

**FALLS TOWNSHIP  
ZONING HEARING BOARD  
APRIL 12, 2022**

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

**Hearing adjourned:** 8:00 p.m.

**Members present:** Alfred Brooks, William Kiernan, Lolain Striluk

**Members absent:** Daniel Miles, Doug Molle

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

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**Extension Request – Chris Balis, 1294 Bristol Pike, Morrisville, PA 19067; TMP #13-047-010**

Acting Chairman Brooks states the Board has received an extension request from the above applicant asking for an extension of his variance request from the July 10, 2007 hearing for another year because of the inability to obtain sewer at the property.

Member Kiernan makes a motion to approve the extension request until July 20, 2023.

Member Striluk seconds the motion.

**All in favor 3-0. Motion carries.**

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**Petition #2: Jason and Nancy Lawson, 517 S. Olds Boulevard, Fairless Hills, PA 19030; TMP #13-015-001-004; Zoned: NCR. Requesting a use variance to allow a second dwelling (Section 209-20.B) and the following dimensional variances: Section 209-20.C(1) -- to permit an accessory structure to be placed on the rear property line, where a minimum distance of 20 ft. from a rear property line is otherwise required; Section 209-20.F – to permit a maximum impervious surface ratio of 45%, where a maximum of 40% is otherwise required; and Section 209-43.1.E – to allow the construction of a second driveway where only one paved driveway with one opening to a public road is otherwise required.**

Acting Chairman Brooks states the Board has received a letter from Michael Meginniss, Esquire, requesting a continuance until the May hearing of the above application due to the revision of the plans and resubmit the plan with additional requested relief.

Atty. Bidlingmaier asks Atty. Meginniss if he could place on the record the applicant is waiving the time requirements per the Municipalities Planning Code.

Atty. Meginniss states that is correct.

Member Striluk makes a motion to grant the continuance request of this application until the May 12, 2022 hearing.

Member Kiernan seconds the motion.

**All in favor 3-0. Motion carries.**

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**Petition #1: Christopher Petrillo, 18 Evergreen Lane, Levittown, PA 19054; TMP #13-026-493; Zoned: NCR. Requesting a dimensional variance to allow a driveway to encroach into the side yard setback. Section 209-43.1(C)(4).**

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Christopher Petrillo states he is trying to extend over the driveway to the property line. My neighbor, Jason Dean who is here tonight, would like to do the same thing thereby combining the driveways. It would allow us to park our vehicles there and not intrude into the sidewalks. I have three vehicles, so I'd be able to park my vehicles off the street as well. The expansion does not exceed the allowable impervious coverage.

No Board questions.

No public comment.

Member Striluk makes a motion the application of Christopher Petrillo requesting a dimensional variance from Section 209-43.1(C)(4) of the Falls Township Zoning Ordinances be GRANTED to allow a driveway to encroach into the side yard setback at the property located at 18 Evergreen Lane, 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 3-0. Motion carries.**

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**Petition #3: JR 915, LLC, 905 Lincoln Highway, Morrisville, PA 19067; TMP #13-028-022-001 and #13-028-022-002; Zoned: HC. Requesting dimensional variances to permit additional parking: Section 209-23, Attachment 6, Table 4: to permit a maximum impervious surface ratio of 91%, where a maximum of 70% is otherwise allowed; and Section 209-23.H(2) to permit parking 2.8 feet from an adjacent street, where 30 ft. is otherwise required.**

Richard McLaughlin and Kristin Holmes, P.E. get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant Exhibit A-1 (proof of neighbor notification).

Michael Meginniss, Esquire, presents the application and states this property is the Truck Smart property owned by Richard McLaughlin. This is an oddly configured lot as there are three different parcels. The improvements will be on Lots 1 and 2. The applicant is seeking relief to add additional parking to the site. Truck Smart has been at this location approximately 6 years. The business continues to grow and sales are strong. In addition, the improvements are necessitated too because of theft in the area. We'd like to pave and stripe the area which will be utilized for existing customer and employee parking. It is not anticipated that any vehicles for sale will be stored in the location. No building improvements and no modifications to ingress or egress.

Richard McLaughlin states we need the additional space. We service most of the major companies in the area; we must enclose their trucks inside a secured area to prevent vandalism. The fenced in area will be for the vehicles for sale and Lot 2 with the striped madacam is for the customer and employee parking. We will also put in lighting and fencing as well as security cameras.

Atty. Meginniss states the applicant, through the engineer Kristin Holmes, will be working with the Township from a stormwater management standpoint to offset any additional runoff as a result of this project.

Board questions concern stormwater management (will be handled) and type of current fencing (black cyclone fence –see through it – no barbed wire).

No public comment.

Member Striluk makes a motion the application of JR 915 LLC requesting dimensional variances from the following sections of the Falls Township Zoning Ordinances be GRANTED -- Section 209-23, Attachment 6, Table 4: to permit a maximum impervious surface ratio of 91%, where a maximum of 70% is otherwise allowed; and Section 209-23.H(2) to permit parking 2.8 feet from an adjacent street, where 30 ft. is otherwise required 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.

