

**TOWNSHIP OF FALLS  
PLANNING COMMISSION MEETING  
NOVEMBER 22, 2016**

**Meeting commenced:** 7:05 p.m.

**Meeting adjourned:** 7:45 p.m.

**Members present:** Binney, Goulet, Hammer, Haney, Hughes, Leszczuk, Rittler

**Members absent:** None

**Also present:** Nicholas A. Cucé, Jr., Esquire (Riley, Riper, Hollin & Colagreco) and Kenneth Farrall, PLS (CMC Engineering) representing Cellco Partnership d/b/a Verizon Wireless; Carl Dress, AIA (Heritage Design Collaborative) representing Pennsbury Manor; Eric Clase, P.E. (Gilmore & Associates) and Neil Neri (Hiossen) representing Hiossen.

**For the Township:** Thomas A. Bennett, CCEO & Zoning Officer; Joseph G. Jones, P.E. (T&M Associates); Diane Beri, Recording Secretary

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**Item #2: Cellco Partnership d/b/a Verizon Wireless, 149 Fallsington Tullytown Road, Levittown, PA 19054  
TMP #13-013-009; Zoned: LR. Owner: LM Acres, LLC. Preliminary Land Development – New  
telecommunications tower**

Nicholas Cucé, Esquire, presents the application. As you are aware, we were before this Board in September and presented the SALDO portion of this project. Some issues were raised at the meeting regarding zoning. The project was tabled. In the interim, we spoke with the Township solicitor's office (Lauren Gallagher, Esq.), and the Township engineers regarding those zoning issues. Thereafter, we met with Mr. Sullivan and Mr. Jones from T&M at the site to work through any of the outstanding issues. Subsequently, we revised our plan and issued a response letter and a waiver letter. After Ken Farrell addresses the remaining matters in T&M's letter, we will be requesting a recommendation for Preliminary and Final Land Development.

Kenneth Farrell continues and asks for some guidance on how to proceed.

Chairman Binney states that since we have two new Board members, a brief overview of this project would be appreciated and then we can address the engineer's review letter.

Mr. Farrell shows a diagram indicating Fallsington-Tullytown Road, the off ramp of Rte. 13 where there currently is a landscaping business. We are proposing to place a cell tower compound at the rear where the Rte. 13 exit is located. We are coming off the existing driveway, going through the existing property, to our 50' x 50' cellular compound. The compound has landscaping around it, there is a stormwater management trench, the tower is in the middle, and our equipment is going in the back corner. We have a propane tank (which services the emergency generator) in the other corner of the lot. We received zoning relief and are asking for some waivers noted in T&M's letter. This is going to be a tree pole – the pole is 115 ft. where the branches will go and the lightning rod will be at the top of the pole.

Discussion occurs about how far off the road the compound is – Joe Jones clarifies that the 75 ft. dimension is to the right-of-way, so there is actually more distance to the actual cartway.

**T&M Associates' Review Letter dated November 14, 2016**

All items are will comply, with the exception of the following:

Zoning Ordinance

209-38.1(F) Requesting a waiver – buffer area not less than 50 ft. wide along property line. There is a provision in this section of the ordinance that the Board of Supervisors can waive this requirement.

Subdivision and Land Development Ordinance

- 191-38 Requesting a waiver – to provide a lighting plan
- 191-39(G) Requesting a waiver – to provide sidewalk along property’s frontage
- 191-48(A) Requesting a waiver – to provide street trees
- 191-51(H) Requesting a waiver – to provide an area for refuse collection and recycling
- 191-61(A) Requesting a waiver – to provide sidewalk along property’s frontage
- 191-62(B) Requesting a waiver – to provide curbs along property’s frontage
- 191-78(A) Requesting a waiver – Record Plan drawn to scale (1 inch equals 50 feet)
- 191-79(C)(2) Requesting a partial waiver – survey of property within 200 ft. of land to be developed

Chairman Binney says the plans have been revised to reflect the monotree. Is the pole going to be painted brown to reflect a bark-like look?

