

**TOWNSHIP OF FALLS  
PLANNING COMMISSION MEETING  
SEPTEMBER 26, 2023**

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

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

**Members present:** Brian Binney, Daniel Everett, John Haney, Colin Henderson, Mary Leszczuk

**Members absent:** None

**Also Present Representing:**

**SAFStor Old Lincoln** – Julie VonSpreckelsen, Esq. (Eastburn & Gray); David Boginsky, P.E. (Gilmore & Associates); Christopher Russ (SAFStor)

**UGN Logistics** – Bryce McGuigan, Esq. (Beglin, Carlin & Mandio); John Richardson, P.E. (Dumack Engineering); Eugene Smirnoff (UGN Logistics)

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

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**Item #1: SAFStor Old Lincoln, LLC, 935 Lincoln Highway (a/k/a 935 Old Lincoln Highway), Morrisville, PA 19067 TMP #13-028-039; Zoned: HC; Owner: SAFStor Old Lincoln LLC. Preliminary / Final Land Development – Construction of one three-story 36,550 sq. ft. self-storage warehouse building with associated asphalt driveways and parking areas**

Julie VonSpreckelsen presents the application and states SAFStor Old Lincoln LLC is the equitable owner of the property. This property currently has the Michaels Restaurant bar and lounge. The applicant is proposing the redevelopment of the property which includes the demolition of the existing structures (the existing restaurant and the residential structure). All buildings will be demolished with the construction of a three-story self-storage facility building. The applicant did obtain a use variance in June of 2023 to permit this use at the property. There were no dimensional variances needed or requested. Thereafter, the applicant submitted the land development application, plans and accompanying documents and waiver requests. We have received the Township consultant's review letters, including the Township traffic engineer, the Township engineer and the Fire Marshal. All the comments are a will comply except for the three waiver requests.

David Boginsky continues and describes the existing features of the site. The proposed site will contain a three-story 36,550 sq. ft. self-storage warehouse building. We will be keeping the same two access points which are there now. We will have asphalt parking areas in the front and rear of the property (28 parking spaces). In the rear of the site, we will have a rain garden to catch, collect and convey to manage the stormwater on the site.

Mr. Boginsky states there are three waivers requested:

Section 191-8.B            Regarding preliminary/final as a separate submission

Section 191-39.G        Regarding sidewalk installation. The property is surrounded by properties with no sidewalk and there is a section in the ordinances which allows a fee-in-lieu to be paid for a sidewalk installation.

Member Binney states regarding this waiver, there is a property close to this property which has a motel. Many people who live there walk. If you are asking us to waive 40 ft. of sidewalks, I do not think there is a hardship installing 40 ft. of sidewalks.

Atty. Spreckelsen says she does not think anyone will be walking towards the storage facility. It is my understanding there are no sidewalks on either side of the property.

Member Binney states we are not considering walking to the storage facility. We are concerned with walking to the convenience store that is around the corner on W. Trenton Avenue. Because of this development and because of the other storage unit development, we have extended water and sewer to that portion of Old Lincoln Highway. It is more than likely the other properties will be redeveloped into a better, useful use. The price of sidewalks today is not the price of sidewalks ten years from now.

Atty. Spreckelsen states again, there are no sidewalks on either side of the property so there will just be sidewalk on this property.

Member Leszczuk states this isn't the first time we've done this. It is to set a precedent, so the next person who wants to redevelop cannot come to us and say the same thing.

Chairman Haney says currently there is not sidewalk going down, but the road widens and there is a portion of road which is asphalt which is used as a sidewalk to walk down to the convenience store.

Atty. Spreckelsen states she understands.

Section 191-78.C(2) – for the existing feature of 200 ft. of the property. This is a typical request for developments around here.

Chairman Haney asks if it will be a concrete building with a basement.

Christopher Russ responds there will be no basement, it will be a concrete slab on grid and non-combustible construction. There will be a fire suppression system.

Member Binney states the water line you are proposing extends all the way to the end of your property. It stops about 50 ft. short of the property line. I'd like to see it extended furthest to the property line to the east. He also states he notices there are no handicapped parking spaces in the rear parking lot. All the handicapped spaces are in the front.

Mr. Boginsky states we can make that change.

Member Leszczuk states in the Bucks County Planning Commission review letter, they make a comment about the wet tolerant trees and shrub species in the proposed stormwater basin bottom rather than a seed mix. Is that something you are willing to do?

Mr. Boginsky states we can work with the Township engineer on this issue.

Member Henderson asks if you are planning on storing vehicles in the back.

Mr. Boginsky, states no.

Member Henderson asks if you are leaving the existing trees in the back or putting in new trees?

Mr. Boginsky says there is a big section of existing trees we are leaving and adding some new trees at the request of some of the residential properties.

Member Everett asks if there will be anything outside.

Mr. Boginsky says all will be inside.

Chairman Haney asks in the rear if a fence will be installed to separate from the residents.

