

**FALLS TOWNSHIP
ZONING HEARING BOARD
AUGUST 8, 2017**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:30 p.m.

Members present: Al Brooks, Scott D’Oria, Colin Henderson, Dan Miles, Doug Molle

Members absent: None

Also present: Ed Neubauer, Code Enforcement Officer; Thomas Bennett, Zoning Officer/CCEO representing the Township; Keith Bidlingmaier, Esquire, ZHB Solicitor; Karen Browndorf, Court Stenographer

Petition #3: MedExpress, 100 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-004-085; Zoned: HC. Requesting dimensional variances to construct a new walk-in doctor’s office which encroaches into the front and side yard setbacks. Section 209-23.G and Table 4.

Chairman Miles states that Matthew J. Creme, Jr., Esquire, has sent in a letter asking for a continuance of this petition until the September 2017 hearing.

Member Henderson makes a motion to approve the continuance request for MedExpress until September 12, 2017.

Member Miles seconds the motion.

All in favor 5-0. Petition continued until the September 12, 2017 hearing.

Petition #1: Michael and Jillian Barnhard, 16 Little Lane, Levittown, PA 19054; TMP #13-041-339; Zoned: NCR. Requesting dimensional variances to construct an addition and a driveway which encroach into the side yard setback. Section 209-20, Table 1, and Section 209-43.1.C(4).

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Michael Barnhard presents the application. We are looking to expand our residence, going out 15 ft. to accommodate our growing family. We’ll be adding a bedroom and bathroom and expanding our driveway.

Board Questions

Steve Hazel (contractor) in response to a question by Member D’Oria, states that we are going out 15 ft. with a bedroom, bathroom and laundry room. The property owner wants the addition 15 ft. wide, and the shed in the back would not make it feasible to put the addition in the rear.

No public comment.

Member Brooks makes a motion that the application of Michael and Jillian Barnhard for dimensional variances from Section 209-20 and Table 1 and Section 209-43.1.C(4) of the Falls Township Zoning Ordinance be GRANTED to construct an addition and a driveway which encroaches into the side yard setback at the property located at 16 Little Lane, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Henderson seconds the motion.

All in favor 5-0. Motion carries.

Petition #2: Edward and Donna Williams, 141 Liberty Drive, Langhorne, PA 19047; TMP #13-004-900; Zoned: HR/TH. Requesting a dimensional variance to construct a deck which encroaches into the rear yard setback. Section 209-16.1 and Table 2A.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

John Davis presents the application. The deck needs to be replaced. The property owner would like to make the deck bigger than the original deck and, therefore, it encroaches into the rear yard setback

No Board questions.

No public comment.

Member Henderson makes a motion that the application of Edward and Donna Williams for a dimensional variance from Section 209-16.1 and Table 2A of the Falls Township Zoning Ordinance be GRANTED to construct the deck which encroaches into the rear yard setback at the property located at 141 Liberty Drive, Langhorne, PA 19047, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Petition #4: 84SLB1 LLC, 315 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-003-015-001; Zoned: HC. Requesting dimensional variances to allow construction of an outside display area within the front yard of the parcel and relocation of the security fence along the perimeter of the storage area which currently encroaches into the front and side yard setbacks. Section 209-23.H(3)(b) and Section 209-34.E.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7 and Applicant A-1 (proof of neighbor notification).

In response to Atty. David Getz's questions and some questions from the Board members, Mr. Pete Gasser (store manager) explains that the business is continually growing so they want to move the fence back to expand the storage area. It gives more room to maneuver within the site and still keep it safe. Right now material is stored in the parking area, so this will allow the material to be pushed forward out of the parking area.

No public comment.

Member Henderson makes a motion that the application of 84SLB1 LLC for dimensional variances from Section 209-23.H(3)(b) and Section 209-34.E of the Falls Township Zoning Ordinance be GRANTED to allow construction of an outside display area within the front yard of the parcel and the relocation of the security fence along the perimeter of the storage area which currently encroaches into the front and side yard setbacks at the property located at 315 Lincoln Highway, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Petition #5: Accu-Fire Protection, Inc., 8 Progress Drive, Morrisville, PA 19067; TMP #13-047-166-009; Zoned: HI. Requesting dimensional variances to permit construction of a 48,150 sq. ft. free-standing new building; specifically, to permit future parking to be located 20.1 ft. from the street line in lieu of the 30 ft. setback and to permit a loading zone to be located which would straddle the common boundary line

between applicant/owner's two properties (Sections 209-29.G(1) and 209-42.J(3)); and to permit a loading area to be located in the front yard in lieu of the otherwise mandated side and rear yards (Section 209-34.E).

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant Exhibit A-1 (proof of neighbor notification).

Edward Murphy, Esquire, presents the application. Accu-Fire Protection has been at its current location for the last 17 years. This petition deals with the expansion of that facility.

Louis Zugner, P.E., states the existing building is where they fabricate and cut pipes for fire suppression systems which are distributed up and down the east coast. The expansion is to help this process by storing more material. The plan was to connect the two yards. Because we want to build an office on site sometime in the future, we staged the parking – 9 spaces immediately, 10 spaces in the future. When the future parking is constructed, it will encroach into the 30 ft. setback. The loading zones would straddle the boundary line and be located in the front yard.

Atty. Murphy states that land development for the addition has been submitted to the Township.

Board Questions

Member Henderson asks if the front will be loading for shipment and sides will be loading for storage from the manufacturing building – correct?

Atty. Murphy states that is correct.

Member D'Oria asks the number of people that will be in the building.

Mr. Zugner states not many, someone in shipping and receiving, one or two working forklifts.

No public comment.

Member Molle makes a motion that the application of Accu-Fire Fabrication for dimensional variances for the following be GRANTED: Sections 209-29.G(1) and 209-42.J(3) to permit construction of a 48,150 sq. ft. freestanding new building specifically to permit future parking to be located 20.1 ft. from the street line in lieu of a 30 ft. setback and to permit a loading zone to be located which would straddle the common boundary line between applicant/owners two properties; and Section 209-34.E to permit a loading area to be located in the front yard in lieu of otherwise mandated side and rear yards at the property located at 8 Progress Drive, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Henderson seconds the motion.

All in favor 5-0. Motion carries.

Hearing adjourned 7:30 p.m.