

**FALLS TOWNSHIP
ZONING HEARING BOARD
OCTOBER 13, 2015**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:25 p.m.

Members present: Brooks, Lawson, Miles, Molle, Powers

Members absent: Henderson

Also present: Tom Bennett, CCEO & Zoning Officer; Ed Neubauer, Code Enforcement Officer; Alyson Fritzges, Esquire, ZHB Solicitor; Karen Browndorf, Court Stenographer

Petition #1: Cellco Partnership d/b/a Verizon Wireless, 149 Fallsington-Tullytown Road, Levittown, PA 19054; TMP #13-013-009; Zoned: LR. Requesting variances for the installation of a wireless telecommunications facility. Section 209-50.2.B, 209-50.2.C.(3), 209-50.2.C.(14), 209-50.2.D.(11).

Member Miles states that we have received a letter from the applicant requesting a continuance of this matter until the next scheduled hearing on November 10, 2015.

Atty. Fritzges marks the letter as Exhibit A-7 and reads letter into the record.

Mike Shirring, Esquire, explains that Mr. Cuce (the attorney handling this matter) is attached to another matter and not only is he unavailable but the witnesses giving testimony here are also unavailable tonight. Therefore, they have requested a continuance until November 10, 2015.

Member Powers makes a motion to continue the testimony of Cellco Partnership until the November 10, 2015 hearing.

Member Brooks seconds the motion.

All in favor 5-0. Petition continued until the November 10, 2015 hearing.

Petition #2: Geneva Stein and Robert Shivers, 130 Lions Drive, Morrisville, PA 19067; TMP #13-011-036; Zoned: NCR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C.

Atty. Fritzges marks ZHB Exhibits 1 – 4.

Geneva Stein presents the application. We had the fence installed thinking that the contractor had received approval from the Township. The fence is aluminum and see-through, and is higher than it should be. We would like to get the fence approved as we need the fence for our dog and our daughter.

No Board questions.

Mr. Bennett states that the fence is 54" and only 48" is permitted in the secondary front yard.

No public comment.

Member Powers makes a motion that the application of Geneva Stein and Robert Shivers for a variance from Section 209-37.C(3) of the Falls Township Zoning Ordinance be GRANTED to allow the erection of a 4'6" high fence in the secondary front yard of the property located at 130 Lions Drive, Morrisville, PA 19067, at the location depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Brooks seconds the motion.

All in favor 5-0.

Petition #3: Thomas V. Drexler, 412 Andover Road, Fairless Hills, PA 19030; TMP #13-007-157; Zoned NCR. Requesting a dimensional variance to erect a shed and install a concrete walkway which exceeds the maximum allowable impervious surface coverage. Section 209-20 and Table 1.

Atty. Fritzges marks ZHB Exhibits 1 – 4.

Thomas Drexler presents the application. My house has no basement and no garage and no place to work. I have an old shed, but with materials stored in there, there is no room to work. As far as the walkway in the front, it receives a lot of foot traffic with myself and my grandchildren. It gets very slippery there and with a walkway, I can keep it cleared from ice with salt.

Member Powers asks questions about the shed and walkway and expresses concern about the water running into the neighbor's yard.

Mr. Drexler states he wants to store tools, etc. as well as be able to have a work bench in the same shed. Regarding the cement walkway, he states that he will insert a drain to direct the water onto his property.

Member Lawson asks when you say work, is that personal work out of the shed or are you running a business.

Mr. Drexler states no, he's not running a business. It's for personal use.

Member Miles asks for clarification on the shed size.

Mr. Drexler states that the old shed which is down was 8' x 10' but this new one is 8' x 15'. It allows me an area to store tools and have a workbench.

Member Brooks makes a motion that the application of Thomas Drexler for a variance from Section 209-20 and Table 1 of the Falls Township Zoning Ordinance be GRANTED to allow the maximum impervious surface coverage not to exceed 2,832.5 sq. ft. of total lot area in order to construct a second shed and install a cement walkway at the property located at 412 Andover Road, Fairless Hills, PA 19030 and the location depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Lawson seconds the motion.

All in favor 5-0.

Petition #4: Sandra Johnson, 65 Old Locust Avenue, Fallsington, PA 19054; TMP #13-032-063; Zoned: HD. Requesting a dimensional variance to erect a fence in the front yard. Section 209-37.C.

Atty. Fritzges marks ZHB Exhibits 1 – 4.

Sandra Johnson presents the application. In an effort to clean up the property, we removed the ivy along the sides and front of the house. In doing so, we discovered a chain link fence. We would like to replace the fencing.

Member Molle asks what type of fence and how big.

Ms. Johnson states it's aluminum and it's 4' high.

Member Brooks asks what about the wood fence.

Ms. Johnson states that is going along the side of the property.

Member Brooks makes a motion that the application of Sandra Johnson for a variance from Section 209-37.C(3) of the Falls Township Zoning Ordinance be GRANTED to allow the erection of a 6 ft. high fence in the front yard of the property located at 65 Old Locust Avenue, Fallsington, PA 19054, at the location depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Molle seconds the motion.

All in favor 5-0.

Hearing adjourned at 7:25 p.m.