

**TOWNSHIP OF FALLS  
PLANNING COMMISSION MINUTES  
MAY 28, 2013**

Meeting commenced: 7:00 p.m.

Meeting adjourned: 7:40 p.m.

Members present: Binney, Boraski, Dell, Goulet, Perry, Rittler, Shero

Members absent: None

Also present: Joseph Jones, P.E. from T & M Associates; Douglas Maloney, Esquire and Richard Coleman representing RJC Investments; Robert Gundlach, Esquire representing Mercer Court; Douglas Maloney, Esquire and Phil Kashner (Showalter & Associates) representing Heucotech, Ltd; Tom Bennett, Chief Code Enforcement and Zoning Officer; Diane Beri, Recording Secretary

---

**Item # 1: Rick Coleman – RCJ Investments, 131 Oxford Valley Road, Langhorne, PA 19047; TMP #13-003-005; Zoned: NCR; Owner of record Richard Coleman; Zoning Change from NCR to PIP**

Atty. Maloney gives a brief overview. This property is approximately a little over 2 acres. The business has components to make docks and gangways that are assembled on the property. Five employees are currently employed at the location. They are seeking a change in zoning. My client built a large garage which is attached to the existing dwelling on the property. He then decided that it would be a good place to move his business so he moved his business there. He went before the Zoning Hearing Board and received 8 variances in 2012, but would prefer to get the zoning consistent with what's going on there, which is a light industrial use. Three sides of the property are bordered with PIP zoned properties, including the Red Roof Inn, so it makes sense the property would be re-zoned to make it consistent as to what's going on with the property and the surrounding uses. (footnote: the fourth side of the property adjoins a property which is zoned NCR).

T&M Review Letter dated April 15, 2013

Zoning Ordinance

Atty. Maloney states that these all deal with the zoning variances granted last year with a series of conditions attached to it. Most of these sections don't really require a response. However, the requirement for an Environmental Impact Study, Transportation Impact Study and a Services Impact Study are all will complies.

We think the zoning change makes a lot of sense because it is consistent with the use that is surrounding it on three sides.

Member Binney asks if they have seen the Remington, Vernick letter and hands Atty. Maloney a copy.

Atty. Maloney states that they don't expect to significantly increase the amount of traffic. In fact, there won't be any increase in the amount of traffic because he's just going to continue doing what he's been doing.

Member Binney states that he does agree that the zoning is not conducive to a residential use, and we do have the issue of the buffer yard for the adjoining property, which is a residence. In 2004 I was involved in the comprehensive plan, and we did have conversations about re-zoning that property, but somehow that did not make it through to the final plan. I personally think that the supervisors should consider re-zoning all three of those parcels. In 1998, this property was highway commercial, and it was re-zoned to residential for an unknown reason.

Member Binney continues that he thinks the use is consistent with the area, there is transient people throughout the industrial park and the motels and it's technically not what I would consider to be a residential neighborhood. However, because the property next door is being used as a residence based on testimony at the Zoning Hearing Board, the supervisors should consider keeping the requirement for the buffer to be put in place.

Member Binney asks for any comments from Mr. Jones, Mr. Bennett, members of the Board and members of the public with regard to this project.

Mr. Coleman states there are 3 properties in this area. The last property is owned by Mr. Frank Sandusky and he states that he is willing to change his zoning to PIP also. The property in the middle is the one that does not agree to the zoning change.

Member Dell questions if that middle property is the only one resistant to the zoning change.

Mr. Coleman states yes.

Member Dell comments that there was a construction company at one time there.

Mr. Bennett asks that if the zoning change occurs, will all stipulations attached to the variances granted by the Zoning Hearing Board go away.

Member Binney states: (1) he recommends that the buffer still stay because of the residential use of the adjoining property; and (2) the structure would become a non-conforming building, but the use would be permitted under the PIP zoning, so that in the event that he wanted to expand the building, he couldn't do so more than 50% of the size of the building without a variance.

Mr. Bennett states that he wanted to make sure that everyone understands that the stipulation would no longer be in effect with the exception of the buffer requirement unless it is a condition of the zoning change.

Motion made by Member Rittler that we approve the zoning change application for TMP 13-003-005, based on the T&M letter dated April 15, 2013, and the Remington, Vernick letter dated April 18, 2013. We also recommend that the buffer remain a requirement.

