



**FALLS TOWNSHIP
ZONING HEARING BOARD
JUNE 9, 2026**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:50 p.m.

Members present: Robert McTague, Aaron Mackey, Nastasha Raisley, William Kiernan, Chris Kilmer

Members absent: None

Also present: Keith Bidlingmaier, ZHB Solicitor; Matthew Takita, Zoning Officer; Gregory Heleniak, Esquire (Clark Gallagher Barbiero Amuso & Glassman Law); Ed Neubauer, Code Enforcement; Karen Browndorf, Court Reporter

Petition #1: Michael and Sally Young, 33 Lions Drive, Morrisville, PA 19067; TMP #13-054-021; Zoned: NCR. Requesting a dimensional variance for an 8 ft. fence in the rear yard which borders Eleanor Roosevelt Elementary School. Section 209-37.C.

Michael Young gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7.

Mr. Young presents the application and states their property in the rear borders Eleanor Roosevelt Elementary School. They would like to replace the fence in the rear as it is disrepair. They have a pool with a deck, and their current fence is smaller than 8 ft. so when sitting on the deck they can see into the school area. They would like to have an 8 ft. fence that borders the school property only. The rest of the fence would be regular size.

No Board questions.

No public comment.

Member Mackey makes a motion the application of Michael and Sally Young requesting a dimensional variance from Section 209-37.C of the Falls Township Zoning Ordinance be GRANTED to allow an 8 ft. fence in the rear which borders Eleanor Roosevelt Elementary School at the property located at 33 Lions Drive, 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 #2: Megan McCauley, 12 Nottingham Drive, Fallsington, PA 19054; TMP #13-036-033; Zoned: LMR. Requesting a dimensional variance to erect a fence in the secondary front yard. Section 209-37.C

Megan McCauley gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6.

Ms. McCauley presents the application and states she is looking to install a 6 ft. privacy fence in the side yard to close in the backyard to utilize the full lot. We are looking to give up 35 ft. off the side of the driveway.

Mr. Neubauer says there is no issue with the sight triangle.

Member Mackey makes a motion the application of Megan McCauley requesting a dimensional variance from section 209-37.C of the Falls Township Zoning Ordinances be GRANTED to erect a fence in the secondary front yard at the property

located at 12 Nottingham Drive, Fallsington, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

All in favor 5-0. Motion carries.

Petition #3: Lakeview Terrace 2023, LLC, (Cont'd from 5/12/26, 4/14/26, 3/10/26) -- 251 S. Olds Boulevard, Fairless Hills, PA 19030; TMP #13-014-006-001 and #13-014-006-002; Zoned: HR. Requesting the following variances in connection with twenty-eight (28) additional residential dwelling units contained within two newly constructed buildings, along with a 500 sq. ft. leasing center and a 2,500 sq. ft. indoor recreation area: 1) Section 209-16(F) -- to permit maximum building coverage of 20.36% whereas 15% is otherwise permitted; 2) Section 209-16(F) -- to permit maximum impervious coverage of 60.6% whereas 25% is otherwise permitted; 3) Section 209-16(G) -- to permit a total of 533 parking spaces, whereas 822 spaces are otherwise required; 4) Section 209-16(F) -- to not provide an outdoor active recreation area, whereas 79,000 sq. ft. is otherwise required; 5) Section 209-16(F) -- to provide 2,500 sq. ft. of indoor recreation area, whereas 3,160 sq. ft. is otherwise required; 6) Section 209-16(F) -- to provide for a 33-foot distance between buildings, whereas 50 feet is otherwise required; and 7) Section 209-16.1(E)(1) -- to provide a buffer yard of 8 feet, whereas 75 feet is otherwise required.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 9.

Leonard Altieri, Esquire, begins by stating Eric Clase (the engineer on the project) and Joe Heller (from Lakeview Terrace) are in attendance and presents a packet which is marked as Exhibits A1 – A5 (A5 is the neighbor notification). He reiterates the variances requested. The design is to enhance the livability and functionality of the site, provide necessary administrative and recreational amenities, and respond to continued demand for high-quality residential options within the Township. The variances sought are minimal in nature relative to the scope of the proposed development and are necessary to implement a site plan that meets modern planning designs while integrating harmoniously with the existing residential site. We do not believe this is an over intensification of the site, but rather a thoughtful and well considered extension of an established use that will continue positively to the community. Although the variances sought seem to be many, we are really talking about very minimal increases. We are seeking an increase in building coverage of 2.5%. Impervious coverage sits currently at 56.9%, and we are seeking only an increase of 3.6%. Parking – the additional 28 residential units only require 84 additional parking spaces. 173 additional parking spaces will be provided by re-striping the current lot. Outdoor recreation area – we are seeking a variance for only 2,400 sq. ft. of indoor space. We are also seeking variances for distances between buildings as well as the buffer yard.

Eric Clase, P.E. for Gilmore and Associates, gets sworn in and is accepted by the Board as an expert witness. He describes the existing site conditions (picture on the screen). He then describes the improvements by showing another picture of the revised site plan. Parking is the key. We are only required to add 84 parking spaces, but we are going to be adding 173. There is a large number of areas throughout the site that are not striped for parking. Some people park there, but not always. We are going to stripe out that area of the site; the spaces do meet the Township ordinances for parking spaces.

They go through the variances.

Member Mackey asks if there is any stormwater management in this application.

Mr. Clase responds that a full stormwater management plan will be submitted during the land development phase if this project is approved. He describes the current stormwater management at the site.

