



**FALLS TOWNSHIP
ZONING HEARING BOARD
MAY 12, 2026**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:50 p.m.

Members present: Robert McTague, Aaron Mackey, Nastasha Raisley, William Kiernan, Donald Krier (alt)

Members absent: Chris Kilmer

Also present: Keith Bidlingmaier, ZHB Solicitor; Matthew Takita, Zoning Officer; Ed Neubauer, Code Enforcement; Karen Browndorf, Court Reporter

Petition #4: Lakeview Terrace 2023, LLC, (Cont'd from 4/14/26, 3/10/26) -- 251 S. Olds Boulevard, Fairless Hills, PA 19030; TMP #13-014-006-001 and #13-014-006-002; Zoned: HR. Requesting variances in connection with twenty-eight (28) additional residential dwelling units contained within two newly constructed buildings, along with a 500 sq. ft. leasing center and a 2,500 sq. ft. indoor recreation area

Chairman McTague states we are in receipt of an email from Matthew McHugh, Esquire (representing the applicant) as well as the Township solicitor requesting a continuance of this petition until the June 9, 2026 hearing.

Member Mackey makes a motion to approve the continuance request.

Member Krier seconds the motion.

All in favor 5-0. Motion carries.

Petition #1: Carmen and Tricia Moschitti, 290 N. Olds Boulevard, Fairless Hills, PA 19030; TMP #13-016-174; Zoned: NCR. Requesting the following dimensional variances: 1) Section 209-20 and Table 1 – construct an addition which encroaches into the front yard setback; and 2) Section 209-20.C(1) and Table 1 – construct an accessory garage which is 20 ft. in height, and which encroaches into the rear yard setback.

Carmen and Tricia Moschitti get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

Mr. Moschitti presents the application and states we need variances for the left side front of the addition which will be for additional bedrooms. We also need a height variance for the detached garage.

Member Kiernan asks for clarification on “residential garage” mentioned in the application. Will it be a residence on the second floor?

Mr. Moschitti says no. Mrs. Moschitti says no one will be living in it.

Member Mackey says the rendering looks like the second story of the garage has windows, almost like a bedroom someone could live in.

Mr. Moschitti says yes there are windows, but no bathrooms. It’s a room for storage, activities for kids, extra space.

Chairman McTague asks if the Board were to stipulate there is no occupancy in the upstairs part of the garage, you would agree?

Mr. Moschitti says yes, 100 percent.

No public comment.

Member Mackey makes a motion the application of Carmen and Trisha Moschitti requesting the following dimensional variances from the following sections of the Falls Township Zoning Ordinances be GRANTED to 1) Section 209-20 and Table 1 to construct an addition which encroaches into the front yard setback, and 2) Section 209-20.C.(1) and Table 1 to construct an accessory garage which is 20 ft. in height and which encroaches into the rear yard setback at the property located at 290 N. Olds Boulevard, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board, with the additional stipulation that there is to be no residents living in the garage.

Member Raisley seconds the motion.

All in favor 5-0. Motion carries.

Petition #2: Matthew and Nicole Killeen, 513 Austin Drive, Fairless Hills, PA 19030; TMP #13-007-020; Zoned: NCR. Requesting a dimensional variance to construct an addition which encroaches into the 10 ft. side yard setback. Section 209-20 and Table 1.

Matthew and Nicole Killeen gets sworn in.

Atty. Bidlingmaier states for the record that Nicole Killeen is his cousin. As the Board solicitor, I have no financial interest in this application. He wanted to mention there is a relationship in case any of the Board members feel there is a conflict.

No Board members have a conflict with this.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

Mr. Killeen presents the application and states they are asking for a variance to put in a walk-in closet into our master bedroom. We had redone the house in 2015, but now what to extend our bedroom to install additional closet space.

Member Mackey asks if there is a fence.

Mr. Killeen says yes, they are removing a panel section of the fence to allow for the addition.

No public comment.

Member Mackey makes a motion the application of Matthew and Nicole Killeen requesting a dimensional variance from Section 209-20 and Table 1 of the Falls Township Zoning Ordinances be GRANTED to construct an addition which encroaches into the 10 ft. side yard setback at the property located at 513 Austin Drive, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

All in favor 5-0. Motion carries.

Petition #3: FARNA LLC, 131 Trenton Road, Fairless Hills, PA 19030; TMP #13-001-007; Zoned: NC. Requesting the following variances: 1) Section 209-22.B – to allow wholesale used car sales, with incidental, appointment-only direct to consumer sales in addition to the existing auto repair use; and 2) Section 209-22.F(1) – to allow two uses in the same building where both uses will not maintain a minimum gross floor area of 750 ft.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant Exhibit A-1 (proof of neighbor notification).

Edward Ebrahimi gets sworn in.

