

**FALLS TOWNSHIP
ZONING HEARING BOARD
SEPTEMBER 10, 2019**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:45 p.m.

Members present: Al Brooks, Scott D’Oria, Bill Kiernan, Dan Miles, Doug Molle

Members absent: None

Also present: Ed Neubauer, Code Enforcement Officer; Peter Gray, Township Manager; Joseph Jones, Township Engineer; Keith Bidlingmaier, ZHB Solicitor; Karen Browndorf, Court Stenographer

Petition #1: Stacy Stewart, 115 Bald Cypress Lane, Levittown, PA 19054; TMP #13-022-257; Zoned: NCR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C(2).

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

Jason Dean presents the application and states they are trying to enclose their side yard with a chain link fence for the safety of their children.

Discussion occurs about the sight triangle (no issue) and where the fence will be placed regarding the right of way from the road (25 ft. from the center of the road).

No public comment.

Member Brooks makes a motion that the application of Stacy Stewart requesting a dimensional variance from Section 209-37.C(2) of the Falls Township Zoning Ordinances be GRANTED to erect a fence in the secondary front yard at the property located at 115 Bald Cypress Lane, Levittown, PA 19054, 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 #2: Pat Frozzitta, 38 Vicar Lane, Levittown, PA 19054; TMP #13-019-462; Zoned: NCR. Requesting a dimensional variance to allow a retaining wall and driveway to encroach into the side yard setback. Section 209-20, Table 1 and 209-43.1(C)(4).

Atty. Bidlingmaier marks ZHB Exhibits 1 – 9.

Pat Frozzitta presents the application. She wanted to get a driveway and was told that she needed a retaining wall because that side of the property starts the decline going down the hill. The contractor put the wall in without a permit because he said one was not necessary because the wall was under 4 ft. A different contractor submitted the permit for the driveway and the concrete walkway and concrete patio and that’s when everything was stopped because of the wall. Two different surveys were done showing the wall is on my property. My adjoining neighbor has no problem with the wall or driveway.

No Board questions.

No public comment.

Member D’Oria makes a motion that the application of Pat Frozzitta requesting a dimensional variance of Section 209-20, 209-43.1(C)(4) and Table 1 of the Falls Township Zoning Ordinances be GRANTED to allow a retaining wall and driveway to encroach into the side yard setback at the property located at 38 Vicar Lane, Levittown, PA 19054, 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 #3: Amrik Singh, 999 W. Trenton Avenue, Morrisville, PA 19067; TMP #13-028-022; Zoned: HC. Requesting a use variance to allow truck leasing at the location. Section 209-23.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7 and Applicant Exhibit A-1 and A-2 (proof of neighbor notification).

A.J. Singh presents the application and states that they have upgraded the property to include a convenience store instead of service bays. Prior to our use, they had a U-Haul business there. We opened two months before the Wawa did on West Trenton; Wawa significantly decreased our gasoline and store sales. Penske would be keeping us in business.

Discussion occurs around the total number of trucks being stored there (no more than 6), ample parking for those trucks (yes), and the maintenance of the trucks (not at this location).

Member D’Oria makes a motion that the application of Amrik Singh requesting a use variance from Section 209-23 of the Falls Township Zoning Ordinance be GRANTED to allow truck leasing at the property located at 999 W. Trenton Avenue, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board, with the stipulation that the applicant will not park or store more than six trucks, vans, or vehicles on the lot at any one time.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Hearing adjourned 7:45 p.m