Mr. Farrell states yes.

Chairman Binney asks if the wires will all be run inside the pole – nothing outside.

Mr. Farrell states yes.

Chairman Binney asks if the antennas will be painted green or brown so that they are not white.

Mr. Farrell states yes.

Chairman Binney states that the Shade Tree Commission’s recommendation should be taken into account.

Mr. Farrell states this plan does incorporate that.

Member Rittler makes a motion to recommend approval for Preliminary and Final Land Development for Cellco Partnership d/b/a Verizon Wireless, 149 Fallsington-Tullytown Road, Levittown, PA 19054, TMP #13-013-009, based on T&M Associates’ letter dated November 14, 2016, with waivers requested for Sections 209-38.1(F), 191-38, 191-39(G), 191-48(A), 191-51(H), 191-61(A), 191-62(B), 191-78(A), a partial waiver for 191-79(C)(2), the Bucks County Planning Commission letter of August 22, 2016 with a waiver requested for Section 191-36(D), and the Shade Tree Commission letter of August 19, 2016. This approval is conditioned on the tower being a monotree tower with the pole painted brown, the antennas painted to blend in with the cables, and the wires will be inside the pole.

Member Haney seconds the motion.

**All in favor 7-0. APPROVED FOR PRELIMINARY AND FINAL LAND DEVELOPMENT.**

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**Item #1: Pennsbury Manor, 400 Pennsbury Memorial Road, Morrisville, PA 19067, TMP #13-050-004; Zoned: HD. Owner: Penna. State Park. Waiver of Land Development to demolish existing river barge house (open air pavilion) and construct new river barge house (in-kind) in new location)**

Carl Dress, presents the application. This project is for the Commonwealth of Pennsylvania for the Department of General Services with the client being Pennsylvania Historic and Museum Commission (PHMC). The project is a

variety of repairs to a number of the wood structures on the campus – stripping and repainting, roofing, re-siding – mostly maintenance. The piece of the project before this Board is the relocation of the existing river barge house. The original barge house was located at the river’s edge. It has washed away numerous times. In the mid-1960’s it was relocated to its current place, adjacent to the existing visitor’s center at the Manor. The decision was made to try and relocate the building closer to the waterfront, but not on the waterfront for two reasons: 1) to provide more of a view of the historic core of the site from the visitor’s center (the current barge house blocks some of that view); and 2) to associate it with the river, which was its original purpose. It contains a three-quarter scale model of William Penn’s barge.

We are proposing that the existing barge house be demolished. We are proposing a nearly in-kind reconstruction in a new location on the site. The new building will be timber frame construction; it will be a replica of the existing structure (clad in wood plank with a wood shake gable roof); it will have partial walls; it is an open air structure. There are no doors or windows. We are raising the wood siding roughly 18 inches above grade for two reasons: 1) to avoid a current problem with splash back and water running off the roof to avoid the rotting of the wood siding; and 2) in case there is any kind of flooding, it will run under the open side of the building. Three quarters of the perimeter of the building are open; only the corners have any kind of siding on them.

The location is just adjacent to the kitchen garden in an open field. There are no trees adjacent aside from the stockade fence for the kitchen garden. There are no other structures.

Member Haney asks if you are going to be reclaiming the wood you demolished from the existing house.

Mr. Dress says no, they are not. Most of the wood shake roof is in moderate to poor condition, the wood siding is in poor condition, and the timbers we are using will be more updated.

**T&M Associates’ Review letter dated October 20, 2016**

Chairman Binney asks if there are any waiver requests or is the whole letter a will comply.

After discussion on three points in T&M Associate’s letter, (191-52.1(B)(2) – identification of floodplains, wetlands, etc.); (191-78(D)(8) – geothermal heat project disturbance showing on plans); and (stormwater management sections – to be worked out with Township engineer), Mr. Dress states that all items in T&M Associate’s review letter are a will comply.