Member Kiernan seconds the motion.

**All in favor 3-0. Motion carries.**

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**Petition #4: Auto Lenders Liquidation Center, 218 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-007-006; Zoned: HC. Requesting dimensional variances for the following: Section 209-45.Q(5)(a) -- to permit three walls signs, where only one sign is permitted per tenant per street frontage; Section 209-45.Q(5)(b) -- to permit one wall sign to be 70 sq. ft. where the maximum permitted area of a wall sign face is 32 sq. ft.; and Section 209-45.Q(10)(a) -- to permit two freestanding signs, where only one freestanding sign is permitted per street frontage.**

Terry Combs gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant A-3 (proof of neighbor notification)

Louis Colagreco, Esquire, presents the application and states the original application was seeking relief for three wall signs, but we are now seeking relief for two wall signs. We no longer need the dimensional variances for one of the wall signs because that one wall sign has been reclassified by the Township as a marquee sign. We also no longer need the variance for the size of the signs. We are only looking for two variances: to permit two walls signs and to allow a freestanding sign at the entrance of the development.

Terry Combs and testifies as the preparer of the sign plans and provides details on the two wall signs, the need for the two wall signs and where the pylon sign will be placed.

Acting Chairman Brooks asks for clarification on where the pylon sign will be placed (going on the eastern entrance by the service area). He wanted to make sure there were no sight triangle issues.

No further Board comment.

No public comment.

Member Striluk makes a motion the application of Auto Lenders Liquidation Center requesting dimensional variances from the following sections of the Falls Township Zoning Ordinances be GRANTED to permit two walls signs where only one wall sign is permitted per tenant per street frontage pursuant to Section 209-45.Q(5)(a) and two freestanding signs where only one freestanding sign is permitted per street frontage pursuant to Section 209-45.Q(10)(a) at the property located at 218 Lincoln Highway, Fairless Hills, PA 19030, 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 3-0. Motion carries.**

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**Petition #5: Mission BBQ, 630-636 Commerce Boulevard, Fairless Hills, PA 19030; TMP #13-003-036-007; Zoned: SC. Requesting dimensional variances for the following: Section 209-45.Q(5)(a) -- to permit the installation of three wall signs for the front, side and rear facades; and Section 209-45.Q(5)(b) -- to permit the increased size of each sign to be 100 sq. ft. each where a maximum area of 32 sq. ft. is permitted.**

Adam Knubel gets sworn in.

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

Adam Knubel states Mission BBQ will be opening a new establishment at this location. One of their area of concern is the sight visibility of their signs. The request is to increase visibility of their signs along Oxford Valley Road, Commerce Boulevard and from within the overall Court at Oxford Valley development. Also, other signs on existing businesses within this shopping center already exceed the permitted limit. Several establishments have multiple signs as well.

No Board questions.

No public comment.

Member Striluk makes a motion the application of Mission BBQ requesting dimensional variances from Section 209-45.Q(5)(a) and Section 209-45.Q(5)(b) of the Falls Township Zoning Ordinances be GRANTED to permit the installation of three wall signs for the front, side and rear facades and to permit the increase size of each sign to be 100 sq. ft. each where a maximum areas of 32 sq. ft. is otherwise permitted at the property located at 630-636 Commerce Blvd, Fairless Hills, PA 19030, 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 3-0. Motion carries.**

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**Petition 6: Empire Motor Auto Sales, 78 E. Cabot Boulevard, Ste. 300, Langhorne, PA 19047; TMP #13-003-008-008; Zoned: PIP. Requesting a use variance to permit the operation of a used vehicle dealership at the property. Section 209-28.B.**

Alex Pivenshepyn gets sworn in.

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

Dean Bogin, Esquire, presents the application and states the applicant is seeking a use variance to allow a used vehicle dealership. The section states that any uses of the same general character are permitted. Some of the uses listed under Section 209-28 is distribution and warehousing, business or professional or government offices, motor vehicle repair garage, outside storage or display. We contend this is a similar use. All surrounding properties are industrial in nature so this type of use would not be detrimental to the neighborhood.

Member Striluk asks how anyone will know they are operating there?

Atty. Bogin states it is mostly online. They can come and see it in person.

Member Kiernan asks what the hardship is.

Atty. Bogin states the hardship is the code does not specifically delineate auto dealership at the property. This property previously had Enterprise on the property.

Alex Pivensyepyn gives a brief overview of the business (internet sales mostly) and states they have been approved by the State.

No public comment.

Member Striluk makes a motion the application of Empire Motor Auto Sales requesting a use variance from Section 209-28.B of the Falls Township Zoning Ordinances be GRANTED to permit the operation of a used vehicle dealership at the property located at 78 E. Cabot Blvd., Ste. 300, Langhorne, PA 19047, 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 3-0. Motion carries.**

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**Hearing adjourned 8:00 p.m**