

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
NOVEMBER 28, 2023**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:45 p.m.

Members present: Brian Binney, Mary Leszczuk, Daniel Everett, David Coyne (alt), Jesse O'Brien (alt)

Members absent: John Haney, Colin Henderson

Also Present Representing:

9169 Mill Creek Road – Michael Meginniss, Esq (Beglin, Carlin & Mandio); Heath Dumack, P.E. (Dumack Engineering)

Cosmos, 980 Trenton Road -- Michael Meginniss, Esq (Beglin, Carlin & Mandio); Heath Dumack, P.E. (Dumack Engineering); Nicole Fkiaras (owner)

For the Township: Douglas Waite, P.E. (Jones Engineering), Diane Beri (Recording Secretary)

Acting Chairman Binney begins by stating the first two applicants on the Agenda (DANJA Tract and Corco Chemical) have requested to be tabled for this meeting and asks for a motion.

Member Leszczuk makes a motion to table the DANJA Tract and Corco Chemical applications.

Member Everett seconds the motion.

All in favor 5-0.

Item #3: 9169 Mill Creek Road, 9169 Mill Creek Road, Morrisville, PA 19067; TMP #13-040-023; 13-040-022; Zoned: LI; Owner: Joseph Bissol and Rosetta Marie Busselli. Preliminary / Final Land Development – 2,173 sq. ft. repair shop / storage yard and proposed 1,052 sq. ft. restaurant / building addition

Attorney Michael Meginniss presents the application and states the property is the home to the Mill Creek Inn along with a few other uses, particularly an automotive repair shop (Hackett's Towing). In 2009, certain improvements were proposed which were never constructed. There will be other improvements made such as parking, paving and septic improvements to help improve the functionality of the site. With respect to the restaurant, the 1,052 sq. ft. addition along the frontage of the property is very similar to what was proposed almost 13 years ago. We want to move forward with the construction of the restaurant addition in conjunction with the construction of the automotive repair shop (2,173 sq. ft). No zoning variances were necessary for the restaurant (not impacting the non-conforming setback). The majority of the waivers are straightforward and common for uses like this throughout the Township.

Heath Dumack continues and shows the site plan and indicates where the additions will be located. The restaurant addition is slightly less than what was previously improved in 2009. He shows on the plan where the new septic system is located; the plan was designed by DelVal Soil and Construction. We are here for the two building additions as well as the expansion of the automotive repair use.

Richard Hackett continues and states the automotive repair shop is to expand to get some of these containers in the rear of the lot out of there. They have tools and supplies in them so with the addition, we will be able to put them inside so we can clean up the property.

Acting Chairman Binney asks if the containers are on the septic system currently.

Mr. Dumack says he would have to take a look, but quite possibly, yes.

Member O'Brien asks if the upgrades to the septic system are adequate to serve the proposed building additions.

Atty. Meginniss states Mr. Dumack is in correspondence and communication with the Board of Health as part of this application.

Mr. Dumack states that is a will comply. The septic system which was designed and installed back in 2009, was sized for these two additions. However, we will have to take a look and see what the proposed consumption would be for automotive repair use. We will make sure we have the answer on adequacy of the septic system before we get to the Board of Supervisors.

Jones Engineering Associates' Review letter dated November 21, 2023

All items are a will comply, except for:

- 191-31(A) Requesting a waiver to not widen the cartway width
- & 191-62 Requesting a waiver to not requirement curbing along all frontages
- 191-36(D) Requesting a waiver regarding curbing along the driveway
- 191-37(B) Requesting a waiver regarding 15 ft of parking open space
- 191-39/ 191-61 Requesting a waiver relating to sidewalks
- 191-48 Requesting a waiver to provide street trees
- 191-80(C)(1) Requesting a waiver relating to the plan scale

Member Leszczuk states the Google Earth shot shows trailers are parked in the same area the land development plans showing parking and asks for a clarification.

Atty. Meginniss states if Ms. Leszczuk's question is that Mr. Dumack' plan depicts striped parking and if you look at the aerial it shows trailers.

