

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETINGS
FEBRUARY 24, 2015**

Meeting commenced: 7:30 p.m.

Meeting adjourned: 8:40 p.m.

Members present: Binney, Goulet, Miles, Perry, Rittler

Members absent: Shero

Also present: Thomas Hecker, Esquire, Andy Birtok, P.E., (Tri-State Engineering), and Todd Phillippi (Architect) representing W.G. Lincoln Properties, L.P.; Nathan Fox, Esquire and Mark Havers, P.E. (Pickering Corts and Summerson)

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

REORGANIZATION OF THE BOARD

Chairman:	Brian Binney
Vice Chairperson:	Loretta Perry
Secretary:	Andrew Goulet
Date and Time of Meetings:	4th Tuesdays at 7:00 p.m.
Biles Island Liaison:	Andrew Goulet

Item #1: W.G. Lincoln Properties, L.P., 640 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-017-196; Zoned: NCR. Owner: W.G. Lincoln Properties. Preliminary / Final Land Development to demolish existing building; construct new two-story building with parking lots, gravel outdoor storage area and two underground stormwater management facilities

Thomas Hecker, Esquire, presents the application. This is the second appearance before you in connection with the preliminary plan submitted for W.G. Lincoln Properties. Back in December 2014, this Board expressed some concern about the mixed use character of this proposal, especially the large commercial component as it related to parking. The concern expressed was that the current siding business was okay now, but what happens if that changes with future commercial uses, like a doctor's office. With that concern in mind, the plans have been redrawn to what are before you tonight – one commercial use and 7 apartments.

Mr. Phillippi (architect) states that we redesigned the building to eliminate the commercial portion not being used by W.G. Roofing and Siding. Originally, there were three commercial uses on the first floor and three apartments on the second floor. Now, we have the roofing & siding business in the same 450 sq. ft. office (which had been approved by the ZHB), we kept the area in the back for the storage of his materials, and the balance of the building are residential apartments. On the first floor, there are three apartments (two of which would be accessible apartments); the second floor will hold four apartments. The parking for the residential use is less than it is for commercial use, so we've reduced the parking by two spaces. We still are in a surplus of three spaces for guests that may come for either the business or for the apartments. We've reduced the impervious down to 75.5% coverage. We went before the ZHB in January 2015 and received the necessary variances to come back before you this evening.

Mr. Birtok (engineer) states that we've reduced the number of parking spaces proposed (from six off of Oak Lane down to three), and have sixteen parking spaces in the front, which adequately serves the seven apartment units. We've done a re-alignment of our dumpster area, and reduced the impervious coverage. The biggest change from a stormwater management perspective is that we are using a pre-cast concrete chamber system called StormTrep. We

still need to apply to PennDOT for the Highway Occupancy Permits. The Township requires a vehicle setback of 15' from the projected curblinewhereas PennDOT allows for 10', which is what our plan shows. The Township traffic engineer did not express concern about this issue. We will also apply to Bucks County Conservation District.

T&M's Review Letter dated February 18, 2015

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

Zoning

209-42(H)(2) This is just a matter of clarifying the section of the ordinance with ZHB Solicitor, Mr. Sander.

Subdivision & Land Development Ordinance

191-34 (D)

(1)(f) Requesting a waiver – clear sight triangle

191-36 (D) Requesting a waiver – minimum curb radius of 15 ft on Lincoln Highway

191-37(B) Requesting a waiver – 15' open space setback from bldg / 12' setback from property line

191-37(C) Requesting a waiver – parking stall dimensions

Member Binney states that he is opposed to the parking stall dimensions waiver as well as the 3' setback waiver request. The configuration of that parking lot does not allow anyone to drive through to the end of the aisle and turn. You are going to have to maneuver into those parking spaces and given how close the parking lot is, that will be difficult to do, especially if there are pickup trucks or SUVs. I also do not agree with the way you have calculated the required parking spaces. You took an industrial use calculation by using the number of employees. I think that office should be calculated as an office which is 5-1/2 spaces for every 1,000 sq. ft or portion thereof. I still think there is not enough parking here, and I don't think by adding a few apartments, you've fixed the problem we brought up before.

