

**FALLS TOWNSHIP  
ZONING HEARING BOARD  
JANUARY 12, 2021**

**Hearing commenced:** 7:00 p.m.

**Hearing adjourned:** 8:40 p.m.

**Members present:** Alfred Brooks, Scott D’Oria, Colin Henderson (alt.), William Kiernan, Daniel Miles

**Members absent:** Doug Molle

**Also present:** Matthew Takita, AIA, MCP, Township Manager/Zoning Officer; Ed Neubauer, Code Enforcement Officer; Keith Bidlingmaier, ZHB Solicitor; Karen Browndorf, Court Stenographer

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*The hearing was conducted remotely through Zoom.*

**REORGANIZATION OF THE BOARD**

Chairman:	Daniel Miles
Vice Chairman:	Al Brooks
Secretary:	Scott D’Oria
Solicitor:	Keith J. Bidlingmaier, Esquire
Court Reporter:	Karen Browndorf
Date / Time of Meetings:	2 <sup>nd</sup> Tuesday of Month at 7:00 p.m.

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**Petition #1: Joseph Breining, 4 North Park Lane, Levittown, PA 19054; TMP #13-027-422; Zoned: NCR. Requesting a dimensional variance for a driveway which exceeds the maximum allowable impervious coverage. Section 209-20.F and Table 1.**

*NOTE: This application was withdrawn prior to the hearing as applicant submitted more complete information and the variance was not needed. The Board did not hear nor mention this at the hearing.*

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**Petition #2: Gable Signs, 471 S. Oxford Valley Road, Fairless Hills, PA 19030; TMP #13-014-004; Zoned: SC. Requesting dimensional variances for two façade signs which exceed the allowable 32 sq. ft. area. Section 209-45.Q(5)(b).**

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

Elizabeth Delozier (Gable Signs) gets sworn in and presents the application. Giant has gone through a branding and has changed their logo. Currently, they have 332.89 sq. ft. of signage, which includes their primary Giant sign as well as secondary service signs which show the different services they allow within the store, including pharmacy, seafood, bank, bakery, and deli. Their new layout does not have as many signs; it focuses more on the primary secondary services – which is their pharmacy as well as their beer and wine services and the bank. Under the new zoning code, this location is only allowed to have 32 sq. ft. We are proposing 262.69 sq. ft., which is 80 sq. ft. less than currently exists.

No Board comments.

No public comments.

Member D’Oria makes a motion the application of Gable Signs requesting dimensional variances from Section 209-45.Q(5)(b) of the Falls Township Zoning Ordinances be GRANTED to allow two façade signs which exceed the allowable 32 sq. ft. area at the property located at 471 S. Oxford Valley Road, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Brooks seconds the motion.

**All in favor 5-0. Motion carries.**

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**Petition #3: Grand Affair Party Rentals, W. Trenton Avenue, Morrisville, PA 19067; TMP #13-028-026; Zoned: HR. Requesting the following dimensional variances: Section 209-16.F and Table 1A -- to permit a front yard setback of 11.69 ft. where 14.89 ft. is existing and 25 ft. is required; to allow for increased impervious surface of 73.67% where 45% is required; to allow for building coverage ratio of 33.15% where 30% is allowed; Section 209-38.1 -- to not require buffer yards abutting the neighboring HC district or apartment complex to the rear of the property; and Section 209-42.H(22)(b)[1] -- to permit 5 parking spaces where 9 spaces would otherwise be required.**

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6 and Applicant Exhibits A-1 (proof of neighbor notification)

Bryce McGuigan, Esquire, presents the application. The property has a single brick building approximately 1,000 sq. ft. The building is presently used for storage of items specifically related to the party rental business (tables, chairs, tents, etc.). Storage is generally not permitted in the HR district. For this parcel, however, there was Zoning Hearing Board decision in 1985 which granted zoning approval for the use of “storage of building supplies and other general supplies”. The issue is that my client cannot reasonably use the property for storage when he is limited to such a small building. We are proposing to build an addition onto the structure which would be approximately 3,910 sq. ft. To do that we are seeking the above variances (impervious surface coverage, front yard setback, building coverage, not require buffer yards, and 5 parking spaces instead of 9).

The property is surrounded the apartment complex parking lot. There is no need for the additional parking spaces as there will be no permanent employees on site and it will not be open to the public.

Kevin Metz (Grand Affair Party Rentals) gets sworn in and testifies about ownership of the property, nature of his business, goes through the reasons for the different variances, and understands land development is next step if variances are granted.

Board questions center on stormwater management (taken care of through land development) and parking (2 box trucks and 2 vehicles).

No public comment.