Chairman Binney asks what the timing on this is. The Bureau of Historic Preservation wants you to conduct an archeological survey.

Mr. Dress states that the archeological survey has been conducted and they have no problems. Any artifacts found will be catalogued and turned into PHMC.

Member Goulet makes a motion to recommend approval for the Waiver of Land Development for Pennsbury Manor, 400 Pennsbury Memorial Road, Morrisville, PA 19067, TMP #13-050-004 based on T&M Associates’ letter of October 20, 2016.

Member Hammer seconds the motion.

**All in favor 7-0. APPROVED FOR WAIVER OF LAND DEVELOPMENT**

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**Item #3: Hiossen, 85 Ben Fairless Drive, Fairless Hills, PA 19030; TMP #13-051-001-020; Zoned: MPM. Owner: Nicola Industries. Minor Subdivision / Final Land Development for proposed 2 lot subdivision**

Eric Clase, P.E., presents the application. This site is approximately 28.5 acres; we are subdividing it into 19.5 acres and 9 acres. The site was previously subdivided, then consolidated, and now we are subdividing it because Hiossen has decided to sell off the 19.5 acres to another company.

Chairman Binney requests that Mr. Clase give a little background on this project because there are two new Board members – in particular where Hiossen is located and the type of industry.

Mr. Clase states that Hiossen is within the U.S. Steel development. It is on Ben Fairless Drive, which is now KIPC Drive. It is a manufacturing and processing company. They do not have use for the entire 28.5 acres – it is a smaller building than they anticipated when they first came to this site.

Chairman Binney asks if Lot 1 has a leasehold interest. Is this the same property?

Mr. Jones states yes, that is lease area for Nicola Industries.

Mr. Clase says yes, that is correct. We were before the Planning Commission a few months ago for a two acre lease area for Nicola Industries who will purchase the subdivided lot. They had started bringing materials on site which is why we were before the Planning Commission in May 2016 to gain approval for the 2 acre lease area to store their materials.

Chairman Binney asks if Nicola Industries will ultimately be the equitable owners.

Mr. Clase states that is correct.

Chairman Binney states that they would then move their operation off of the leasehold into the subdivided lot.

Mr. Clase states once they are approved, they will come through with a land development plan in the near future for their entire operation.

**T&M Associates' Review Letter dated November 16, 2016**

All items are a will comply, with the exception of the following:

*Subdivision and Land Development Ordinance*

- 191-51(C) Requesting a waiver – to not show land development at this point
- 191-79(A)(1) Requesting a waiver -- one inch equals 80 feet to fit entire lot on one sheet

Chairman Binney asks how many employees Hiossen has.

Neil Neri (Hiossen) responds approximately 60 employees.

Member Hughes asks what is manufactured at the site?

Mr. Neri states dental implants, fixtures and the abutments.

Chairman Binney states that in the past and especially down at the U.S. Steel property, we have allowed subdivisions without the land development. I'd like to make sure there are sufficient notes on the Record Plan to guarantee that we are not approving any future construction or any land development in either of the lots.

Mr. Jones states that he will insure that the Record Plan will have notes stipulating that concern.

Member Goulet makes a motion to recommend approval of the Minor Subdivision for Hiossen, 85 Ben Fairless Drive, Fairless Hills, PA 19030, TMP #13-051-001-020, based on T&M Associates' letter dated November 16, 2016, with waiver requests for Sections 191-51(C) and 191-79(A)(1).

Member Haney seconds the motion.

**All in favor 7-0. APPROVED FOR MINOR SUBDIVISION**

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**Item #4: Approval of Minutes**

Motion to approve minutes from September 27, 2016.

**All in favor 7-0.**

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#### **ADMINISTRATIVE BUSINESS**

Chairman Binney states that John Haney has volunteered to be the Planning Commission's representative on the Community and Economic Development Committee.

**All in favor 7-0.**

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**Meeting adjourned 7:45 p.m.**