged], 64 [Reasonable Charges, Expenses, and Fees], and 65 [Enabling], to create a penalty, interest, and fee schedule for delinquent real estate taxes; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 19 CONSIDERATION OF APPROVAL OF ESCROW RELEASES

Member Loteckie moved to approve escrow releases for New Bold Road LLC in the amount of \$10,692 and Morrisville Municipal Authority in the amount of \$680; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 20 CONSIDERATION OF APPROVAL OF APPOINTMENT TO THE BOARD OF APPEALS, CABLE ADVISORY BOARD, DISABLED PERSONS ADVISORY BOARD, HISTORICAL ARCHITECTURAL REVIEW BOARD, HISTORIC PRESERVATION COMMISSION, POLICE PENSION COMMITTEE, TOWNSHIP OF FALLS WATER & SEWER AUTHORITY BOARD AND ZONING HEARING BOARD

There were no appointments this evening.

ITEM # 21 MINUTES – AUGUST 24, 2026

Member Loteckie moved to approve the minutes for August 24, 2026; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 22 ENGINEERS REPORT

Mr. Jones said last month there was one commercial earth disturbance application submitted. That is still under review pending approval. Updates in the report are identified in red. For the land developments, they are all updates regarding various stages of construction and where a project is within the approval process. The red identifiers in the middle column are both completed under a CO letter from Jones Engineering. On the right side, the Waste Management project continues with earthwork and fill and stormwater management improvements. The residential pool has already been approved. For Township projects, Mr. Jones spoke earlier about the culvert and why that has been delayed a month. For the road program, all concrete work has been completed. The contractor is working on landscaping and topsoil. The road is under base and we anticipate getting a schedule for wearing coarse paving on the mill and overlay streets this week. Mr. Jones will send that update to Chairman Dence for disbursement to the board.

ITEM # 23 BILL LIST

Member Loteckie moved to approve the bill list in the amount of \$3,764,701.06; Member Mullen seconded the motion; all board members were in favor. (4-0)

ITEM # 24 JONES ENGINEERING ASSOCIATES BILL LIST

Ms. Toni Battiste (Falls Township) asked if the bills are offset by permit fees and associated costs. Mr. Shepherd said a lot of the bills for engineering are offset by escrows. If it is a general engineering project it gets paid for out of tax dollars but a lot of them - the majority of them would be reimbursable. Member Mullen moved to approve the Jones Engineering bill list in the amount of \$332,653.50; Member Loteckie seconded the motion; all board members were in favor with the exception of Chairman Dence who abstained. (3-0-1)

ITEM # 25 MANAGER COMMENT

There was no Manager Comment this evening.

ITEM # 26 BOARD COMMENT

Member Loteckie thanked everyone for coming out tonight.

Member Mullen thanked township staff for the Family Festival and the Touch A Truck events. They were excellent events and we were very lucky with the weather. The committee did a great job with these events.

Member Palmer – no comment.

Chairman Dence said J.D. Mullane from the Bucks County Courier Times is retiring after 40 years. Tomorrow is his last day. Chairman Dence has known him as long as he's been in Falls Township and he remembers how nervous he was the first time J.D. interviewed him. J.D. was never afraid to ask the tough questions and he was always a voice of Levittown. J.D. was a great voice for Bucks County and Chairman Dence wishes him well in whatever his next adventure is in retirement.

Member Loteckie moved to adjourn the meeting; Member Mullen seconded the motion; all board members were in favor. (4-0) The meeting was adjourned at 8:53 p.m.

Brian M. Galloway  Digitally signed by Brian M.
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Brian Galloway, Secretary