

**TOWNSHIP OF FALLS  
PLANNING COMMISSION MEETING  
MAY 25, 2021**

**Meeting commenced:** 7:10 p.m.

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

**Members present:** Brian Binney, Colin Henderson, Ed Crohe, John Haney (in late)

**Members absent:** Mary Leszczuk

**Also Present:**

**Representing Keystone Trade Center (NorthPoint):** Michael McGinniss, Esquire (Begley Carlin), Greg Glitzer, P.E. (Gilmore and Assocs), Jeremy Michael (NorthPoint)

**Representing KA at Fairless:** Julie VonSprecklesen, Esquire (Eastburn and Gray), Justin Geonnotti, P.E. (Dynamic Engineering)

**Representing Tyburn Road Associates:** Daniel Lyons, Esquire (Obermayer, Rebmman, Maxwell and Hippel), Kevin Wolf, P.E. (Anderson Engineering)

**For the Township:** Joseph Jones, Township Engineer, P.E. and Colleen Kane, Associate Engineer (Jones Engineering Associates) and Diane Beri, Recording Secretary

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**Item #1: Keystone Trade Center Bldg 1 (NorthPoint), River Road, Fairless Hills; TMP #13-051-001; Zoned: MPM. Owner: NP Falls Township Industrial LLC. Major Subdivision – Subdivide existing leases into zoning compliant lots (10 lots)**

Michael McGinniss, Esquire, presents the application. We are before the Planning Commission for Lots 3 through 8 of the subdivision. The proposed parcels we are creating are all improved with existing leases and existing businesses operated on the land. The lot lines will mirror the lease lines. We did this with Building 1 which the Planning Commission reviewed. We went to the Zoning Hearing Board earlier in the month to get dimensional variances to be able to facilitate this. We have four waivers previously identified and one from the Township Engineer's letter.

Jones Engineering Associates' Review Letter dated May 21, 2021

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

- 191-52.1.C(2) Requesting a waiver – existing natural resource protection calculations
- 191-60.A(1) Requesting a waiver – monuments (specific to Lot 3)
- 191-79.C(3) Requesting a waiver – natural resource mapping
- 191-43.B Requesting a waiver – conform to requirements of zoning ordinance
- 191-36.B Requesting a waiver – location of driveways

Atty. McGinniss discusses the existing landscaping issues, the installation of sidewalks and street trees (defer until the applicant gets to land development) and the creation of an unbuildable area in Lot 4 (existing electric substation and transmission lines on the lot).

Chairman Binney states this is just to segregate the existing leaseholds. In the Master Plan, it shows buildings on top of some these lease areas. Is it anticipated when these leases expire, these tenants will go away and more development will happen?

Jeremy Michael states yes, that is correct. There are a number of existing lease areas. As their term burns off, we intend to reconfigure the lot for future development.

Chairman Binney asks if at that time, will you look at the circulation patterns in this development and connect some of the roads so they are not dead ends.

Mr. Michael says yes.

Member Crohe mentions sidewalks and gets clarification on a waiver.

No further questions.

No public comment.

Member Crohe makes a motion to recommend approval for Major Subdivision approval of NP Falls Township Industrial, LLC (NorthPoint), 1 Ben Fairless Drive, TMP 13-051-001 and 13-051-001-012, based on Jones Engineering Associates letter dated May 21, 2021, with partial waivers for Section 191-43.B, 191-52.1.C(2), 191-60.A(1), 191.79.C(3) and a waiver of 191-36.D.

Member Henderson seconds the motion.

**All in favor 3-0. APPROVED FOR MAJOR SUBDIVISION**

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**Item #2: KA at Fairless Hills, 500 Lincoln Highway, Fairless Hills, PA. TMP #13-017-109; Zoned: HC. Owner: KA at Fairless Hills, LP. Preliminary / Final Land Development – construction of a 5,585 sq. ft. Wawa food market and fueling station**

Judy Sprecklesen, Esquire, presents the application and states they are seeking Preliminary and Final Land Development plan. The development consists of the construction of a 5,585 sq. ft. Wawa convenience store with eight multi-product fuel dispensers, parking, lighting, landscaping and stormwater management improvements. Since this Board is very familiar with the project through the Conditional Use process for the fueling dispensers as well as the drive-thru feature, we will not go through in detail the changes to the property. However, there has been one change – the withdrawal of the drive-thru use. These plans do not show the accessory drive-thru; we are reverting to our original plan submitted in January 2021. Where the accessory would have been located, there is now some additional parking spaces. We have received review letters from the Township Fire Marshal, the Township Traffic Engineer, and the Township Engineer. The Township Traffic Engineer noted that all their comments have been satisfied. The Fire Marshal’s letter is a will comply as well.

