

**TOWNSHIP OF FALLS  
PLANNING COMMISSION MEETING  
JUNE 25, 2024**

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

**Meeting adjourned:** 7:45 p.m.

**Members present:** Brian Binney, Daniel Everett, John Haney, Colin Henderson, Paul Hartzell (voting member alt), Jesse O'Brien (alt)

**Members absent:** Mary Leszczuk

**Also Present Representing:**

**MY Lane 1 LLC:** Michael Meginniss, Esquire (Begley, Carlin & Mandio), John Richardson, P.E. (Dumack Engineering), Michael DiNardo (MY Lane 1 LLC)

**For the Township:** Joseph Jones, P.E. (Jones Engineering Associates), Diane Beri (Recording Secretary)

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**MY Lane 1 LLC, M-Y Lane, Morrisville, PA 19030; TMP #13-028-075-003; Zoned: LI; Owner: MY Lane 1 LLC. Preliminary / Final Land Development -- Phased bio-char manufacturing site – construction of a 20,000 sq. ft. warehouse.**

Michael Meginniss, Esquire, states the property is at the intersection of Route 1 and Route 13. Mike DiNardo acquired the property in 2022 along with 80 M-Y Lane. 80 M-Y Lane is the home of the catering home. In 2022, at a Board of Supervisors meeting, Mike DiNardo, with an air burner's representative, discussed this use. There was also a presentation at the Zoning Hearing Board in 2023 to obtain variances. The subject property is approximately four and a quarter acres. It is located in the light industrial zoning district. We have proposed a phased development for this bio-char operation. Phase 2 depicts the construction of a 20,000 sq. ft. building. The site will have 5-7 full time employees. This operation has nothing to do with mulch. It is a way to deal with green waste. This is compatible with Mr. DiNardo's existing landscaping business (Shades of Green); he is a certified arborist. What is being proposed is a green energy solution to burn up to approximately 15 tons of wood and landscape material an hour. It is an alternative to taking a lot of product (primarily wood) to a landfill or other landscaping material to a mulching operation. Bio-char is a clean carbon ash which can be used to supplement soils and rain gardens. They utilize air burner equipment. FEMA has designated this type of equipment as good for disaster cleanup; it has been tested by the U.S. EPA, Forest Service, DEP and the U.S. Armed Forces. The septic system has been tested and it meets requirements. There is no noise, no smoke, no nuisance associated with this operation. There is an incentive on Mr. DiNardo's part to ensure this business operates correctly given the fact the adjacent property belongs to him and has a commercial tenant.

John Richardson continues and states the property would be developed in two phases. There is access from the adjoining property (the banquet parking lot) to a parking lot for a proposed warehouse building. The other area would be used for the manufacturing of the bio-char and storage. There is a large drainage feature which enters Rock Run. Stormwater management would be completed in Phase 1. There is a stone dry well which will be located underground which would also include a scale house, two parking spots and the bio-char facility. We would plant evergreens along the property line, and we will be providing parking lot trees around the proposed parking spaces during Phase 2. Stormwater controls would be in place per the ordinances and NPDES. The site is conducive for infiltration. Septic system has been tested by the Bucks County Health Department.

Michael DiNardo continues and states this operation takes wood waste and stumps or pieces which are too big through a mulch grinder, and burns it in a controlled manner in a piece of equipment called an air burner. The air burner has a manifold (an air curtain), so as the fire is burning the air curtain will keep smoke from exiting the top of the unit and will burn that smoke. There is no smoke release at all other than when you load the machine and break the air curtain. It will only be for a few seconds. All you see is some heat waves coming off the top. It is a very quiet operation; it is not a dusty operation. It is very safe because the container is not too

big, the fire is never going to get out of the box and if it is, we will have water to take care of that in addition to piles of dirt/sand to suffocate the fire. The process also reduces the volume of waste by as much as 98%. So, if you process 100 tons of stumps and wood over the course of a few days, you are left with 2 tons of product. It is a very efficient process. The ash and carbon remaining at the bottom of the unit will get cleaned out as needed. We will add that to soil piles and ship it out to people who want to improve their soil using it as a fertilizer. Bio-char builds good soil, retains water, controls leaching and keeps the nutrients where they should be.

Mr. DiNardo describes what the business would look like on a daily basis. He met with the Fire Marshal a few weeks ago – they discussed a well and possibly a large water tank for volume. The materials stored like trees and stumps are flammable but not combustible like mulch.

Chairman Haney asks about access – there is one way in over a small bridge and there is a tunnel. Are you looking to add any more egress for the fire department.

Mr. DiNardo says regarding egress, he does not think there is another way. The Fire Marshal says he can get his vehicles through there. Hydrants and a tank we can install.

Member Binney asks if the burn unit will be burning unattended at any time (no) and how long do they retain the heat.

Mr. DiNardo says it is a learning curve, but we stop adding wood at a certain time so by the time the day is over you have mostly ash left in the bottom of the box.

Member Binney asks if the unit will be impacted by high winds or rain.

Mr. DiNardo says we will not burn if it is raining. If the winds are too high, then we might decide not to burn. We will have to use our common sense.

Member Binney asks if the bio-char will be stored outside (yes). Will it be blowing all over the place?

Mr. DiNardo says no because it will be wood ash and the bio-char, so it's going to be a combination, not just ash.

Member Binney asks for clarification on Phase 1 and Phase 2.

Mr. DiNardo says Phase 1 would do the improvements to the property (stormwater management, fire protection) and then begin operating the air burner. A few years later, Phase 2 would be the construction of the warehouse.

Member Binney says the plans indicate the septic system will be built in Phase 2. What will you do for two years.

