

**FALLS TOWNSHIP
ZONING HEARING BOARD
OCTOBER 14, 2022**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:35 p.m.

Members present: Dan Miles, Aaron Mackey (alt), William Kiernan, Lolain Striluk

Members absent: Alfred Brooks, Doug Molle

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

Petition #2: NP Falls Township Industrial, LLC, One Ben Fairless Drive, Fairless Hills, PA 19030; TMP 13-051-001; Zoned: MPM. Requesting a dimensional variance to permit building coverage of 41.21% where a maximum of 40% is otherwise allowed. Section 209.30.D, Table 5)

Chairman Miles states a request has been received from Begley, Carlin and Mandio for a continuance of this application to the November 9, 2022 hearing due to the fact there is not a full Board tonight (marked as ZHB Exhibit 1).

Member Kiernan makes a motion to continue this matter until the November 9, 2022 hearing.

Member Striluk seconds the motion.

All in favor 4-0. Motion carries. Application continued until November 9, 2022 hearing.

Petition #3: Britton Realty of Morrisville, LLC, 835 West Bridge Street, Morrisville, PA 19067, TMP 13-028-081, Zoned: HC. Requesting a dimensional and use variance to permit a warehouse in the HC District; Section 209-23.B; to not require parking areas to be paved with a dust-free all weather surface; Section 209-42.H.(22)(a) and to permit 50 parking spaces instead of the required 57 spaces. Sections 209-42.H (7) and 209-42.H.(22)(B)[1].

Chairman Miles states a request has been received from Begley, Carlin and Mandio for a continuance of this application to the November 9, 2022 hearing due to the fact there is not a full Board tonight (marked as ZHB Exhibit 1).

Member Striluk makes a motion to continue this matter until the November 9, 2022 hearing.

Member Mackey seconds the motion.

All in favor 4-0. Motion carries. Application continued until November 9, 2022 hearing.

Petition #1: Debbie Kuhl, 1380 S. Pennsylvania Avenue, Morrisville, PA 19067; TMP #13-048-041; Zoned: RD-1. Requesting a use variance to allow a dance studio. Section 209-32.4.C.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 (includes proof of neighbor notification).

Debbie Kuhl states she has been in business over ten years in Falls Township. The owners of the property operate on the first floor of this building; the dance academy will operate on the second floor. There would be no disruption to the surrounding neighborhood. We would operate from September to June at night. The owner has a business there and operates during the day so there would be no conflict for parking.

Member Kiernan asks if there is adequate parking (yes, large parking lot).

Member Mackey seeks clarification from applicant on her business and definition of RD-1 district.

No public comments.

Member Mackey makes a motion the application of Debbie Kuhl requesting a use variance from Section 209-32.4.C of the Falls Township Zoning Ordinances be GRANTED to allow a dance studio at the property located at 1380 S. Pennsylvania Avenue, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Striluk seconds the motion.

All in favor 4-0. Motion carries.

Petition #3: Robert J. Liebel, (CONT'D FROM 6/14/22, 7/12/22, 8/9/22, 9/13/22 HEARINGS) M-Y Lane, Morrisville, PA 19067; TMP #13-028-075; Zoned: LI. Requesting a use variance to allow the storage of scrap tires. Sections 209-27.D(1)(d), 209-34.F, and 209-43.I.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7. The applicant has not appeared tonight along with his attorney, nor have they zoomed into the meeting. I recommend the matter be opened; but the matter cannot proceed.

Derek Keighly, Esquire (Rudolph Clarke), on behalf of Falls Township states his agreement with the Board's decision to open the matter and subsequently deny the application. As Atty. Bidlingmaier noted on the record, there have been numerous continuance requests on this matter. In granting his continuance request for last month, I indicated to Attorney George Kotsopoulos the Township would object to any further requests. I am unaware why neither the applicant nor his attorney has failed to appear tonight. Additionally, a citation filed against Mr. Liebel was continued today based on the outcome of this hearing. I would stress to the Board the applicant is not given an advantage by failing to appear and failing to communicate with Atty. Bidlingmaier.

Chairman Miles states he agrees and entertains a motion.

Member Mackey makes a motion the application of Robert Liebel be DENIED.

Member Kiernan seconds the motion.

All in favor 4-0. Motion carries. Application is DENIED.

7:35 p.m Hearing adjourned