Member Dell seconds.

**All in favor 7-0.**

**APPROVED FOR ZONING CHANGE FROM NCR TO PIP.**

---

**Item #2: Mercer Court – GPNJ Associates, 166-68 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-005-001 & 13-005-002; Zoned: HC Final Land Development – 50 Townhouses**

Atty. Gundlach presents the application. In November 2012, we were before this Board to review and resolve the outstanding plan issues and received preliminary plan approval. The applicant then obtained preliminary land approval from the Board of Supervisors in December 2012. Since that time the applicant has been working to clean up the open items. This Board was reluctant to make a final land development recommendation in November given the open PennDot issues as to the access issues and wanted to see some further work on that.

We have submitted the full HOP application and did receive the PennDot letter in April of their intention to issue the HOP permit based upon the most recent plan. The applicant has obtained a planning module exemption, adequacy approval from the Bucks County Conservation District, the NPDES permit, the will

serve letters from their utility providers, and a clean TOFA review letter. The delay has been PennDot and working with them through those issues. We wanted to make the HOP plans and the Township plans consistent.

T&M Review Letter dated May 21, 2013

All items are a will comply.

Member Binney asks with regard to Section 191-30(H) and regarding the potential dedication of this road – as it stands right now, is this road proposed to be private?

Atty. Gundlach states yes.

Discussion occurs regarding the width of the cartway. Member Binney indicates that the plan should clearly reflect where the 28 begins and ends and the 26 starts to make sure it is built properly.

Member Binney asks Mr. Jones if he is confident that, other than Sec. 187-8(C), all items from your previous review letters have been addressed?

Mr. Jones states yes, that some are in the process of being addressed, but nothing remains that cannot be resolved.

Member Binney asks so there's nothing that would preclude a conditional final approval?

Mr. Jones states that there is nothing that would preclude that.

Member Binney questions the 12" water main that was previously shown on the preliminary plans as connecting in two places on Route 1 and now it's not. Can you tell me the logic behind making that change?

Atty. Gundloch states that it is determined by Van Cleef and ultimately confirmed by TOFA to take two lines across Rte. 1 when we were taking one line to the rear. The line to the rear connects through the back which offsets the need for that second line.

Member Binney asks where that line is connected – to the Township building?

Mr. Jones states that one runs through the TOFA easement where the water and sewer comes back from Austin Drive. I remember seeing the water main on the easement agreement, but it doesn't appear to be on the plans.

Atty. Gundlach states the line to the rear was the sanitary sewer and storm sewer to the rear. The water was determined that it was not necessary to connect in that location.

Member Binney states that according to the current design, there is only one water main connection to this whole development and if something were to happen to that connection, there is no redundancy built into it.

Atty. Gundlach states that there are plenty of areas within the Township where there's a breakage within the line, it would shut down.

Member Binney states that this is a brand new development. I had a conversation today with the Fire Marshal, and he was not aware that that line was removed and he was of the opinion that he would prefer to have it included in the final plan.

Atty. Gundlach states that we did get a review letter from the Fire Marshal on May 2<sup>nd</sup>, and he didn't identify it as an item. We'll sit down and go through that with the Fire Marshal, but they did acknowledge in the last review that it wasn't necessary and based upon those conversations that line was re-engineered on the site to connect through that.

Atty. Gundlach states that the plans do indicate that they moved it along the front of the site in a continuous loop and then across Lincoln Highway to connect through.

Member Binney states that the plan be looked at again because a single line going into that property, once you tap one fire hydrant, the rest of them are reduced in effectiveness. The proximity of these buildings is going to warrant some kind of exposure protection if a fire were to erupt and the second fire hydrant would be useless if the first one is being used. I'm going to recommend that the Fire Marshal and TOFA re-visit that part of the plans to extend that second line for redundancy for fire protection and safety.

Mr. Jones states that the Township traffic engineer seems to be requesting that the eastern driveway entrance have a "no right turn" sign. Is it your intention to limit the traffic to "right turn only" out of both driveways?

Atty. Gundlach states that no, it's "right turn only" out of the northern driveway. The southern driveway is a full service driveway with the left in and left out, the right in and the right out.

