

**FALLS TOWNSHIP  
ZONING HEARING BOARD  
APRIL 11, 2023**

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

**Hearing adjourned:** 7:50 p.m.

**Members present:** Aaron Mackey, Nastasha Raisley (alternate), Lolain Striluk

**Members absent:** Doug Molle, William Kiernan, Robert McTague

**Also present:** Keith Bidlingmaier, ZHB Solicitor; Matt Takita, Zoning Officer; Ed Neubauer, Code Enforcement; Karen Browndorf, Court Reporter

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Atty. Bidlingmaier states prior to the hearing, the Board took an Executive Session to discuss the agenda items.

Member Striluk states the Chairperson and Vice Chairperson are not in attendance tonight. She asks if a member of the Board would like to make a motion to appoint a Temporary Chairperson for tonight's hearing.

Member Mackey makes a motion that Member Striluk acts as Temporary Chairperson of the hearing.

Member Raisley seconds the motion.

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

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**Petition #1: NP Falls Township Industrial, LLC, 150 Solar Drive, Fairless Hills, PA 19030; TMP #13-051-001-024; Zoned: MPM. Requesting dimensional variances relating to a minor subdivision to permit a lot area of 3.05 acres where a minimum of 5 acres is required; to permit less than the required minimum tract area of 50 acres; and to permit a lot depth of 144.9 feet where a minimum of 200 ft. is otherwise required. Section 209-30.D.**

Gregory Glitzer, P.E. gets sworn in.

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

Bryce McGuigan, Esquire, presents the application and states the overall parcel itself is 18.05 acres and is presently improved with numerous buildings and uses. The portion of this application is a 3.6 acre portion of the overall parcel. That particular portion is improved only by a small office building. The applicant wishes to use the building for office space. NorthPoint intends to purchase the parcel if approved for a subdivision. Unfortunately, due to the layout of existing roadways and other improvements on site, you cannot make a 5 acre parcel.

Gregory Glitzer provides a summary of the subdivision of the parcel so that it can be sold. If we receive a variance, we will go before the Planning Commission and Board of Supervisors with a subdivision plan.

No Board comments.

No public comment.

Member Mackey makes a motion the application of NP Falls Township Industrial LLC requesting dimensional variances from Section 209-30.D of the Falls Township Zoning Ordinances relating to a minor subdivision be

GRANTED to permit a lot area of 3.05 acres where a minimum of 5 acres is required; to permit less than the required minimum tract area of 50 acres; and to permit a lot depth of 144.9 feet where a minimum of 200 ft. is otherwise required at the property located at 150 Solar Drive, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony to the Zoning Hearing Board.

Member Raisley seconds the motion.

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

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**Petition #2: Bucks County Industrial Dev. Corp c/o Corco Chemical, 299 Cedar Lane, Fairless Hills, PA 19030; TMP #13-013-013-001; Zoned: HI-A. Requesting a dimensional variance relating to a minor subdivision to permit an impervious surface of 62.75% instead of the maximum allowed of 50%. Section 209 (Table 5)**

Heath Dumack, P.E., and James Sheppard (owner of Corco) get sworn in.

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

Bryce McGuigan, Esquire, presents the application and states its oddly configured (it forms a sideways U when looking at the property from Cedar Lane). The right side of the property is developed with a number of buildings for Corco Chemical; the left side of the property is unimproved, vacant property. The plan is for a minor subdivision to divide the parcel in half – one side developed -- the other side undeveloped. The owner of the property, Jim Sheppard, is in the process of selling Corco Chemical. He would like to maintain the undeveloped property to develop somewhere in the future. The new lot would be dimensionally compliant, it would be a buildable lot with no setback issues. The developed lot is also compliant with all ordinances except the one before the Board tonight – impervious surface.

Heath Dumack provides a summary of the minor subdivision.

Member Mackey asks about stormwater protection on the developed lot.

Mr. Dumack says the original Corco site's impervious will remain. Any impervious on the undeveloped site would have to address stormwater requirements of the Township.

