

**FALLS TOWNSHIP
ZONING HEARING BOARD
SEPTEMBER 10, 2024**

Hearing commenced: 7:08 p.m.

Hearing adjourned: 7:35 p.m.

Members present: Aaron Mackey, Nastasha Raisley, Robert McTague, Lainey Striluk

Members absent: William Kiernan, Chris Kilmer (Alt)

Also present: Keith Bidlingmaier, ZHB Solicitor; Diane Beri, Zoning Clerk; Ed Neubauer, Code Enforcement; Karen Browndorf, Court Reporter

Atty. Bidlingmaier states the Board took an Executive Session prior to the hearing to discuss pending litigation.

Petition #1: Donna Lutz, 210 Stanwood Road, Fairless Hills, PA 19030; TMP #13-016-318; Zoned: NCR. Requesting a dimensional variance to construct a side addition with a side yard setback of 7 ft. instead of the required 10 ft. Section 209-20.F and Table 1.

Donna Lutz and David Norwood get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

David Norwood states the reason for the addition is because their handicapped mother is moving up from Florida to live with the applicant and they need more space. Their mother is in a wheelchair. The addition will allow for wheelchair access and room enough to have a new shower and handicap accessories.

Member Mackey asks if there is a fence dividing the properties (yes) and if there are any neighbor opposition (no).

Chairperson Striluk expresses her concern with how close the houses are and how a fire truck would access in an emergency.

No public comment.

Member Mackey makes a motion the application of Donna Lutz requesting a dimensional variance from Section 209-20.F and Table 1 of the Falls Township Zoning Ordinances be GRANTED to construct a side addition with a side yard setback of 7 ft. instead of the required 10 ft. at the property located at 210 Stanwood Road, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member McTague seconds the motion.

All in favor 4-0. Motion carries.

Petition #2: Melol Inc. and VRK Trucking, 225 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-003-016-001; Zoned OIP. Requesting a use variance to allow commercial vehicle repair for truck and trailer repair. Section 209-32.1B(1).

Elza Okropilashvili, Dzmitry Viktoruk and Manuka Okropilashvili get sworn in.

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

Chelsea Jackman, Esquire, presents the application and states the applicant is the proposed tenant at 225 Lincoln Highway intending to occupy about 25,000 sq. ft. space within the property. They are a commercial vehicle repair shop which offers heavy-duty truck and trailer alignments, drive trains, rebuilds and drive train repairs among other services for commercial trucking. In 2016, the ZHB granted a variance to Commercial Trailer Leasing who have been operating at that site since. Most recently in 2023, Premium Truck Repair came before the ZHB and received for the same variance relief requested

here. The proposed application will be compliant with all other coverage, setback and other dimensional requirements of the Township under the ordinances. The relief requested represents the minimum variance to facilitate the applicant's use of the property. The variance will not negatively impact the surrounding properties, nor will it negatively impact the safety or welfare of the community.

With questioning from Atty. Jackman, Elza Okropilashvili testifies that Melol has been in operation less than a year and VRK Trucking has been in business since 2016. Mr. Manuka Okropilashvili has worked as a shop steward for 10 years in this business. The business is a commercial truck repair with welding, alignment repair, any kind of rebuilds, engine repairs, etc. She provides hours of operation, number of employees, number of trucks on site (20). She also states she adopts Atty. Jackman's statement as true.

Member McTague asks if all the work done on the vehicles will be inside the building (yes). He also asks Atty. Jackman if the applicant would be agreeable if the Board chose to put a stipulation on any approval to not allow any work on the trucks to be performed outside. After consulting with her clients, Atty. Jackman said that would be fine.

Member Mackey asks for clarification of the site plan submitted and gets detail on where the trucks / trailers will be located while awaiting repair or pickup. He confirms there will be no storage outside.

Chairperson Striluk asks if there are cabs and trailers (yes), asks about oil removal (they are knowledgeable in that regard), and no tires stored (correct).

Public Comment

Toni Battiste, 218 Gloucester Road, expresses her concern about the number of trucks exiting and entering the site, safety concerns and thinks they need a traffic signal there,

Mr. Viktaruk states that 60 percent of his customers are already located at 225 Lincoln Highway, so there wouldn't be a significant impact on the traffic.

Member McTague makes a motion the application of Melol, Inc. and VRK Trucking requesting a use variance from Section 209.32.1B(1) of the Falls Township Zoning Ordinances be GRANTED to allow commercial vehicle repair for both trucks and trailers at the property located at 225 Lincoln Highway, Fairless Hills, PA 19030, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board, conditioned upon no outdoor storage of disabled vehicles and all work must be done inside the building.

Member Raisley seconds the motion.

All in favor 4-0. Motion carries.

Hearing adjourned 7:35 p.m.