

**FALLS TOWNSHIP  
ZONING HEARING BOARD  
JANUARY 14, 2020**

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

**Hearing adjourned:** 9:15 p.m.

**Members present:** Alfred Brooks, Colin, Henderson (Alt.), William Kiernan, Daniel Miles, Douglas Molle

**Members absent:** Scott D’Oria

**Also present:** Matthew Takita, AIA, MCP, Zoning Officer; Ed Neubauer, Code Enforcement Officer; Aaron Kostyk, Esquire, Rudolph Clarke, Township Solicitor; Keith Bidlingmaier, ZHB Solicitor; Karen Browndorf, Court Stenographer

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**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: Truck Smart, 905 Lincoln Highway, Morrisville, PA 19067; TMP #13-028-022-005; Zoned: HC. Requesting dimensional variances to permit a side yard setback of zero ft. instead of the required 20 ft. (Section. 209-23.G and Table 4); to permit parallel parking within ten ft. of the side yard setback along the property line adjacent to TMP #13-028-022 and #13-028-022-001 (Section 209-23.H(2)); to permit the proposed building addition to exceed the maximum 50% allowable expansion of an existing nonconformity (Section 209-41); and to not require landscaping of dense planting material of not less than 4 ft. in height and 10 ft. in width between all proposed parking areas (Section 209-42.B(1)).**

Atty. Bidlingmaier marks ZHB Exhibits 1 – 4 and Applicant Exhibits A-1 (proof of neighbor notification).

Francis Dillon, Esquire, presents the application, hands out exhibits (Exhibits A-2 and A-3) and states that three of these variances were granted by this Board in 2014. The only variance not granted was the variance dealing with the length of the existing building being over 50% allowable expansion of the existing building.

Rick McLaughlin, owner of Truck Smart Izusu, testifies that they have expanded their business and are upfitting for six different companies as well. We need a building that is taller than we currently have in order to work on cranes, bucket trucks, etc. Because of the additional work we would like to do, we need higher ceilings.

John Richardson, P.E., explains the plan to the Board in relation to the variances that are being requested.

Board questions revolve around where the building will be going (where the containers are showing in the exhibit pictures), the buffering along the residential side and will it be higher than the 6 ft. fence (possibly planting of trees for the residents working with the Township Engineer to determine the proper trees to plant).

Chairman Miles says that as part of your approval for the last round of variances, there was a few conditions: 1) prior to any of the above stated relief that was given before, the applicant shall obtain final, unappealable subdivision approval for the creation of proposed lots 1 and 2 for the Falls Township Board of Supervisors and record the subdivision plan with the Recorder of Deeds (applicants states that was handled) and 2) no outdoor storage of any vehicles or equipment except the maximum of 25 vehicles which shall be limited to RVs, trailers

and associated equipment, each of which shall count as one vehicle, with no outdoor storage in the rear yard or side yard of lot 1 (applicant states this was for Extra Space, but they will comply).

No further Board questions.

No public comment.

Member Brooks makes a motion that the application of Truck Smart requesting a dimensional from Sections 209-23.G and Table 4, 209-23.H(2), 209-41 and 209-42.B(1) of the Falls Township Zoning Ordinance be GRANTED to permit a side yard setback of zero ft. instead of the required 20 ft, to permit parallel parking within ten ft. of the side yard setback along the property line adjacent to TMP #13-028-022 and #13-028-022-001, to permit the proposed building addition to exceed the maximum 50% allowable expansion of an existing nonconformity, and to not require landscaping of dense planting material of not less than 4 ft. in height and 10 ft. in width between all proposed parking areas at the property located at 905 Lincoln Highway, Morrisville, PA, 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board with the following stipulations: (1) Storage containers will be relocated as stated; (2) applicant agrees to plant shrubs, trees and the like to create a visual barrier to the satisfaction of the Township, and (3) there shall be no outdoor storage of any vehicles or equipment, except a maximum of 25 vehicles which shall be limited to RVs, trailers and associated equipment each of which shall count as one vehicle with no outdoor storage whatsoever in the rear or side yards of lot 1.

Member Molle seconds the motion.

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

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**Petition #2: IP4 AF Properties, LLC, 400 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-017-012; Zoned: HC. Requesting a use variance to permit a self storage facility in the HC District, and a dimensional variance to permit front yard setbacks less than 100 feet. Sections 209-23.B and 209-23.G.**

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

Aaron Kostyk, Esquire (Rudolph Clark) requested Party Status on behalf of the Township and was granted it by the Board.

Nathan Fox, Esquire, presents the application and introduces Applicant Exhibits A-2. The applicant is the equitable owner of this 3.7 acre property. The parcel is a grass lot adjacent to an existing office building. It is one of two parcels in the Township recently rezoned to HC (Highway Commercial). We are intending to develop the property for a 30,700 sq. ft. four story storage facility which meets the height requirements for the zoning district. This is the next generation of storage facilities, somewhat different than what you might see now. Everything will be interior, self-contained (similar to an office building) and there is no exterior storage of vehicles. We are requesting a use variance; there are other storage facilities within this zoning district.

TAPE MALFUNCTIONS (the remainder of the 1-1/2 hour meeting cannot be transcribed).

Member Brooks makes a motion that the application of IP4 AF Properties at 400 Lincoln Highway, Fairless Hills, PA for a use variance and a dimensional variance is DENIED.

Member Kiernan seconds the motion.

**All in favor 5-0. Motion carries – application is DENIED.**

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**Hearing adjourned 9:15 p.m.**