Brendan Callahan, Esquire, presents the application and states the property is .58 acres and is part of the NC zoning district. The property is improved by an existing 1,344 sq. ft. structure which was most recently a vehicle repair shop. It previously served as a gas station but has been vacant since my client purchased the property earlier this year. The most recent vehicle repair shop is an existing non-conforming use in the NC district. My client is not in the motor vehicle repair business; rather he wants to operate a service station at this location. He wants to move his wholesale, used car sales business to this site as well. Specifically, my client is in the business of buying vehicles at auction and then selling them to local

dealerships. He does not buy a reconstructed title or anything like that. One of his largest clients is Fred Beans, but he also sells to the other local dealers. If the vehicles need any tuning up or minor repairs prior to resale, he will bring them back to the shop and then send the vehicles on their way to the dealers. The whole point of the operation is a cars in, cars out operation. He does not want any cars to sit on the lot. That is why the vehicle repair use would be limited to a service station. It would cater to quick service customers, and the service needed to go along with that would be oil changes, filter changes, tire alignments, etc. As part of the business, he is asking to have a very limited amount of retail sales at the location which would be specialty vehicles that he would sell on-line. He would not have any vehicles advertised on the site, there would not be cars parked there with for sale signs, and he is not attempting to get business from people passing by the location. He sells hobby vehicles – specialty vehicles with a specific market demand. While the service station is currently an existing non-conformity, the proposed wholesale business with those incidental on-line retail sales will be a new use on that site. As a result, we are requesting the two variances noted above. Adding a secondary use on site will not have any negative impact for the neighborhood; in fact, it will be a better use than the repair business that existed there previously. Unlike that use, we will not have the lot jammed with inoperable vehicles. There will be no junk vehicles on the site at all. The business will be open Monday through Saturday with no nights or Sunday hours. There will be six employees for the service station and three employees for the wholesale business. We anticipate a split between the two business – half for the service station and half for the wholesale business.

In the future, the owner would like to expand the building and repair bays to better service the area and possibly add office space and install some stormwater management to address the flooding issues in the rear of the property. The applicant understands he needs land development to improve the property.

Member Kiernan questions the hardship letter and says he does not see any hardships mentioned in the letter.

Mr. Ebrahimi says when the Township inspections were scheduled, the building failed significantly. He did not think it was going to be so difficult with the inspections and what the property needed. However, he purchased the property so now he is trying to move along in the process. He is trying to get the building up to code. He has a dealer license and would like to use this property with that license.

Member Kiernan states he still does not agree there is a hardship.

Member Mackey asks for clarification on the prior non-conforming use (it was an auto repair shop).

Mr. Ebrahimi says he wants to do light body work where customers can wait and the vehicle is done that same day – he calls it “in and out service”.

Member Mackey says you are also asking for a wholesale used car sales with local dealers and also private appointment only used car sales (yes).

Mr. Ebrahimi says the vehicles for wholesale use is when the vehicle is purchased, he wants to bring it to his own station and fix any issues (he offers 48 hour guarantee) and then sells to the dealers. The other type of vehicle is a niche market – the unique cars where there is not too many out there. They are not easily found, but they are still out there and are sold to individuals, not the dealers.

Member Mackey asks how long the cars are on the lot.

Mr. Ebrahimi says the worst-case scenario would be 30 days, because some vehicles at auction do not have the title attached. They have 30 days to hand us the title. If for some reason none of my wholesalers want a vehicle, it goes back to the auction.

Atty. Callahan clarifies this is not a traditional used car lot with lots of cars in the lot. When bought from auction, frequently the buyers are already known. The cars sit in the lot if they are awaiting tires. There will be a service station for minor things like oil changes for the consumers, and cars being bought at auction for distribution to wholesalers, and a niche market for specialty cars sold to individuals online.

Member Kiernan again states he does not see the hardship.

Board takes an executive session.

Mr. Takita states that if this Board grants the variance, it be stipulated that the second use be applied to the owner only, not a separate user. If it is a separate business, the second use would be an allocation of space. Because it is the same owner, an allocation of space is not necessary here.

No public comment.

Member Raisley makes a motion the application of FARNA LLC, requesting the variances from the following sections of the Falls Township Zoning Ordinances be GRANTED with the condition that the second use stays with the owner and not a separate business: 1) Section 209-22.B – allow wholesale used car sales, with incidental, appointment-only direct to consumer sales in addition to the existing auto repair use; and 2) Section 209-22.F(1) – allow two uses in the same building where both uses will not maintain a minimum gross floor area of 750 ft. at the property located at 131 Trenton Road, Fairless Hills, PA 19030 as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Mackey seconds the motion.

All in favor 4-1 (Kiernan dissenting). Motion carries.

7:50 p.m. Hearing adjourned