

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
FEBRUARY 27, 2024**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:40 p.m.

Members present: Brian Binney, Daniel Everett, Paul Hartzell (alt), Jesse O'Brien (alt)

Members absent: John Haney, Colin Henderson

Also Present Representing:

Steven and Floyd Speranza – Heath Dumack, P.E. (Dumack Engineering)

Lykon Invest Co – Albert Lykon (owner), Heath Dumack, P.E. (Dumack Engineering)

McGill Fairless Hills Composting – David Allen, P.E. (EarthRes), Bryce McGuigan, Esq (Begley, Carlin & Mandio), David Allen, P.E. (EarthRes Group), Anthony Tartaglia (Dir. of Facilities Construction for McGill)

Keystone Trade Center – Tim Casey, P.E. (Gilmore & Assoc), Bryce McGuigan, Esq. (Beglin, Carlin & Mandio)

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

Item #1: Steven and Floyd Speranza, 347-355 Austin Drive, Fairless Hills, PA 19030; TMP #13-007-048; #13-007-049; Zoned: NCR. Owners: Steven and Jean Speranza, Floyd and Betty Ann Speranza. Minor Subdivision – Lot Line Change between the two parcels

Heath Dumack, P.E. presents the application and states there are two lots owned by brothers. The one existing lot is small and the other lot is much larger. There is a drainage easement and stream that bisects the property down the middle at a diagonal. The one brother maintains everything on one side of the stream; the other brother maintains the other side of the stream. They would simply like the property line to reflect their understanding in how they have handled the property.

Jones Engineering Associates' Review letter dated January 17, 2024

All items are a will comply, except:

- 191-39.A Requesting a waiver for 3 ft. wide sidewalk and not require a 3 ft. planting strip
- 191-43.D Requesting a waiver to not require side lots lines to be right angle to street
- 191-48.A Requesting a waiver to not require street trees
- 191-52.1 Requesting a waiver to not require natural resources to be shown
- 191-79.C(2)
- & (3) Requesting a partial waiver to not require existing features beyond what is on the plan

No public comment.

Member Everett makes a motion to recommend approval for a Minor Subdivision for Steven and Floyd Speranza, 347-355 Austin Drive, Fairless Hills, PA 19030 based on Jones Engineering Associates' review letter of January 17, 2024 with waiver requests for Sections 191-39.A, 191-43.D, 191-48.A, 191-52.1, and a partial waiver of 191-79.C(2) & (3).

Member O'Brien seconds the motion.

All in favor 4-0. APPROVAL FOR MINOR SUBDIVISION

Item #2: Lykon Invest Co., 201 Dean Sievers Place, Morrisville, PA 19067; TMP #13-051-001-007; Zoned: MPM. Owners: Lykon Invest Co LLC. Preliminary / Final Land Development – Construct a proposed building addition

Albert Lykon, former owner of A&A Machinery Moving and owner of the property. We want to construct a 59,400 sq. ft. addition on the existing building. Before Mr. Dumack presents the plan, there are two things – parking and traffic. Currently we are at 201 Dean Sievers Place and we rent 70,000 sq. ft. at 600 Dean Sievers Place. The purpose of this addition is because we are going to be losing 600 Dean Sievers. Phoenix Metals needs to occupy the spot we currently rent. All of our employees park at our current parking lot. Nobody parks at 600 Dean Sievers but go back and forth during the course of the day. The amount of delivery trucks coming and going will remain the same with this addition. There will actually be less traffic because with this addition, our employees will not need to go back and forth to 600 Dean Sievers as everything will be at 201 Dean Sievers Place.

Heath Dumack, P.E. continues and states we are adding 59,400 sq. ft. to the existing building. We are adding associated stormwater improvements as per the Township Engineer.

Jones Engineering Associates' Review letter dated February 22, 2024

All items are a will comply except:

- 191-61 Requesting a waiver to provide sidewalk along the existing adjacent streets
- 191-78(C)(2) Requesting a partial waiver subject to the Township Engineer's review
- 191-80(C)(1) Requesting a waiver to allow a drawing scale of 1" = 40'

Acting Chairman Binney asks Mr. Lykon to explain his business.

Mr. Lykon says the company is A&A Machinery Moving. We move manufacturing machinery and equipment for pharmaceuticals, machine shops, fabrication, printing, etc. We house our equipment there. We also house a customer's equipment which comes in before they are ready (like they are under construction), they will ship the equipment to us, we'll hold it until they are ready, and then deliver it to their site when they are ready.

Acting Chairman Binney asks if the addition is for storage for equipment that you are holding for other people.

Mr. Lykon says correct. We currently have 70,000 sq. ft. we are holding equipment at 600 Dean Sievers Place and we will be losing that lease in September 2025. We want to move all that equipment from 600 Dean Sievers Place to the addition.

Member Hartzell asks if the stone area on the plan is part of the impervious calculation.

Mr. Dumack says the stone showing on the plan is what is there now. We plan on removing a section of the stone to put the addition in.

Member O'Brien asks if you are combining warehouses and if there is septic.

Mr. Lykon says we don't own the warehouse at 600 Dean Sievers – no one parks over at the other location. We start at 201 Dean Sievers Place. Our employees would drive in our trucks to 600 Dean Sievers to get equipment and or drop equipment off. With the addition, there won't be that traffic any more. We have public water and sewer.

No public comment.

Member O'Brien makes a motion to recommend approval for Preliminary and Final land development for Lykon Invest Co. at 201 Dean Sievers Place, Morrisville, PA 19067, based on Jones Engineering Associates' review letter of February 22, 2024, with waivers requested for Section 191-61, 191-80(C)(1), and a partial waiver for 191-78(C)(2), the Fire Marshal's review letter of February 23, 2024 and Remington Vernick's letter dated February 6, 2024.