Member Binney asks Mr. Jones if we've seen the PennDot HOP plans.

Atty. Gundlach states that the site plans are consistent with the PennDot plans.

Member Binney asked if there is a suicide lane in the middle.

Mr. Jones states that there's a left hand turn lane south on Rte. 1.

Atty. Gundlach hands out a PennDot drawing.

Atty. Gundlach states that the first page is the old standard form of PennDot's intention to issue a permit. It concerns the conveyance of a deed and right-of-way, which we are in the process of completing. The second page deals with PennDot's insistence of a creation of a left turning lane there to the entrance closest to the Township building (the eastern entrance). The western entrance, they did not want to see full movement there, they wanted to see right in, right out only and asked for the creation of that porkchop at that location.

Member Binney asks if they are striped or is it median?

Atty. Gundlach says that it's striped. What's there now is a rumble strip that's being ripped up and replaced.

Member Binney states that we can recommend it but it would be PennDot's call.

Mr. Jones says that the resolution says that a right turn only sign is required on the eastern driveway exit stop sign. I didn't see that sign on the PennDot plans.

Atty. Gundlach states that was the whole purpose of installing the left hand lane was to get the full movement. We did have to submit that there is plenty of gaps in traffic on both sides, but PennDot was insistent upon providing the dedicated left turn there for the "soccer moms", so they could comfortably turn from that lane without getting rear ended.

Mr. Jones states that we will defer to the traffic engineer for resolution of that issue.

Motion made by Member Rittler to approve final land development for Mercer Court development TMP #13-005-001 and #13-005-002 based on the T&M letter dated May 21, 2013, based on the Remington, Vernick letter dated May 23, 2013, and the Fire Marshal's letter of May 2, 2013, with the recommendation that the loop of the water line be looked at by TOFA and the Fire Marshal.

Seconded by Member Dell.

**All in favor 7-0.**

**APPROVED FOR FINAL LAND DEVELOPMENT**

---

**Item #3: Heucotech, LTD – 99 Newbold Road, Fairless Hills, PA 19030, TMP #13-047-034-001; Zoned: PIP; Waiver from Land Development – 20' x 40' canopy addition/trench drain**

Atty. Maloney gives a brief overview. The applicant is requesting to place a canopy over an existing trash compactor pad on site. The reason for the request is that Heucotech deals with chemicals and they want it to be environmentally secure so the rainwater wouldn't allow any chemicals to leech into the stormwater system. It's over an existing impervious surface where there aren't any land development issues.

T&M Review Letter dated May 21, 2013

All items are a will comply.

Member Binney states that he has no questions and asks if there are any questions from the Board members or Mr. Jones.

Mr. Jones asks for what purpose does the stormwater enter the building -- is there a grease trap or oil separator that it will go to?

Mr. Dupras states that the purpose of the trench drain is to divert stormwater. We normally do not take any stormwater inside the building, but there is an inlet at the bottom of the ramp there. In case we have to do some kind of cleanout, I want to be able to pump that water and treat that water before it goes to the Authority (cut it off from the storm sewer system). Ideally, there wouldn't be stormwater inside the containment area.

Mr. Jones asks that whatever does get there will be pumped into the building into a grease trap or oil separator?

Mr. Dupras states it's a waste water treatment system inside the building where the stormwater from the sumped inlet would be pumped to and it would be treated and released into the sanitary sewer.

Motion made by Member Rittler that we grant a waiver from land development to Heucotech TMP #13-047-034-001 based on the T&M review letter dated May 21, 2013, Remington & Vernick letter dated May 23, 2013 and the Fire Marshal's letter of May 6, 2013.

Second by Member Dell.

**All in favor 7-0.**

**APPROVED FOR WAIVER FROM LAND DEVELOPMENT**

---

**Item #4: Approval of Minutes from February 26, 2013**

Member Binney gives two corrections on page 4 and page 6.

---

**Other Board Business**

Member Binney states that the Planning Commission is supposed to have representation on the Community Economic Development Board. Rick Rittler has been busy and unable to attend, I've been to one of their meetings, but if someone wants to take on that job, feel free to step up.

Member Boraski states that he'd be willing to help out so long as they inform him of meeting dates.

**Meeting adjourned 7:40 p.m.**