

**FALLS TOWNSHIP
ZONING HEARING BOARD
MARCH 12, 2024**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 8:20 p.m.

Members present: Aaron Mackey, Lolain Striluk, Chris Kilmer (Alt) William Kiernan, Nastasha Raisley

Members absent: Robert McTague

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

Atty. Bidlingmaier states the Board has received a letter requesting a continuance until April 9, 2024 of Petition #2 (Jennifer Gage and James Pelissero) at 8025 Mill Creek Parkway, Levittown.

Member Mackey makes a motion to approve the continuance.

Member Kiernan seconds the motion.

All in favor 5-0. Motion carries – petition is continued until April 9, 2024.

Atty. Bidlingmaier states the Board has received a letter requesting a continuance until April 9, 2024 of Petition #3 (Laundry Properties LLC) at 316-320 W. Trenton Avenue, Morrisville.

Member Kiernan makes a motion to approve the continuance.

Member Mackey seconds the motion.

All in favor 5-0. Motion carries – petition is continued until April 9, 2024.

Atty. Bidlingmaier states the Board has received a letter requesting a continuance until April 9, 2024 of Petition #6 (Al and Mary Episcopo) 8815 New Falls Road, Levittown.

Member Kiernan makes a motion to approve the continuance.

Member Mackey seconds the motion.

All in favor 5-0. Motion carries – petition is continued until April 9, 2024.

Extension Request – Oak Village at New Falls Road, LLC – 9175 New Falls Road, Levittown, PA 19054; TMP #13-020-168 (approved for multi-family dwelling use and dimensional variances for the construction of the multi-family dwellings at March 20, 2023 Zoning Hearing Board).

Atty. Bidlingmaier states the Board has received an extension request for a previously approved matter. The approval is for one year from today's date.

Member Mackey makes a motion to approve the request for an extension request of Oak Village at New Falls Road, LLC.

Member Kilmer seconds the motion.

All in favor 5-0. Motion carries – extension request approved for one year.

Extension Request – Metals USA Plates & Shapes – 58 Cabot Boulevard, Langhorne, PA 19047; TMP #13-003-008-007 (approved for dimensional variances related to an additional fabrication building, covered storage area, breezeway and stormwater management at March 20, 2023 Zoning Hearing Board).

Atty. Bidlingmaier states the Board has received an extension request for a previously approved matter. The approval is for one year from today's date.

Member Kiernan makes a motion to approve the request for an extension request of Oak Village at New Falls Road, LLC.

Member Mackey seconds the motion.

All in favor 5-0. Motion carries – extension request approved for one year.

Petition #1: Air Liquide Electronics, 19 Steel Road West, Morrisville, PA 19067; TMP #13-047-159 / #13-047-160; Zoned: HI. Requesting a dimensional variance to allow 56% maximum impervious surface coverage where 50% is otherwise required. Section 209-29.G and Table 5.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant Exhibit A-5 (proof of neighbor notification)

Michael Coyle, P.E. gets sworn in.

Julie Bernstein, Esquire, (Kaplin Stewart), presents the application and states they represent Air Liquide in this application. Air Liquide is looking to pursue expansion plans. Given the scope of the application, she will proffer the testimony of Air Liquide's representatives; they are here for any questions. She hands out a packet of information and details its contents. Air Liquide has already received preliminary land approval from the Planning Commission. Air Liquide manufactures the building blocks for the electronics industry, so they support the manufacture of semi-conductor chips, solar panels, etc. Because of the push to expand this industry, Air Liquide needs to expand its facilities. She states the application states 56% maximum impervious, but we are requesting up to 60% to leave some room for any minor changes to the land development plans.

Michael Coyle states he agrees with Atty. Bernstein's statements regarding the project.

Member Mackey asks questions about replacement of impervious.

No further Board questions.

No public comment.

Member Mackey makes a motion the application of Air Liquide Electronics requesting a dimensional variance from Section 209-29.G and Table 5 of the Falls Township Zoning Ordinance be GRANTED to allow up to 60% maximum impervious surface coverage where 50% is otherwise required at the property located at 19 Steel Road W, Morrisville, PA 19067 as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kilmer seconds the motion.

All in favor 5-0. Motion carries.

Petition #4: UFP Real Estate, LLC (Sunbelt Forest Products), 400 Rock Run Road, Fairless Hills, PA 19030; TMP #13-028-062-003; Zoned: PIP. Requesting the following dimensional variances to construct an addition to the existing production facility: Section 209-28.F and Table 5 – to allow a side yard of 4 feet where 20 feet is required; Section 209-28.G(2) – to allow existing parking to remain and for the new

building to be located within the 10 foot, planted/vegetated buffer along a side property line; and Section 209-42.B(1) – to eliminate the requirement that a 10-foot wide buffer of clustered plant material be maintained between existing off-street parking and the side property line.

