

**TOWNSHIP OF FALLS
PLANNING COMMISSION MEETING
JULY 26, 2022**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:08 p.m.

Members present: Brian Binney, John Haney, Colin Henderson, Mary Leszczuk, Robert McTague

Members absent: None

Also Present:

Representing: Danja Tract, Bryce McGuigan, Esquire (Begley, Carlin), Megan Kinley (Gilmore & Associates), Tony DiSandra (owner)

Representing: Conditional Use, 351 W. Philadelphia Ave, Gary Lux

For the Township: Joseph Jones, Township Engineer, P.E., and Diane Beri, Recording Secretary

Item #1: DANJA Tract, 110 Central Avenue, Fairless Hills, PA 19030; TMP #13-005-202 / #13-005-207 / #13-005-208; Zoned: HC. Owner: DANJA, LLC. Amended Final Land Development – 3,800 sq. ft. building with macadam driveway, parking area and stormwater management

Bryce McGuigan, Esquire, presents the application and states the property is three separate parcels. The proposal is to consolidate these three undersized parcels which total about a third of an acre into one parcel and build a 3,800 sq. ft. warehouse on the new consolidated parcel. The new warehouse is going to be used as part of the applicant's business located directly across the street – CVA, Inc., which is a long-standing business here in the Township. They do site work for residential subdivisions and other residential developments. We are here tonight seeking recommended approval for the Amended Final Land Development application for this particular development.

The property itself is zoned Highway Commercial. It is presently vacant woodlands. It fronts a private street that is located right behind Jefferson Hospital. Originally, the prior owner of the property went for variances in 2003 to build this. Those were denied, there was an appeal, and ultimately a settlement in 2008. Following that, the prior owner received all of his final land development approvals, the resolution was passed by the Board of Supervisors in 2011. Since then, nothing happened. Tony DiSandra bought the property and the business from the prior owner in 2015 and has decided to move forward with the project.

Megan Kinley states the current plan wants to consolidate the three parcels into one parcel just short of 14,000 sq. ft. The warehouse building was already approved. The notable difference between this plan and the approval plan is that we are no longer utilizing an underground basin. We want to use a rain garden, which will be located in the northwest corner of the property. We are still using some of the very similar stormwater approaches and the grading scheme has stayed relatively similar.

Atty. McGuigan states we just received the Fire Marshal's review letter and everything in the letter is a will comply. The use of the building will be accessory to the contractor office and warehousing operation that exists across the street. The fire hydrant is located 150 ft. away.

Chairman Haney says he believes the Fire Marshal was attempting to say that the fire hydrant should be on the way to the building, not go passed the building to get to the fire hydrant.

Atty. McGuigan says he understands, and the applicant will comply with the Fire Marshal's request to place the fire hydrant appropriately on the plans before review by the Board of Supervisors.

Atty. McGuigan says there are 11 total waiver requests:

- A. Section 187-13.B(4) – New waiver – minimum pipe slope of 0.5%
- B. Section 187-13.B(5) – 18” of cover over the bell of the pipe
- C. Section 191-34.D(1)(F) – previously approved – site distance
- D. Section 191-36.D & 191-62.B – previously approved – curbing
- E. Section 191-39.G and 191-61.A – new waiver – sidewalks
- F. Section 191-37.B – previously approved – open space between parking & building
- G. Section 191-37.G(1) – curbed and planted island within the parking area
- H. Section 191-44.D -- sloping of the property lines
- I. Section 191-48.A – new waiver – street trees
- J. Section 191-52.1.B(4) – previously approved – alteration of woodlands
- K. Section 191-78.C(2) – showing existing features within 200 ft. of the property

Member Binney asks if the plan will be revised to show all 11 waivers.

Atty. McGuigan says yes.

Joseph Jones states our review letter coincides with their waiver requests.

No public comment.

Member Binney makes a motion to recommend approval of the Amended Final Plan for DANJA Tract, 1101 Central Avenue, tax parcel 13-005-202, 13-005-207 and 13-005-208 with recommendation to approval the following waiver requests: Sections 187-13.B(4), 187-13.B(5), 191-37.D(1)(F), 191-36.D, 191-62.B, 191-39.G, 191-61.A, 191.37-B, 191-37.G(1), 191-44.D, 191-48.A, 191-52.1.B(4), and a partial waiver of Section 191-78.C(2) the applicant to provide information the Township Engineer deems necessary to review the plan and the comments from the Fire Marshal's letter of July 25, 2022 be addressed as well as the Remington, Vernick's letter of June 21, 2022.

Member Henderson seconds the application.

All in favor 5-0. APPROVED FOR AMENDED FINAL LAND DEVELOPMENT

Item #2: Gary Lux, 351 W. Philadelphia Avenue, Morrisville, PA 19030; TMP #13-047-081; Zoned: HI. Owner: 3GMC Realty LP. Conditional Use for approval for storage of dumpsters and parking of trucks

Gary Lux presents the application and states we have two tenants (Bin There Dump That and Red Box) who store their dumpsters at the location. They have two trucks each that sit on the property. One sit to the left of the wooden shed, the other one is in the back area that is paved. There is no structures involved. The property is lit in the rear.

Chairman Haney asks for some background on Mr. Lux's business.

Mr. Lux states they we are an industrial contractor and were approved for our Conditional Use back in 2012 to store trucks, steel, refractory materials on our site. We are zoned Heavy Industrial. To me, with these two tenants, we are doing the same thing – storing equipment and trucks. The entire property is fenced in; in the rear there is a tree buffer.

Member McTague asks if there is screening placed on the fence.

Mr. Lux says no.

Joseph Jones states we can work with the applicant's engineer to make sure any comments in our letter are addressed to our satisfaction prior to the Conditional Use hearing.

Member Binney asks about the neighbors.

Mr. Lux says that side of the property is within Morrisville Borough and describes how many residential houses are on that particular side of the property.

No public comment.

Member Henderson makes a motion to recommend approval of the Conditional Use for Gary Lux, 351 W. Philadelphia, Morrisville, PA 19067, TMP #13-047-081, with compliance with the Township Engineer's recommendations and any additional information from the Fire Marshal.

Member McTague seconds the motion.

All in favor 5-0. APPROVED FOR CONDITIONAL USE

Item #3: Approval of Minutes

Minutes approved for May 24, 2022.

All in favor 5-0. Minutes approved.
