

**FALLS TOWNSHIP  
ZONING HEARING BOARD  
FEBRUARY 10, 2026**

Hearing commenced: 7:00 p.m. Hearing adjourned: 8:50 p.m.

Members present: Robert McTague, Aaron Mackey, Chris Kilmer, Nastasha Raisley,  
William Kiernan, Donald Krier (alternate)

Members absent: None

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

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Chairman McTague begins the hearing by stating the Board has received a request from Matthew J. McHugh, Esquire, requesting a continuance to the March 10, 2026 hearing for the Lakeview Terrace petition (251 S. Olds Blvd)

Member Mackey makes a motion; second by Member Raisley.

Motion carries 5-0. Continuance request approved

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**Petition #1: Steven and Mariam Betesh, 226 Thornridge Drive, Levittown, PA 19054; TMP #13-024-096; Zoned: NCR. Requesting a variance for extending an existing non-conforming side yard beyond 50% of the length of the existing non-conformance. Section 209-41.**

Mariam Betesh and Tracy Miller get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

Tracy Miller states the applicants would like to add onto the rear of their house where the right side has an existing non-conformance. However, they wanted to maintain the hallway down the center to add some bedrooms and a bathroom in the back. This addition requires extending the existing non-conformance on the right side of the house.

Member Kiernan states that the hardship letter does not meet the standards for a hardship letter.

Member Mackey asks for a further explanation of the existing non-conformance (not extending further into the side yard setback -- just wants to keep it in line with what is currently there and extend back toward the rear).

No public comment.

Member Mackey makes a motion that the application of Steven and Mariam Betesh requesting a variance from Section 209-41 of the Falls Township Zoning Ordinances be GRANTED to extend an existing non-conforming side yard beyond 50% of the length of the existing non-conformance at the property located at 226 Thornridge Drive, Levittown, PA 19054, 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 4-1, Kiernan dissenting. Motion carries.**

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**Petition #2: Phillip and Kristen Mauro, 1520 S. Pennsylvania Avenue, Morrisville, PA 19067; TMP # 13-048-142 and #13-048-177; Zoned: RD-1. An appeal of the Township's determination that the current tractor-trailer repair operation constitutes a lawful continuation of a pre-existing non-conforming use. Section 209-75.**

Phillip and Kristen Mauro get sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

Kristen Mauro states we are here about a Township decision regarding JL Truck Repair issuance of an occupancy certificate at this site. We believe they are operating outside the scope of the certificate of occupancy. This property has been a typical, neighborhood auto body repair garage for many years with Class 1 and Class 2 vehicles. We share a driveway with the property and have done so peacefully next to the former auto body repair shop for 15 years. The property was sold and the auto garage business was replaced with a tractor trailer repair facility. Tractor trailer repair is specifically listed in the Falls Township zoning code as a high industrial use. That distinction exists because tractor trailers have a significant greater impact on the surrounding properties. JL Truck Repair was approved by the Township to continue the property as a prior, non-conforming use. Somewhere in that process there appears to be a disconnect because either the prior use was misunderstood, or for some reason passenger vehicle repair and tractor trailer repair are interchangeable. As a result, this property became a high industrial operation circumventing the variance process that normally protects the neighboring residents. No hardship exists that prevents a property from continuing operating as a neighborhood non-commercial auto repair shop, and the expansion into this use solely happened for the owner's benefit. It is at the expense of the health, welfare and safety of its neighboring residents.

Mrs. Mauro shows videos of what it is like living next door to this property now (how close trucks are to bedroom window, noxious fumes from diesel trucks idling for hours; working 7 days a week; noise is high volume; tools are high-powered and noisy; every parking spot is a working bay (they used to work inside the building previously); trucks in the back have people sleeping in them).

Mrs. Mauro believes this is a different use than the previous owner and that this property should not be allowed to move up to an industrial use as an existing non-conformance without going through the variance process.

Gregory Heleniak, Esquire, Township Solicitor, states he is here because of the type of action you filed -- an appeal of the zoning officer's determination. He asks various questions of Mrs. Mauro regarding her knowledge of the sale, previous use of this property, etc.

Member Kiernan asks Mrs. Mauro if she considers her complaints to the zoning officer as an effective tool (addresses some of her concerns, not all of them) and mentions the other businesses along S. Penna Ave contributing to the noxious fumes.

Chairman McTague receives an update from Ed Neubauer (Twp. code enforcement officer) regarding the status of the complaints (noise violation complaint – court date is in April).

Member Mackey asks about restrictions in RD-1 zoning district. Mr. Takita (zoning officer) responds. Discussion occurs in this regard between Board members, Mr. Takita, and Atty. Heleniak regarding the zoning interpretation of the RD-1.

Chairman McTague asks if Mrs. Mauro understands the enforcement action discussed.

Mrs. Mauro states no -- that the two uses are dissimilar between tractor trailer repair currently at the property and auto repair which was formerly at the property.

Discussion occurs between definition of tractor trailer repair and auto repair.

Atty. Heleniak explains why the Township has issued the decision.

Matthew Takita gets sworn in as the zoning officer and Atty. Heleniak questions him on this matter.

After Mr. Takita's testimony, Member Mackey asks questions for further clarification of Mr. Takita's testimony.

Atty. Heleniak closes by asking the Board to uphold the zoning officer's determination.

Mrs. Mauro does ask questions regarding Mr. Takita's testimony regarding the older zoning ordinances.

Discussion continues on what other things Mrs. Mauro believes are happening at the site (shipping, sleeping in their trucks).

#### Public Comment

*Michael DiNardo*, property owner, expresses his desire to mitigate some of these concerns to make their life a little easier. Chairman McTague asks if there are things which can be undertaken by you. Mr. DiNardo explains there are things the

tenant is doing – trying to keep trucks away from that side and from running at night. We will be installing bollards and a chain so when the tenant vacates the property for the day, trucks will not be pulling in at night. Discussion occurs in this regard.

*Olga Lizoun*, tenant (JL Truck Repair), addresses some of the concerns the neighbors have and provides the measures they are implementing.

Board takes an Executive Session.

Member Kiernan makes a motion that the application is DENIED.

Member Kilmer seconds the motion.

**All in favor 4-1, Raisley dissenting. Motion carries.**

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**8:50 p.m. Hearing adjourned**