Matthew Ross (Sunbelt Forest) and Scott Mill, Landscape Architect, get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Applicant Exhibit A-3 (proof of neighbor notification).

Timothy Duffy, Esquire (Hill Wallack), presents the application and states they are requesting four dimensional variances in order to allow the construction of an addition to an existing and operating facility.

In response to Atty. Duffy's questions, Matthew Ross testifies as to his position in the company, gives history of this facility, type of business they do (pressure treat wood), describes their process for treating wood and the reason for the addition being so close to the property line (cylinders cannot be moved, the original structure was built around them), what the addition will be for (double the drip pad capacity so the wood can dry faster than it does now).

Member Mackey asks how the wood arrives on site.

Mr. Ross says there is a rail line behind the property where most of the wood comes from. Very few come in on trucks.

Scott Mill testifies as to his credentials and is recognized as an expert in the field of land planning by the Board.

In response to Atty. Duffy's questions, Mr. Mill testifies as to his role as a design professional, goes through the four variances and the reasons for them.

Member Mackey asks if when the wood is in the drip pad if any of the water goes into the basin.

Mr. Ross says no and explains the design of the drip pad to prevent it (it is reused; nothing is wasted).

No public comment.

Member Mackey makes a motion the application of UFP Real Estate LLC Sunbelt Forest Products requesting the following dimensional variances from the following sections of the Falls Township Zoning Ordinance be GRANTED to construct an addition to the existing production facility: 1) Section 209-28.F and Table 5 – to allow a side yard of 4 feet where 20 feet is required; 2) Section 209-28.G(2) – to allow existing parking to remain and for the new building to be located within the 10 foot, planted/vegetated buffer along a side property line; and 3) Section 209-42.B(1) – to eliminate the requirement that a 10-foot wide buffer of clustered plant material be maintained between existing off-street parking and the side property line at the property located at 400 Rock Run Road, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kilmer seconds the motion.

All in favor 5-0. Motion carries.

Petition #5: 1 Newbold Road, LLC, 1 Newbold Road, Fairless Hills, PA 19030; TMP #13-047-123; Zoned: PIP. Requesting the following dimensional variances for improvements and upgrades to the existing parking areas: Section 209, Attachment 7, Table 5 – to permit maximum impervious coverages of 61/4%, whereas 50% is otherwise permitted; and Section 209-42(22)(b)(1)(2) – to permit 51 total off-street parking spaces whereas 126 off-street parking spaces is otherwise required.

Santiago Uribe (Bohler Engineering) and Gabriel Sasso (owner representative) get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 5 and Exhibit Applicant A-8 (neighbor notification).

Leonard Altieri, Esquire, presents the application and hands out an exhibit packet. He states the property is currently being used as a manufacturing distribution center. The use will not change. The upgrades will involve upgrades to the existing parking areas to provide for more efficient and safer circulation of vehicles and trucks within the subject property. The applicant intends to increase the existing impervious area to provide wider drive aisles, provide additional striped truck and passenger vehicle parking and also provide easier circulation throughout the property. We are widening the entrance to 30 ft. to allow for safer ingress and egress. The applicant is also requesting relief as it involves off-street parking. Currently, there is an asphalt area for parking. They intend to stripe the parking lot and provides detail on how. There is no stormwater management on the property and the applicant will bring the property into conformity with the stormwater ordinance.

Santiago Uribe testifies they are not changing the existing building. They are making improvements to the outside of the property and talks about parking. We will be going through land development to accomplish these improvements. He goes through the reasons for the variance requests.

Member Kiernan asks about current employee count.

Gabriel Sasso responds we own the building but lease it out to a tenant. They have about 10-12 people working now. Their lease expires at the end of this year. We are looking to make these improvements in the beginning of next year for a new tenant. There are about 12,000 sq. ft. of office space in the building.

Chairperson Striluk asks about tractor trailers access, the future tenant's number of trucks stored.

Mr. Sasso explains the process of the business.

No further Board comments.

No public comment.

Member Mackey makes a motion the application of 1 Newbold Road LLC requesting the following dimensional variances from the following sections of the Falls Township Zoning Ordinances be GRANTED to allow for improvements and upgrades to the existing parking areas: Section 209, Attachment 7, Table 5 – to permit maximum impervious coverages of 61.4%, whereas 50% is otherwise permitted; and Section 209-42(22)(b)(1)(2) – to permit 51 total off-street parking spaces whereas 126 off-street parking spaces is otherwise required at the property located at 1 Newbold Road, Fairless Hills, PA 19030 as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Raisley seconds the motion.

All in favor 5-0. Motion carries.

Hearing adjourned 8:20 p.m.