Jim Sheppard also comments relating to the stormwater and the lakes which surround the property.

No further Board comments.

No public comment.

Member Mackey makes a motion the application of Bucks County Industrial Development Corp. c/o Corco Chemical requesting a dimensional variance from Section 209 and Table 5 of the Falls Township Zoning Ordinance relating to a minor subdivision be GRANTED to permit an impervious surface of 62.75% instead of the maximum allowed of 50% at the property located at 299 Cedar Lane, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Raisley seconds the motion.

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

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**Petition #3: MY Lane 1, LLC, M-Y Lane, Morrisville, PA 19067; TMP #13-028-075-003; Zoned: LI. Requesting a dimensional variance for a proposed building to permit an impervious surface ratio of 64.08% instead of the maximum allowed of 50%. Section 209-27.F and Table 5.**

Heath Dumack, P.E., and Michael DiNardo (owner) get sworn in.

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

Bryce McGuigan, Esquire, presents the application and states the property is approximately 4.36 acres and is vacant, unimproved with the exception of an existing paved patch which takes up about 40 percent of the property. The applicant wants to develop the lot with a 20,000 sq. ft. warehouse along with some related exterior storage areas which will be home to the owner's new business which centers around the reduction and processing of yard waste and wood waste. Mike DiNardo currently operates a landscaping and yard related company in Falls Township. This property will be used in conjunction with his existing business.

The property would be used to treat yard waste in an environmentally sensitive way by using an EPA-approved system that is known as an air burner firebox system. Mr. DiNardo will explain shortly. This will reduce and reuse wood waste up to 90 percent with the resulting materials used in a way which is beneficial to place in soils and treatment of lawns. The use is allowed by right in the Light Industrial district. It won't be detrimental to the neighbor which is the Falls Banquet which parcel Mr. DiNardo owns as well.

In order to build the warehouse, we need one variance which is for impervious coverage. Stormwater management will be necessary on this site where currently there are no stormwater management procedures in place with 40% coverage of the lot.

Michael DiNardo explains green waste, specifically wood waste, is a growing problem. I'd like to start a business where I could process that material into a usable product in a cleaner and greener way. Traditionally this type of waste is taken to landfills or to mulch processing facilities where there is a lot of equipment in the processing in order to turn that waste into a useable product. A lot of equipment, a lot of diesel fuel, a lot of emissions. There is a piece of equipment called a firebox, made by Air Burner. It is a large, dumpster-like, enclosed wood burning firebox with a small engine on the end of it. You start a fire in there, once the fire grows, you start the engine. The engine will blow air down on the firebox keeping flames and small smoke particles inside allowing them to burn slowly and for a longer time. It does produce heat waves, but no smoke. It will reduce the waste you put into the firebox by 95 percent. The useable product at the end is called biochar and wood ash, which is then mixed with soils. The benefit to the soil is it helps with water retention, Ph situations which encourage microbial activity, and create healthier soil. It will be made available for both commercial use (like landscapers) and residents who want to cut down a tree and get rid of the yard waste. There is no business like this in Falls Township, but there are businesses like this all over the country. We plan on having 5 full time employees, Monday-Friday. It will not produce any noise or smoke.

Member Mackey asks if the heat coming off the firebox can be captured and reused.

Mr. DiNardo says there is equipment for that, but this process basically takes the carbon out of the waste and puts it back into the soil so there is no carbon footprint.

Acting Chairperson Striluk asks about the current impervious, stoning of the lot, if the firebox will be on stone (no it will sit on dirt), and other questions relating to land development, how the business will be run, stockpiling of materials.

Heath Dumack provides a summary of the site.

No further Board comments.

No public comment.

Member Mackey makes a motion the application of MY Lane LLC requesting a dimensional variance for a proposed building from Section 209-27.F and Table 5 of the Falls Township Zoning Ordinances be GRANTED

to permit an impervious surface ratio of 64.08% instead of the maximum allowed of 50% at the property located at M-Y Lane, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Raisley seconds the motion.

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

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**Hearing adjourned 7:50 p.m.**