Atty. Hecker states that the one commercial use will have at the most two employees, and a lot of the times will be empty. We thought that by eliminating the other commercial components of it and treating it as residential, we would solve the concern that the Planning Commission had.

Member Binney states his concern is about future potential commercial businesses.

Atty. Hecker responds that the variance that was granted initially would cover it. If the concern is that the apartment areas could become commercial, that shouldn't be a concern. If the concern is that WG Siding's office could at some future point become another business, I don't think that can happen without the ZHB relief being required because of the way the application was submitted.

Mr. Phillippi states that there is only 450 sq. ft. of office space. We have that covered for parking as far as the ordinance requires (5-1/2 spaces per 1,000 sq. ft) so we have 3 parking spaces and still have surplus spaces for any guests or customers.

Mr. Binney states that there is no provision for parking for the 1,000 sq. ft. of storage space. So if the storage area was converted into additional office space, if your client moved and another business 1450 sq. ft. of office, there would not be enough parking.

Mr. Phillippi states that it could only do that by going back before the ZHB. The decision clearly states 450 sq. ft. of office space.

Mr. Bennett states that if somebody else went in, they would have to meet the parking calculations. They would have to file a letter of intent in which that would be addressed.

Mr. Binney says that realistically at that point they have an existing building. The new business will go back before the ZHB, and they will get the relief that's required. If we can prevent that from happening by not allowing this to happen in this magnitude, then we've resolved that issue.

Atty. Hecker states that if WG Siding vacates the property, the storage area in the back could be used for parking spaces, if a new commercial use came in and was approved by the ZHB. The Township still has control over the property.

191-44(D) Requesting a waiver – grading of slopes

Member Binney asks based on the Shade Tree Commission's letter, if the applicant would find a suitable replacement for the trees.

Atty. Hecker agrees.

Atty. Hecker states that this has been submitted as a Preliminary Plan. We still have a PennDOT process to go through as well as the sewer process. We are only requesting approval for the Preliminary Plan tonight.

Mr. Rittler asks Mr. Jones if he has any issues with parking.

Mr. Jones states that it's more of a planning issue. The only concern we had was that the two parking areas are separate from each other and where do you put the handicap parking space. There is connectivity and there is a handicap parking space available to the commercial operation so, therefore, we did not see any issues.

Discussion occurs on the location of the handicap parking spot.

Member Rittler makes a motion to APPROVE the preliminary land development plans for W.G. Lincoln Properties, 640 Lincoln Highway, Fairless Hills, PA, TMP #13-017-196, based on T&M's review letter dated February 18, 2015, with waivers for 191-34(D)(1)(f), 191-36(D), 191-37(B), 191-37(C), and 191-44(D), along with Remington Vernick's review letter dated February 4, 2015, and the Shade Tree Commission review letter dated February 23, 2015.

Member Perry seconds the motion.

All in favor 4-1, Member Binney dissenting. APPROVED FOR PRELIMINARY LAND DEVELOPMENT.

Item #2: 38 Cabot Blvd, LLP, (KVK Tech), 38 Cabot Blvd, Langhorne, PA 19067; TMP #13-003-008-006; Zoned: PIP. Owner: 38 Cabot Blvd, LLP. Final Land Development for 15,200 sq. ft. building addition

Nate Fox, Esquire, presents the application. KVK Tech is proposed a 15,000 sq. ft. addition to a 159,000 sq. ft. existing building on an existing 7.6 acre property. We were granted two variances in July 2014 to allow a 20' front yard setback as well as increasing impervious coverage to 78% over the permitted 70%. This is a two phase project. We are seeking preliminary and final approval on the first phase (15,000 sq. ft. addition) and preliminary approval on the second phase (another building addition). The main reason we are doing that is for NPDES requirements.

Member Binney asks how do we record a subdivision plan with a final approval for one phase and with a preliminary approval for another phase.

Mr. Jones says that we have done it before (Gelest). They can put notes on the plan that when Phase 2 is ready for construction, final land development approval is required.