Member Leszczuk asks if there is enough parking to accommodate the new amount of people will have access to the restaurant at one time.

Mr. Dumack says the parking layout we presented as part of the land development was part of the original land development back in 2009 which expansion never occurred. If this is approved, the secondary parking area would have to be cleared as part of the land development and the construction. At that point, the other uses would have to be relocated accordingly.

Atty. Meginniss states they are not aware of a shortfall in parking.

No further Board questions.

No public comment.

Member Leszczuk makes a recommendation for approval for Preliminary and Final Land Development for 9169 Mill Creek Road, Morrisville, PA 19067, TMP #13-040-023, #13-040-022 based on Remington Vernick's review letter dated October 17, 2023, and Jones Engineering Associates' review letter dated November 21, 2023, with waivers for Section 191-31(A), 191-62, 191-36(D), 191-37(B), 191-39, 191-61, 191-48 and 191-80(C)(1), conditioned on accommodations for handicap and removal of trailers over the septic tank area.

Member Everett seconds the motion.

All in favor 5-0. APPROVED FOR PRELIMINARY AND FINAL LAND DEVELOPMENT

Item #4: Cosmos, 980 Trenton Road, Fairless Hills, PA 19030; TMP #13-017-300 / 13-017-203 / 13-017-303-001; Zoned: NC; Owner: Nickolas, Aletheia, Nicole & John Fkiaras. Sketch Plan – Building addition

Michael Meginniss, Esquire, presents the application and states the project has three different parcels which are bisected by a paper road. The property owner purchased the property many years ago when it was going through a condemnation process. It is best known for Cosmos; however, there are other business operations at the location. This application has nothing to do with the expansion of the restaurant; there are no alterations proposed to the restaurant. We are here to get some feedback from the zoning standpoint and before we submit it for land development take any consideration the Planning Commission might have regarding the paper street, consolidation, any design thoughts.

We are looking to add a 3,000 sq. ft. addition to the site. The primary reason is Action Karate moved an operation into the site and we are looking to relocate Action Karate into the expanded 3,000 sq. ft. that will allow the onsite dance studio to take up and expand their operations in part to the area that is being vacated by Action Karate. The Township engineer suggested in his letter to vacate the paper street as part of the development, and we can do that as the property owner owns all three parcels.

Nicole Fkiaras states when our third tenant space became vacant, Action Karate came to us. The current space is only 1,400 sq. ft., which is nice for a startup but they would ideally like 3,000 sq. ft. The dance studio would also like more space. Our thought is to have Action Karate move into the addition and move the dance studio into Action Karate's space.

Heath Dumack states we are proposing to construct the building addition and as part of stormwater management meeting with the Township engineer, the suggestion was to install a rain garden which we have placed on the plan. There will be buffer plantings along the residential properties. Our impervious surface does go down. The addition will match the existing style so there will be a front covered area.

Acting Chairman Binney says it makes sense to combine all lots and remove the paper street.

Atty. Meginniss agrees having all lots consolidated as one eliminates any confusion at a later date.

Acting Chairman Binney says based on your calculations you are using shopping center per square foot, but in reality a shopping center envisions a store with aisles and product. What is proposed is to add a karate studio which is wide open spaces with a bunch of kids in it and the same thing for the dance studio. I do have some concern about what impact it will have on the neighborhood and people parking their cars in the streets in the neighborhood. That is a busy parking lot.

Mr. Dumack says the uses are complimentary. The restaurant use varies and is different than the dance studio and the karate business. Realistically, you are not going to see 30 or 40 cars all waiting for dance. They tend to do a drop off and leave, similarly with the karate studio.

Member O'Brien says it appears to be a 25 ft. setback from Virga Road. If trees cannot be planted, I would suggest some screening shrubs to separate the street from the retail area.

Mr. Dumack says we can add a little more vegetative buffer.

No further Board comments.

Acting Chairman Binney states this is a Sketch Plan submission and does not require any vote.

Item #5 Approval of minutes

Minutes of September 26, 2023 approved.

All in favor 5-0.

7:45 Meeting adjourned