Member D’Oria makes a motion that the application of Grand Affair Party Rentals requesting dimensional variances from Section 209-16.F and Table 1A to permit a front yard setback of 11.69 ft. where 14.89 ft. is existing and 25 ft. is required; to allow for increased impervious surface of 73.67% where 45% is required; to allow for building coverage ratio of 33.15% where 30% is allowed assuming that they do work with the Township for proper water retention and mitigation for impervious surface; Section 209-38.1 to not require buffer yards abutting the neighboring HC district or apartment complex to the rear of the property; and Section 209-42.H(22)(b)[1] to permit 5 parking spaces where 9 spaces would otherwise be required of the Falls Township Zoning Ordinance be GRANTED at the property located at W. Trenton Avenue, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Brooks seconds the motion.

**All in favor 5-0. Motion carries.**

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**Petition #4: Pet Meadow LLC, 6 Steel Road East, Morrisville, PA 19067; TMP #13-047-147; Zoned: HI. Requesting a use variance for a pet cremation business. Section 209-29.B.**

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6 and Applicant Exhibit A-1 (proof of neighbor notification)

Witnesses sworn in: Debra Bjorling and John Bjorling

Robert Avolio, Esquire, presents the application and states this is an application for a use variance. It is a pet cremation business which is a family-owned business. This location will be the fourth location (two locations in New Jersey, one location in Texas). The purpose is to service the pet hospitals that are in and surround Bucks County, including Philadelphia County, and the neighboring counties. The functions which will occur inside the buildings are large crematories that are brought in. Two styles of crematories – one is communal crematories where people anonymously drop off their pets or leave their pets with a pet hospital and they are aggregated, cremated, and then buried in the pet cemetery. The other style is private submissions where the individual owners are looking for the pet back and their pet is re-delivered, usually in either an urn or some sort of a box. At this facility, not only will the cremation take place, but also the re-delivery and/or re-shipping of pet remains to their owners. The crematories themselves are regulated and approved by the Penna. DEP and the discharge is regulated by DEP. These are smart machines—they self-regulate their discharge. In the event there is any particulate that starts coming up a stack, the machine is de-commissioned. Visually, when you look at the outside of the building, you would not see any discharge. All you would see would be heat trails like you would see on a very hot day over a roadway. All operations take place inside as designed. The delivery of the pets will occur with delivery trucks and will be delivered and unpacked inside the building, so no operations are performed outside the building in the public's view.

Debra Bjorling, in response to questioning by Atty. Avolio, states that John Bjorling is her son and manages the Texas facility; she manages the New Jersey facilities and will manage this facility. She explains they have agreements with veterinarian hospitals to pick up pets, bring pets to our facility, cremate, and return the pets back to the veterinarian hospital or back to the owner. She provides details on the types of crematories (single chamber and multi-chambers). Video cameras are used to track the pets. Her other businesses operate the same way. She provides details on the other operations.

John Bjorling, in response to questioning by Atty. Avolio, provides specific details of operations -- refrigerated storage of pets awaiting cremation inside the facility, pet owners come to the property to pick up remains (4-8 people a day).

Mrs. Bjorling continues with the more information on crematories – they are regulated by Pa. DEP (provides specific details), the discharge of gases emitted and specific requirements for stacks, self-regulating machines, types of delivery trucks used (cargo vans), and process of returning remains to pet owners.

Member Kiernan questions from their letter of intent “we will be storing the medical waste in locked vans until delivery to the destination facility”. Are those locked vans within the building or out in the parking lot?

Mrs. Bjorling answers the state looks at these remains as solid waste. For us to transport pets between the hospital and store medical waste in a locked facility (like a van), we need a solid waste transporter license.

Discussion occurs on this point.

Member D’Oria expresses concern about the pets remaining outside in a van for 14 days and odors.

Mrs. Bjorling states that no – the pets are immediately placed in freezers when they come to the facility. The storing of medical waste are the Sharps boxes that have the remains in them.

Public Comment

*Kevin Krasne*, represents an owner of the building which is across the street, states his approval after listening to the presentation. One question -- what kind of back-up power do you have in the event of a power outage?

Mrs. Bjorling states in their other facilities they have generators which we will do here as there. However, they also cremate the pets quickly so there is not a backlog of pets in the freezer.

No further public comment.

Atty. Avolio makes his closing statement.

Member Brooks makes the motion that the application of Pet Meadow LLC requesting a use variance from Section 209-29.B of the Falls Township Zoning Ordinances be GRANTED to allow for a pet cremation business at the property located at 6 Steel Road East, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

**All in favor 5-0. Motion carries.**

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**Hearing adjourned 8:20 p.m.**