Jones Engineering Associates review letter dated May 14, 2021

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

- 191-36.D      Requesting a waiver – driveways no less than 12 ft. from a property line
- 191-37.B      Requesting a waiver – less than 15 ft. of open space between curb line of any uncovered parking area and outside wall of building
- 191-37.E      Requesting a waiver – no less than a 5 ft. curb radius (in certain areas, but will comply when they can
- 191-39.G & 191-61.A      Requesting a partial waiver – sidewalk not to be installed along the entire Lincoln Hwy frontage. Providing sidewalk along Wawa portion of the site (Lincoln Hwy and Arleans)

Chairman Binney states the sidewalk is not shown on the plans. Discussion occurs on this point; Wawa says they are committed to the sidewalks along Lincoln Highway frontage and Arleas Avenue.

- 191-48.A Requesting a waiver – no street trees along Lincoln Highway
- 191-78.C(2) Requesting a partial waiver – aerial map instead of full survey of parcel
- 191-51.D Requesting a waiver – provide less than 25 ft. wide driveways for 2-way traffic

No Board questions, other than clarification of the grading plan.

No public comment.

Member Crohe makes a motion to recommend approval for Preliminary and Final Land Development for KA at Fairless Hills, 500 Lincoln Highway, Fairless Hills, PA, TMP 13-017-109, based on Jones Engineering Associates review letter dated May 14, 2021, with waivers for Sections 191-36.D, 191-37.B, a partial waiver for 191-37.E, a partial waiver for 191-39.G, a waiver for 191-48.A, a partial waiver for 191-61.A, a partial waiver for 191-78.C(2) and a partial waiver for 191-51.D.

Member Henderson seconds the motion.

#### **All in favor 4-0. APPROVED FOR PRELIMINARY AND FINAL DEVELOPMENT**

**Item #3: Tyburn Road Associates, 418 Tyburn Road, Fairless Hills, PA; TMP #13-028-066 and #13-028-068; Zoned: PIP. Owner: Tyburn Rd. Assocs. Preliminary / Final Land Development – Construction of a 5,000 sq. ft. warehouse and a 10’ x 15’ building connection to an existing building**

Chairman Binney states the plans for this project were prepared by his office, so he will be abstaining from voting.

Daniel Lyons, Esquire, presents the application and states the property currently has a 3,362 sq. ft. warehouse used for an electrical contracting business. The property is comprised of two adjacent parcels, both owned by the applicant. One consists of 1.59 acres and the other consists of 0.18 acres. The applicant proposes to consolidate the two parcels into one 1.78 acre parcel and expand the development of the property with a 5,000 sq. ft. addition. The warehouse addition is proposed to be connected to the existing warehouse with a 10 ft. by 15 ft. building connection. The warehouse addition is proposed to facilitate the existing use and no additional use is proposed. The applicant received dimensional variances from the Zoning Hearing Board on February 9, 2021. We are requesting both Preliminary and Final Land Development.

Jones Engineering Associates review letter dated May 19, 2021

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

- 191-8.D Requesting a waiver (preliminary and final submitted separately)
- 187-12.E Requesting a waiver – less than 10 ft. berm width
- 187-12.I Requesting a waiver – outlet pipes -- ductile iron pipe instead of reinforced concrete pipes with O-ring joints
- 187-12.L Requesting a waiver – minimum height of embankment
- 187-13.B(1) Requesting a waiver – allowable pipe size is 15 inches
- 187-13.B(5) Requesting a waiver – 18 inches of cover over the bell of the pipe
- 191-36.D Requesting a waiver – not to provide curbs – received zoning variance
- 191-37.B Requesting a waiver – not to provide curbs along parking – received zoning variance
- 191-37.E Requesting a waiver – 5 ft. radius of curvature for curblines – received zoning variance
- 191-37.G(1) Requesting a waiver – curbed raised planting beds – received zoning variance

- 191-37.G(2) Requesting a waiver – curbed raised planting beds – received zoning variance
- 191-37.G(4) Requesting a waiver – trees – received zoning variance
- 191-38.A Requesting a waiver – no light improvements within parking areas – received zoning variance
- 191-38.B Requesting a waiver – lighting requirement – received zoning variances

No Board questions.

No public comment.

Joseph Jones asks if the applicant will confirm or affirm they have no objection to the stipulations indicated on their review for the stormwater management waivers.

Atty. Lyons states they have no objection.

Member Crohe makes to motion to recommend approval for Preliminary and Final Land Development of Tyburn Road Associates, 418 Tyburn Rd., TMP #13-028-066 and 13-028-068, based on Jones Engineering Associates review letter dated May 19, 2021 with waivers for 191-36.D, 191-37.B, 191-37.E, 191-37.G(1), 191-37.G(2), 191-37.G(4), 191-38.A, 191-38.B, 187-12.E, 187-12.I, 187-12.L, 187-13.B(1), 187-13.B(5) and a partial waiver 191-78.C(2).

Member Haney seconds the motion.

**All in favor 3-0 (Binney abstains).**

**APPROVED FOR PREIMINARY AND FINAL LAND DEVELOPMENT**

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**Item #4: Approval of Minutes**

Minutes From April 27, 2021.

**All in favor 4-0. Minutes approved.**

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