Mr. Boginsky says we have been working with the property owners, and at their request, we are installing a fence to have more protection back there and leaving a lot of trees as well as planting new trees.

Member Binney asks if you comply with Jones Engineering Associates, the Fire Marshal and Remington Vernick's letters.

Mr. Boginsky says yes, we will comply with those letters.

No public comment.

Member Leszczuk makes a motion to recommend approval for Preliminary Land Development, not Final, for SAFStor Old Lincoln LLC, 935 Lincoln Highway (a/k/a 935 Old Lincoln Highway), Morrisville, PA 19067, TMP #13-028-039 based on a will comply with the Fire Marshal's review letter dated August 21, 2023, Remington Vernick's review letter dated September 20, 2023, and Jones Engineering Associates' review letter dated September 21, 2023, with a partial waiver request for Section 191-78.C(2).

Atty. VonSpreckelsen seeks clarification on why the motion is for Preliminary only. These plans were designed to final plan standard. There are only three waiver requests, two of which are routinely granted, and the one has to do with sidewalks which you recommended that sidewalks be installed. There are minor changes which need to be made to the plan.

Member Binney seconds Mary's motion and states there are lot of stormwater comments that make me believe it is not designed to final plan specifications.

Mr. Boginsky says I've designed these plans and we have worked with Jones Engineering on them. I do not see there are lot of stormwater comments; we can certainly address them.

Member Binney says a motion has been made with a second, so we need to take a vote.

**All in favor 5-0. APPROVED FOR PRELIMINARY LAND DEVELOPMENT ONLY.**

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**Item #2: UGN Logistics, Inc., 745 Philadelphia Avenue, Morrisville, PA 19067; TMP #13-047-062-002 / #13-047-065 / #13-047-066; Zoned: HI-A; Owner: UGN Logistics, Inc. Preliminary / Final Land Development – Construct a repair garage / adding stone parking instead of the existing concrete pads**

Bryce McGuigan, Esquire, presents the application and states there are three separate parcels totally 2.1 acres. The three parcels will be consolidated into one parcel. A 4,800 sq. ft. structure will be constructed which will have a 350 sq. ft. office and the remainder will be a repair garage with three separate bays to repair his trucks. We received zoning relief in March 2023 relating to impervious surface, parking setbacks as well as buffering off of Lewis Avenue. The property sits at the corner of Philadelphia Avenue and Lewis Avenue. We have received review letters from the Township Engineer, the Township Traffic Engineer, Fire Marshal and the Bucks County Planning Commission.

John Richardson, P.E. continues the property is currently occupied by the remains of several building which have been demolished. There is broken up concrete and asphalt from demolitions in 2008 and 2012. The property is a mess at the moment. The proposal would remove all the existing mess and construct a 4,800 sq. ft. building which would be occupied by the owner. The parcel would have a driveway out to Philadelphia Avenue which would be paved. The area to the right of the building and behind the building would be a stone storage area, both for trailer parking, but also for some of the automobile parking.

Member Binney asks what the use of the property is.

Mr. Richardson says it is a small trucking business. The parking within the stone area would not be striped. The perimeter would be landscaped with street trees. The rear of the site is currently wooded. We are not disturbing that area. On the back corner of the property, it drops down to an existing drainage feature which eventually bleeds over into some ponding. The site drains towards that water feature in the rear. The stormwater would be managed by an underground dry well, which would capture the majority of the impervious surfaces on the site. It would be managed back to existing condition. As part of the development, we would be adding impervious surface, but there is already a significant amount of impervious on the site. The site currently has 42,000 sq. ft. of impervious; we would bring that to 62,000 sq. ft. of impervious. We are adding 20,000 sq. ft. of impervious. We did do a soil test at the site. The stormwater has been designed in accordance with the soil test. The stormwater has been designed to go behind where the former buildings were and in the parking lot.

Atty. McGuigan clarifies that the business is a small trucking business. He has approximately 4 full time employees who will be working on site. There are 20-25 trucks that his company owns, but they are typically making long haul deliveries. There won't be many trucks on site at one time, but there will be more trucks on the weekend. Generally, the truckers will come back on a Friday, keep the truck there over the weekend, and then leave early Monday morning.

Member Binney says trucks are tractor trailer trucks.

Atty. McGuigan says yes, that is correct. The structure is designed to perform repairs on truck cabs of his own trucks.

Atty. McGuigan says there are 8 waivers we are requesting.

191-8(B) Requesting a waiver from preliminary / final as separate submissions

191-31(A) Requesting a waiver to not widen Philadelphia Ave and Lewis Ave

Member Binney says with regard to this waiver request, I would recommend the road be widened. With all the development of the old mill property into warehouses and another proposed warehouse on S. Pennsylvania Avenue, there is going to be signage which will direct truck traffic to stay off of S. Pennsylvania Avenue and go down Philadelphia Avenue. The traffic will be increased substantially because all the trucks will not be allowed to go down S. Pennsylvania Avenue. I think the road should be widened. As other developers come in we can request them to widen the road as well.