Member Kiernan asks for the number of apartments when complete (316), how many parking spaces (534), disputes the impervious calculation because it is already at 60%, questions why there is no outdoor recreation area and reducing the indoor recreation area, neither of which is acceptable to him.

Atty. Altieri says the owner would be better able to respond, but he has indicated that they do not get a lot of requests for an outdoor recreation area.

Member Keirnan says there are two developments around this area and a shopping center across the street. Where are the residents expected to go for recreation? He also asks about parking with the addition of these units.

Mr. Clase says by code there should be 906 parking spaces, and we will have 534 parking spaces. To put this in perspective, currently there should be 822 parking spaces and currently they have 361 parking spaces.

Member Kiernan says when you are going for an upgrade, don't you have to bring it up to code.

Mr. Clase says when you are proposing something new that is an existing non-conformity, you have to meet what is proposed, but the Board can also say you can do better than what is required, which is what we doing here. We are required to get 84 parking spaces, and we are proposing 173 parking spaces.

Member Kiernan asks about the buffering and the fact that plan shows 8 ft. from the residences.

Mr. Clase says in a number of locations, that is already the case. There is parking all along where the residences are.

Gregory Heleniak, Esquire, states he is here representing the Township and asserting our party status in this matter. He asks questions about the area of development (currently grassy open areas), previous location of the pool which was removed (yes). He then asks if this location met the area that had been designated for outdoor recreation in the original plans.

Mr. Clase says he cannot be sure since the record plan cannot be located.

Discussion occurs regarding the inability to find the record plan and other documents that may have been obtained to facilitate the Township ownership of the parcels many years ago, and questions on the 2,500 sq. ft, indoor space.

Chairman McTague asks what the indoor recreation space is proposed for (the owner will testify in a few minutes regarding this point).

Member Raisley asks what the hardship is (irregular space), where is the current leasing office (in an apt unit), and if this is affordable housing (no).

Chairman McTague asks if there is any new paving (no). He also asks if the applicant is willing to lessen the number of units to add outdoor recreation space. Has that been an option discussed?

Mr. Clase says it is an option which can be discussed, but I cannot discuss it right now because he is giving testimony.

Atty. Altieri says we can go off the record to have a conversation about this.

Chairman McTague says no, we will just move on to the owner of the property.

Joe Heller gets sworn in and states he is Regional Property Management for Chelsea Management when they purchased the property in 2023. Mr. Heller says he believes there was a pool, but when we purchased the property, it was just the green space there now. Currently, there is no place to lounge, to have a fitness center and the leasing center (which is building L in one of the units). He is not at the property daily, but he does interact with the residents and handles the complaints. Chelsea Management believes in keeping long-term residents. He has not heard complaints about no outdoor amenities, just comments regarding indoor amenities. We are looking at putting in three-bedroom townhomes based on requests for bigger units. Currently, we have two bedrooms and two bathrooms in our largest unit. Regarding parking – the striped areas are parked from what he sees; he has not received complaints from residents about the parking. He believes parking when the development is complete will be sufficient for the residents.

Member Kiernan asks about the make-up of the residents (number of children, are their families currently living there).

Mr. Heller says there are definitely families, but they do not make up the majority of the residents. We mostly have young professionals. There are not a lot of children.

Member Mackey asks about the leasing center (500 sq. ft. contained in the 2,500 sq. building with the fitness area and lounge area).

Atty. Heleniak asks how do more units enhance the livability for the present apartment community when it is going in the area of open space on the property?

Mr. Heller says there is a nice community there now and with more units it will enhance that community.

Atty. Heleniak asks what hours he is at the property (8:30 a.m. to 5:00 p.m.) so typically you would not necessarily see what residents are doing in the morning or after work at night (there are maintenance men who live on sight and we do have cameras); asks if they had plans to redevelop this property three years ago when purchased (no).

Atty. Heleniak asks if they did a review prior to deciding to add 28 units to the property.

Mr. Heller responds that what we noticed were requests from prospective tenants for larger units. We are 99% occupied, people like our community and want to move in, so we saw an opportunity to make more space for people.

Atty. Altieri requests to go off the record to speak to his client.

Atty. Altieri states in light of the conversations which have occurred between the Board, and questions from the Township Solicitor, we have decided to have a conversation about making some changes to this plan. It appears there is a desire from the Board and Township to provide some outdoor amenities, the possible reduction of units, and to have further discussion with the Township Solicitor on what plan would work.

Atty. Bidlingmaier states it would be inappropriate to go back and forth and try to negotiate some kind of resolution with Board. If there is a proposal from the applicant, depending on what happens here tonight, they can come back with a revised plan which can be reviewed by the Township and the Zoning Hearing Board. At this point, the applicant can finish his presentation, allow the Township to present whatever they need to, and it can proceed to a vote.

Atty. Altieri asks to keep the record open, go back to do some homework, and then come back with a plan.

Chairman McTague suggests some feedback from the current residents about the recreation space would also be helpful.

Atty. Bidlingmaier says if there are substantial changes to this plan, it may need to be re-advertised. Also, in response to Atty. Altieri's statement that the residents were notified and none of them showed up tonight, Atty. Bidlingmaier stated the abutting property residents were notified, not the residents of the apartment complex.

Chairman McTague suggests the continuance should be for two months.

Atty. Heleniak states the Township does not have an objection to a continuance request.

Atty. Bidlingmaier asks Mr. Altieri asks if the applicant would consent to a waiver of the MPC requirements.

Atty. Altieri says yes.

Member Kiernan makes a motion to continue this petition until August 11, 2026.

Member Raisley seconds the motion.

All in favor 5-0. Motion carries. Petition continued.

7:40 Hearing adjourned