

**FALLS TOWNSHIP
ZONING HEARING BOARD
NOVEMBER 10, 2020**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:29 p.m.

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

Members absent: Douglas Molle

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

The hearing was conducted remotely through Zoom.

Cellco Partnership d/b/a Verizon Wireless, 400 N. Oxford Valley Road, Langhorne, PA 19047; TMP #13-003-031; Zoned: HC. Requesting an appeal of the determination of zoning officer denying zoning permit application for proposed non-tower based WCF on rooftop. Section 209-50.2.C(18), Section 209-50.2.F.(1)(a) and 209-75.

Chairman Miles states the Board has received a letter to withdraw the application of Cellco Partnership (Verizon) which application was continued from the last hearing.

Atty. Bidlingmaier reads the letter into the record.

Petition #1: Kathleen and Robert Mannon, 46 Main Street, Fallsington, PA 19054; TMP #13-020-282; Zoned: HD. Requesting a dimensional variance to construct an inground pool within the front yard setback of Old Locust Avenue. Section 209-46.A.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 9.

Kathleen Mannon presents the application stating because of the COVID pandemic and the travel restrictions, we decided to invest in an inground pool.

Discussion occurs on the fence. Mr. Takita explains the current fence is not in compliance with the building codes for a fence with a pool. The reason for a variance needed to replace the fence is because the fence will be in the secondary front yard and will be a visual barrier. The applicant will come back before the Board next month for a fence variance, but with no additional cost to them.

No public comment.

Member D’Oria makes a motion the application of Kathleen and Robert Mannon requesting a dimensional variance from Section 209-46.A of the Falls Township Zoning Ordinance be GRANTED to construct an inground pool in the front yard setback of Old Locust Avenue at the property located at 46 Main Street, Fallsington, PA 19054, as depicted in 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.

Petition #2: Robyn and Steve Charniga, 107 Hedgerow Drive, Morrisville, PA 19067; TMP #13-030-096; Zoned: NCR. Requesting dimensional variances for the construction of a one-story garage which encroaches into the side and rear yard setbacks. Section. 209-20.F and Table 1.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Steve Charniga presents the application and states that our house sits at an angle. The proposed attached two car garage impedes into the 25 ft. setback of Hedgerow Drive and the back outside corner of the proposed garage impedes on the rear property line setback of 20 ft. Also, the property line sits back 5 ft. from the street which is the way the development was built in case of a road widening.

Member D’Oria asks about the widening of the apron (they will not be doing so).

No public comment.

Member D’Oria makes a motion that the application of Robyn and Steve Charniga requesting dimensional variances from Section 209-20.F and Table 1 of the Falls Township Zoning Ordinances be GRANTED to construct a one-story garage which encroaches into the side and rear yard setbacks at the property located at 107 Hedgerow 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.

Petition #3: Village of Pennbrook, 9080 Mill Creek Road, Levittown, PA 19054; TMP #13-040-005; Zoned: HR. Requesting a use variance to allow for a hair salon. Section 209-16.B.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6 and Applicant Exhibits A-1 & A-2 (proof of neighbor notification).

Heather Fisher presents the application and states we are requesting a use variance to have a hair salon in 9080 Mill Creek Road. This parcel is zoned High Density Residential but the shopping strip has commercial tenants there now and always has had commercial tenants in that shopping strip.

Member Kiernan asks what use was the previous tenant (dry cleaner).

No public comment.

Member D’Oria makes a motion that the application of Village of Pennbrook requesting a use variance from Section 209-16.B of the Falls Township Zoning Ordinance be GRANTED to allow for a hair salon at the property located at 9080 Mill Creek Road, Levittown, PA 19054, 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.

Hearing adjourned 7:29 p.m.