

**FALLS TOWNSHIP
ZONING HEARING BOARD
JUNE 9, 2020**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:46 p.m.

Members present: Alfred Brooks, Scott D’Oria, William Kiernan, Daniel Miles, Douglas Molle

Members absent: None

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

The hearing was conducted remotely through Zoom.

Chairman Miles makes a statement indicating that the hearing is being conducted through Zoom.

Petition #1: Brijesh Patel, 149 Mercer Court, Fairless Hills, PA 19030; TMP #13-005-002-025; Zoned: HC. Requesting dimensional variances for a deck expansion which is over 50% of the existing deck and which encroaches into the 20 ft. side yard setback. Sections 209-41, 209-23.G and Table 4.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

Mr. Patel states that he would like to expand the deck to give his family more room when they want to eat or just hang outside. A lot of his neighbors have had similar expansions.

No Board comments.

No public comment.

Member Brooks makes a motion that the application of Brijesh Patel requesting dimensional variances from Sections 209-42, 209-23.G and Table 4 of the Falls Township Zoning Ordinance be GRANTED to allow a deck extension which is over 50% of existing deck which encroaches into the 20 ft. side yard setback at the property located at 149 Mercer Court, Fairless Hills, PA 19030 as depicted on the plan and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

All in favor 4-1, D’Oria dissenting. Motion carries.

Petition #2: Brian Ricci, 2 Velvet Lane, Levittown, PA 19054; TMP #13-020-090; Zoned: NCR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C(2).

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

Mr. Ricci states his backyard is about 24 ft. from the back of the house to the property line. He would like to extend the fence into the side yard so his four foster children have a bigger area to play in and one that is more secure than the open front yard.

Member D’Oria asks about the sight triangle.

Mr. Neubauer states that where the fence is currently located on the plans, it is within the sight triangle. He explained to the applicant and the applicant says that he will move the fence back three feet.

No public comment.

Member D’Oria makes a motion that the application of Brian Ricci requesting a dimensional variance from Section 209-37.C(2) of the Falls Township Zoning Ordinance be GRANTED to erect a fence in the secondary front yard at the property located 2 Velvet Lane, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board. Said fence must not encroach into the sight triangle and must comply with the measurements and setback requirements determined by the Falls Township Zoning Officer.

Member Molle seconds the motion.

All in favor 5-0. Motion carries.

Petition #3: CONT’D FROM 5/12/20 HEARING: Bumm’s Holdings Company, LLC, 140-A Old Oxford Valley Road, Langhorne, PA 19047; TMP #13-003-001-001; Zoned: PIP. Requesting a use variance to allow leased parking area on property with principal use on another property (Section 209-28.B) and a dimensional variance to permit impervious surface coverage of 62.9% instead of the 50% surface coverage allowed (Section 209-28.F).

Joe Blackburn, Esquire, Wisler Pearlstein, on behalf of the applicant states that he is joined by the applicant, Mr. Ed Bumm as well as Justin Geonnotti, Project Engineer who gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8 and Applicant Exhibit A-1 (proof of neighbor notification).

Atty. Blackburn continues and states the property contains 1.45 acres and is in the PIP zoning district. The property is presently improved with a single-family detached dwelling which currently serves as storage for Alien Fuel, Inc., which is a solar panel installer. There are no client deliveries and, on most days, has two to three individuals on the site. He shows a map depicting the property and the Amazon Prime fulfillment center to the southwest of the property which is in Middletown Township. The aerial map also shows the parking for Amazon which is in Falls Township.

The current operations for the Amazon fulfillment center are not efficient and create additional unnecessary traffic on the Township roads. For instance, individuals who work for Amazon will come to the site, they will park their cars in the parking field (which is in Falls Township), get into shuttles and be shuttled in both Middletown and Falls Township to various locations where Amazon has separate leases for the parking of its delivery vans. So an employee drives his car to the parking lot, gets into a shuttle that takes the employee to an Amazon delivery van, then drives that van back to the Amazon fulfillment center, load up the van, and they go to make their deliveries.

Mr. Bumm is proposing to provide Alien Fuels a proper storage facility in the form of a new 2400 sq. ft. building (which will not be any different than what Alien is currently doing there) and expanding the lot to add 83 additional parking spaces (3 of which are designated for Alien Fuels). Mr. Bumm has entered into a lease agreement with Amazon for the lease of the lot which would allow for the overnight parking of the Amazon Prime delivery vans on this site.

We are seeking relief to allow the use for the lease of the spaces to Amazon and to permit 62.9% impervious surface coverage instead of 50%. This would be the subject of a land development submission to the Township which would be designed to accommodate the 62.9% stormwater runoff. The neighboring property to the northeast is a building being used for an electrical business so the applicant would be in keeping with what the neighborhood has.

Atty. Blackburn states that a small portion of this property is located in Middletown Township. We have had conversations with Middletown Township Solicitor, Manager and Zoning Officer as reflected in Exhibit ZHB 8. They have no concerns or desires to participate in the review and approval process for either the Zoning Hearing Board application or the future land development application.

Member D’Oria questions the stormwater impact to the 62.9% impervious.

Justin Gennotti, P.E. explains we will be providing underground stormwater management underneath the parking lot which will be reviewed and approved by the Township Engineer and Bucks County Conservation District through land development.

Member Kiernan asks what the hardship is.

Mr. Gennotti says that the structure on the property is a single-family dwelling not conducive to the PIP zoning. In addition, there is the amount of unnecessary traffic that is plaguing this area by the current operation of the Amazon fulfillment center.

Member Brooks asks what the plan is for getting the Amazon employees from their main parking lot to the new parking lot holding the Amazon delivery vans.

Mr. Gennotti states that as part of land development, sidewalks would be required and installed.

No public comment.

Atty. Blackburn makes a closing statement.

Member D’Oria makes a motion that the application of Bumm’s Holdings Company, LLC be GRANTED to allow a leased parking area on property with a principal use on another property (Section 209.28-B) and a dimensional variance to permit impervious surface coverage of 62.9% instead of 50% surface coverage allowed (Section 209-28.F) at the property located at 140-A Old Oxford Valley Road, Langhorne, PA 19047, as 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. Motion carries.

Hearing adjourned 7:46 p.m.