Member Everett seconds the motion.

All in favor 4-0. APPROVED FOR PRELIMINARY / FINAL LAND DEVELOPMENT

Item #3: McGill Fairless Hills Composting, 1000 Tyburn Road, Morrisville, PA 19067; TMP #13-047-062; Zoned: FM. Owner: Warner Company c/o GROWS Inc. Amended Final Plan -- Composting facility -- adding maintenance structure, 1,000 gallon above ground diesel tank, service road adjacent to the scale, a dedicated modular building for the composting facility staff, a main gate, and a wider dumpster enclosure.

Bryce McGuigan, Esquire, presents the application and states the original land development plan was approved in 2019. The property is 423 acres the vast majority of which is used as the existing quarry. McGill has leased out a small 15-acre portion to be used for composting. In 2019, we received preliminary and final approval to construct a 125,000 sq. ft. facility for composting indoors with some accessory outdoor use. The construction of the building is almost complete and hope to open fully April 1, 2024. At this stage of the construction, we realized there were a few tweaks we could make to improve operations on the site which is why we filed an Amended Final Plan.

By way of background, the 125,000 sq. ft. facility was to be used for the composting operation. We were initially proposing a modular structure for staff to work in (office space). We also proposed an accessory stormwater management and other related improvements in terms of access. Now we are making a few modifications. First, we are proposing a dedicated maintenance structure where the guys can work on some of the equipment on site and not necessarily have to do it in the designated composting structure or outdoors. Secondly, we are proposing to install 1,000 gallon above ground diesel tank so that way we don't need daily delivery of fuel to the site. Third, we are going to be installing a designated bypass lane so that way if anyone from the public comes into the site, they don't have to drive over the existing scale and weigh station area that we set up. Fourth, we are installing another modular building for employees as opposed to having them all in the same area. Fifth, we want to install a main gate. Lastly, we are trying to widen the dumpster enclosure area as well.

We are not asking for additional waivers, nor changing the ones previously granted.

David Allen, P.E., continues and details on the screen displaying the site plan all the modifications noted above.

Member O'Brien asks about the diesel tank and if there is a containment plan.

Mr. Allen says no there is not – it would just be an above steel tank – no containment because it's below the threshold.

Acting Chairman Binney asks if there will be additional employees.

Mr. Allen says no.

Acting Chairman Binney says so the 4,000 gallon septic tank is sufficient even with adding the additional buildings.

Mr. Allen says yes, that is correct.

No public comment.

Member O'Brien makes a motion to recommend approval for an Amended Final Plan for McGill Fairless Hills Composting, 1000 Tyburn Road, Morrisville, PA 19067, based on Jones Engineering Associates' review letter of February 22, 2024.

Member Hartzell seconds the motion.

All in favor 4-0. APPROVED FOR AMENDED FINAL PLAN

Item #4: Keystone Trade Center – Lot 20 – 801 Dean Sievers Place, Fairless Hills; TMP #13-051-001-005; Zoned: MPM. Owner: NP Falls Township Industrial. Amended Final Plan -- One bulk storage warehouse (126,200 sq. ft), one refinery warehouse building (125,000 sq. ft.) with associated parking and loading facilities, rail service and four stormwater wet ponds/retention basins.

Bryce McGuigan, Esquire, presents the application and states we are asking amended final land development approval related to proposed development of Building 20 of the Keystone Trade Center. We received our final land development approval three months ago in November. After that approval, a unique opportunity arose where we could extend the rail line over our property and connect it to our site. Also, we are in negotiations with a tenant for the facility. In order to accommodate the rail line extension and to adapt the site for a potential tenant, we decided to amend the final plan.

The original plan was for a 267,000 sq. ft. manufacturing facility. We are changing the plan to two twin 125,000 sq. ft. structures – the one structure will be a designated warehouse facility and the other will be a refinery.

Acting Chairman Binney asks Atty. McGuigan to define refinery.

Atty. McGuigan says he is aware this was a potential site for Elcon. We do not have anything set in stone in terms of the tenant for the site; we are still under negotiations. The one building will be for a warehouse and the other will be for manufacturing which will not have any kind of hazardous refinery. We are talking about approved uses, and once we have a tenant fully in place, the Township will be notified, and we will move forward with the occupancy process. I cannot provide any detail on the tenant as yet,

Atty. McGuigan says the rail line will be extended out and connect to the new facility. We do not need any additional waivers. The stormwater management on the amended final plan is different but still is effective.

Timothy Casey, P.E., continues and describes in detail the changes. Phase 1 will be 126,200 sq. ft. structure with drive-thru access to the inside, there are some loading trailer spaces and some employee parking with a small office. Phase 2 would be the refinery with some loading docks and some additional employee parking. We are proposing four wet ponds/retention basins. We are below the disturbance of the wetlands margins and there is no disturbance to the wetlands on this project. Utilities are the same as previously proposed and we are looking at a smaller use with regard to the number of employees accessing the site from the previously approved plan.

Atty. McGuigan says Jones Engineering Associates' review letter is all a will comply as well as any comments from the Fire Marshal.

No public comment.

Member O'Brien makes to motion to recommend approval of the Amended Final Plan for Keystone Trade Center, Building 20, 801 Dean Sievers Place, Fairless Hills, PA 19030, based on Jones Engineering Associates' review letter dated February 22, 2024 and any comments from the Fire Marshal.

Member Everett seconds the motion.

All in favor 4-0. APPROVED FOR AMENDED FINAL PLAN

Item #4: Minutes

Minutes of January 23, 2024 approved.

Meeting adjourned 7:40 p.m.