Atty. Fox states that whatever the Township requires in that regard would be acceptable to the applicant.

T&M's Review Letter dated February 18, 2015

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

- 191-36(D) Requesting a waiver – curbs for driveways
- 191-37(B) Requesting a waiver – 15' of open space between curb and parking
- 191-37(G)(1) Requesting a waiver – curbed raised planting beds
- 191-37(G)(2) Requesting a waiver – one shade tree per planting bed
- 191-37(G)(4) Requesting a waiver – one tree for every six spaces in single rows

Member Binney notes that the Shade Tree Commission recommends that the three above waivers not be granted. However, given that this is a redevelopment project and the parking lot exists, I'm inclined to agree with the waiver. However, it appears that in Phase 1 and Phase 2, nineteen trees will be knocked down. Can some provision be made to replace those 19 trees somewhere else on the lot?

Mr. Havers (engineer) indicates that additional trees can be planted. One thing the Shade Tree Commission indicated is the planting of street trees. There are no street trees, just pine trees in the front of the lot, not your typical street tree. Across the majority of the frontage, there's a network of phone, cable, electric and utility easements so there's no opportunity.

Member Binney states that it appears down by where those pine trees are located, there's an area there where some trees can be planted.

Mr. Havers indicated that in that area, some trees could be planted.

Atty. Fox states that to the extent possible, where room is available on the site, and it does not conflict with an existing utility easement or present some other hazard or safety issue, the applicant will do whatever they can to replace the trees. We'll work with Township personnel on the number of trees.

- 191-45(C) Requesting a waiver – bollards and electrical equipment in 30' wide drainage easement
- 191-48(A) Requesting a waiver – street trees along the side street
- 191-52.1(B)(3)
- (b)(1) Requesting a waiver – steep slopes (40% is needed; 30% is allowed)
- 191-78(C)(2) Requesting a partial waiver, subject to adequate information for Twp. Engineer's review

Atty. Fox explains that KVK Tech is currently under a stop work order. We are asking for preliminary and final approval on Phase 1, and preliminary approval on Phase 2, so we can get things back on track.

Member Rittler makes a motion to APPROVE preliminary and final land development on Phase 1 only and to APPROVE preliminary land development on Phase 2 with regard to 38 Cabot Blvd, LLP, 38 Cabot Blvd, Langhorne, PA, TMP #13-003-008-006, based on T&M's review letter dated February 18, 2015, with waivers for Phase 1 for 191-36(D), 191-37(B), 191-37(G)(1), 191-37(G)(2), 191-37(G)(4) (trees planted where possible), 191-45(C), 191-48(A), 191-52.1(B)(3)(b)(1), and a partial waiver for 191-78(C)(2) and Remington Vernick's letter dated January 29, 2015.

Member Binney seconds the motion.

**All in favor 5-0. APPROVED FOR PRELIMINARY / FINAL LAND DEVELOPMENT FOR PHASE 1
APPROVED FOR PRELIMINARY LAND DEVELOPMENT FOR PHASE 2**

Item #3 Approval of Minutes

Motion to approve December 18, 2014 minutes.

All in favor 5-0.

Other Business

Repeal of Ordinance 209-33 (Flood Hazard Areas)

The Supervisors are proposing to adopt another ordinance to replace this ordinance so this section will no longer be applicable.

All in favor 5-0. APPROVED FOR REPEAL OF ORDINANCE 209-33

Planning Commission 2014 Annual Report to Supervisors

The Chairman is responsible for submitting an annual report to the Supervisors, which is included here. Member Binney states that this report will be submitted to the Supervisors.

Community Economic Development Committee

Member Binney states that he attends when the committee meets and is looking for someone from the Planning Commission to take over attending these meetings.

Board Reorganization

- Chairman – Brian Binney
- Vice Chairperson – Loretta Perry
- Secretary – Andrew Goulet
- Biles Island Liaison – Andrew Goulet will continue in this role

Meeting time and date

4th Tuesday meeting date
7:00 PM meeting time.

Meeting adjourned 8:40 p.m.