Atty. McGuigan says we haven't had those discussions with PennDOT yet, but we will see what they say.

Atty McGuigan says the next three waivers regard curbing:

191-31.A / 191-62 Requesting a waiver for curbing along all frontages

191-36(D) Requesting a waiver for curbing along driveway

191-37(B) Requesting a waiver for curbing in all parking facilities and the 15 ft. separation

191-78.C(2) Requesting a partial waiver, subject to the Township Engineer's review

191-80.C(1) Requesting a waiver – 1" equals 30 ft. drawing scale (small site)

Atty. McGuigan states while we are adding some impervious surface, we will add stormwater management. There are also some existing drainage features nearby which exist. The other point is sewer. There is no public sewer in the area, but we will be using some form of on-lot septic.

Mr. Richardson says the site would need a septic system. The septic system would most likely be over towards Lewis Avenue and shows the location on the map.

Member Binney says isn't that the area you said didn't perk?

Mr. Richardson says no, the area which doesn't perk is where stone is.

Member Binney says that's 20 ft. away?

Mr. Richardson says yes.

Member Leszczuk says the Remington Vernick letter states the dumpster location is too close to the entrance. What if someone is trying to come in, but you are also emptying out the dumpster at the same time. You are 100% blocking that entrance.

Mr. Richardson says the dumpster location can be moved.

Member Henderson asks if he is only storing his trucks there – he is not going to rent out any space to other trucks.

Atty. McGuigan states that is correct.

Alternate Member O'Brien asks what the hours of operation are.

Eugene Smirnoff responds there will not be a lot of trucks there because we travel in all 48 states. The trucks are gone for a week, two weeks, sometimes three weeks on the road, and then they come back for a few days.

Chairman Haney asks so you won't have any loads, idle at the site.

Mr. Smirnoff states we have flatbeds and dry beds.

Member Henderson asks if you have any refrigerated trucks.

Mr. Smirnoff says I do, but they will not be parked there, because they are owner / operators. My company has 30 trucks; one-third are owner / operators. In my fleet there are some refrigerated units, but I don't lease the space to them.

Member Henderson says so no refrigerated trucks will be parked there idling all night?

Mr. Smirnoff says that is correct.

Alternate Member O'Brien states the Bucks County Planning Commission letter of August 25, 2023 asks about buffering yard requirements asking to add shrubs and screening plants along that side of Lewis Avenue, and I don't see anything addressing that on the current plans.

Mr. Richardson says the review is based on the current plan. We would be willing to add some additional plantings for buffers along that side of Lewis Avenue.

Member Binney asks where on the plan is the location of the buffering variance received.

Mr. Richardson says it runs along Lewis Avenue and it runs along the far left side of the property.

Member Binney states you were not granted relief entirely – you were granted relief to shorten up the buffering. I agree with Mr. O'Brien's comment regarding the buffering.

Mr. Richardson says we can agree to that.

Member Binney asks if the property has public water.

Mr. Richardson says no, it's well water which is similar to all the surrounding uses.

Member Binney says given the fact this does not have public sewer and we don't know if it will actually perk, I would be uncomfortable with any final approval recommendation. I don't think it's appropriate for us to recommend final approval for something which does not have sewer.

Atty. McGuigan says we just confirmed there is no public sewer in the area, and we are in the process of getting someone out there to do the testing. We are expecting it will take a month or more. We know we need to do that before appearing before the Board of Supervisors. We are not too concerned with being able to provide on-lot septic based on the neighboring properties. I would ask for a recommendation for preliminary and final approval conditioned on us providing that information to the Township Engineer's office.

Member Binney asks if there will be signage that will direct the truck traffic to use Tyburn Road rather than go through Morrisville. There is similar signage on adjacent properties.

Chairman Haney says we recommend a sign that says no right turn so the trucks do not go through Morrisville residential sections.

Mr. Smirnoff says yes, we can do that.

No other Board comments.

No public comment.

Mary Leszczuk makes a recommendation for approval for Preliminary Land Development – not Final – for UGN Logistics, Inc., 745 Philadelphia Avenue, Morrisville, PA 19067, TMP #13-047-062-002 / #13-047-065 / #13-047-066 based on Remington Vernick's letter dated August 15, 2023, the Fire Marshal letter dated June 29, 2023, and the Jones Engineering Associates' letter dated August 16, 2023, with waivers requested for Sections 191-31.A, 191-62, 191-36.D, 191-37.B, 191-78.C(2) and 191-80.C(1), along with a condition that signage would be posted (no right turn out of property).

Member Binney seconds the motion.

**All in favor 5-0. APPROVED FOR PRELIMINARY LAND DEVELOPMENT ONLY**

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**Item #3 Approval of Minutes**

Approval of Minutes of August 22, 2023.

**All in favor 4-1 (Haney abstained)**

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