Mr. DiNardo says a port-a-potty would be used – it won't have too many employees at the beginning.

Member Everett asks what will be stored in the warehouse.

Mr. DiNardo says some equipment and tools to repair the equipment. There will be an excavator and a wheel loader and some other mechanics' tools. Potentially, if we begin bagging the bio-char in super sacks, it would be stored in the warehouse.

Chairman Haney asks about how product will be removed from the area because he expresses concern it is a choked off area because there is one way in and one way out. Are you bringing 53 ft trucks to take it out?

Mr. DiNardo says they will use mostly dump trucks, the size of UPS trucks, and smaller. We don't want the volume with big tractor trailers coming in and out.

Atty. Meginniss reminds Mr. DiNardo he testified at the ZHB hearing, you had estimated approximately ten trucks a day with those sized trucks – correct?

Mr. DiNardo says that is correct.

Member Henderson asks how the catering hall feels about using the lot to access this lot and the critters who might come as a result of the wood being stored before being burnt.

Mr. DiNardo says the property will be improved by getting rid of the trash and homeless people. There are critters now, but, if necessary, we can get an exterminator if it becomes a problem.

Member Henderson says you want to put an incinerator next to a lot of woods and without a lot of access to the property.

Mr. DiNardo it is not considered an incinerator and is a lot smaller – it is the size of a 30-yard dumpster. With the air curtain, the fire is not going to get out of the box. We are not going to have the box next to raw material that could ignite if the fire should get out of the box.

Member O'Brien says there is the mulch place across M-Y Lane and my concern would be ash floating over there and igniting the mulch piles.

Mr. DiNardo says he doubts the ash would fly across the street because the air curtain within the box blows down to keep ash and keeps smoke from coming out.

Chairman Haney expresses his concern with access for fire trucks getting into the property and suggests this is something that requires further evaluation. He also asks if there is a long-term goal to pre-package this bio-char like Home Depot has and ship it out of there.

Mr. DiNardo says no, but if we pre-package, it would be in those super sacks. We are not doing any retail operation of bio-char. He also states the Fire Marshal didn't seem to have a problem with the egress – he was more concerned with water on site in case of a fire.

Chairman Haney says he would recommend before any development, the applicant talk to the fire chiefs and set up a pre-plan before you decide to build anything on there, where you are going to set up the water plans, fire hydrants, any fire suppression tanks, etc.

Member Everett asks if there will be any type of training for the employees.

Mr. DiNardo says yes.

Chairman Haney says it appears the box is mobile.

Mr. DiNardo says yes, it is mobile.

Atty. Meginniss says the applicant is working on buffering and adding landscaping between this property and the commercial property.

Member Everett asks how many other operations like this do they have.

Mr. DiNardo says in Pennsylvania, there are two, north of here, in more rural areas.

Member O'Brien asks where the material will come from – is it just Pennsylvania.

Mr. DiNardo says just local landscapers. We don't want construction debris or pallets – nothing which would have foreign objects in the product like nails. This is ideal for stumps which cannot go through a grinder.

Member Binney asks if this operation has to be licensed by the Department of Environmental Protection.

Mr. DiNardo says as far as he is aware it does not.

Member Binney asks if there is an agreement with the railroad for the stone driveway on the railroad property.

Atty. Meginniss says that will be changed to have the driveway on the parcel.

Member Binney states he would like to see the paving extended all the way down so there is not a lot of dust kicking up by the catering hall.

Atty. Meginniss says that will be noted.

Jones Engineering Associates' Review Letter dated June 18, 2024

All items are a will comply, except for:

- 191-36.D Requesting a waiver for curbing along the driveway
- 191-37.B Requesting a waiver for curbing along parking facilities
- 191-37.G Requesting a waiver for curbing along raised planting beds
- 191-39.G Requesting a waiver for sidewalks along street frontages
- 191-48 Requesting a waiver for street trees to be installed
- 191-52.1.B
- (4)(b)[2] Requesting a waiver to not require 50% of woodlands be altered
- 191-78.C(2) Requesting a partial waiver for an aerial instead of a full plan

Chairman Haney asks if signage would be added in the area of the tunnel.

Atty. Meginniss states they have not discussed signage yet.

Chairman Haney asks if you are going to operate when the catering hall is operating.

Mr. DiNardo says no.

Member Binney suggests that because you plan on putting an office trailer at the site to run the bio-char, the septic system be put in and connected to the office trailer in the first phase and not the second phase.

Mr. DiNardo agrees that could be done after checking with Mr. Richardson.

Atty. Meginniss says we would agree to modify any motion to move the installation of the septic system to Phase, and we will relocate the access to be within the easement and work to extend the length of the driveway as well.

No public comment.

Member Binney makes a motion to recommend approval for Preliminary and Final land development application of MY Lane 1 LLC, M-Y Lane, Morrisville, PA 19067, TMP #13-028-075-003 based on Jones Engineering Associates' review letter dated June 18, 2024 with waivers requested for Sections 191-36.D, 191-37.B, 191-37.G, 191-39.G, 191-48, 191-52.1.B(4)(b)[2] and a partial waiver for 191-78.C(2), Remington Vernick's review letter of March 20, 2024, and the Fire Marshal's letter of May 21, 2024, with the

recommendation the installation of the septic system will occur in Phase 1 and the driveway in the existing easement will be extended down to the existing entrance.

Member Hartzell seconds the motion.

**All in favor 4-1, Henderson dissenting. APPROVED FOR PRELIMINARY / FINAL LAND DEVELOPMENT.**

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**Item #2: Approval of Minutes**

Minutes for May 28, 2024.

**Approved 5-0.**

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**Meeting adjourned 7:45**