



**FALLS TOWNSHIP
ZONING HEARING BOARD
JULY 14, 2026**

Hearing commenced: 7:00 p.m.

Hearing adjourned: 8:20 p.m.

Members present: Robert McTague, Aaron Mackey, William Kiernan, Chris Kilmer, Don Krier (alt)

Members absent: Nastasha Raisley

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

Petition #1: Flagship Pennsylvania OPCO, LLC, 547 W. Trenton Avenue, Morrisville, PA 19067; TMP #13-028-028-002; Zoned: HC. Requesting the following variances to allow a car wash that is permitted by conditional use: 1) Section 209-23.E(8)(b)[2] -- to permit 179 ft. of stacking distance/lane length with capacity for seven (7) vehicles, rather than the required 220 ft. of stacking distance/lane length with stacking for ten (10) vehicles; 2) Section 209-34.E -- to permit accessory structures, including vacuums, a producer, and a mat cleaner, to be located within the front yard; 3) Section 209-42.H(21) -- to permit each of the three access lanes for the car wash entrance to have stacking capacity for seven (7) vehicles rather than the required twelve (12) vehicles and to permit the vehicle tunnel entrance to be located at the front of the building rather than the rear of the building; 4) Section 209-42.I -- to permit no loading area for the car wash; 5) Section 209-50.G(3)(a) -- to permit car wash activities, including vacuums, pay stations, a mat cleaner, and any other activity, to not be located within an enclosed building; and 6) Section 209-77.B -- to permit applicant, if the dimensional zoning relief is granted by the Zoning Hearing Board, two (2) years from the date of the zoning decision to obtain a building permit, rather than the maximum permitted one (1) year.

Cliff Bidlingmaier, Esquire, marks ZHB Exhibits 1-7 and Exhibit A1 (proof of neighbor notification).

Julie Von Spreckelsen, Esquire (Eastburn & Gray) presents the application and states she represents the applicant. The property is approximately 3.155 acres. She shows an aerial photograph of existing conditions and highlights unique physical characteristics of the property. This was former Rite Aid pharmacy with a drive through – the middle building between Wawa and the former Wawa drive-through. The property has two signalized frontages – one on Pine Grove Road and the other on West Trenton Avenue. This property is fully developed with cross easements between each building. The applicant would like to repurpose the interior of this 14,611 sq. ft. building for an environmentally friendly state-of-the-art modern car wash. It will have wet and dry belts. There are 11 parking spaces proposed and 12 vacuum spaces. The remainder of the lot will remain relatively the same. The car wash use is permitted by conditional use which we put on hold until the variances needed are granted. We have been in touch with the Township personnel to discuss this project and have revised the plan per the Township Engineer's review of the plan. That plan is before the Board tonight.

Atty. VonSpreckelsen lists the exhibits marked for the hearing, including the deed, site plan, impervious calculation sheet, and proof of publication.

Kestra Kelly, a civil engineer from BL Companies, is sworn in and provides her professional background and engagement with the project. She describes the existing conditions of the property, including its location, size, and existing features like stormwater management, landscaping, and lighting. She outlines the proposed development, including the repurposing of the Rite Aid building, the layout of the car wash, and the placement of accessory structures. She explains the proposed stacking distances and the layout of the car wash lanes, including the pay stations, wet and dry belts, and vacuum spaces. She also explains the variances requested, including the stacking distance, access lanes, and the location of the vehicle tunnel entrance. She provides data from a traffic consultant (TPD) to support the proposed stacking distances and the feasibility of the car wash operations. She addresses concerns about the location of accessory structures in the front yard

and the impact on the neighborhood. She explains the need for the proposed variances, including the lack of a rear yard, the unique site characteristics, and the need to maintain existing access points.

Chairman McTague expresses concerns about the circulation of vehicles within the car wash and the potential for traffic congestion. He suggests an alternate way.

Ms. Kelly responds to the concerns, explaining the layout and the measures in place to manage traffic flow and prevent congestion. She states they did consider several different scenarios for the flow between the wet and dry tunnel stacking lanes, and this configuration created the least amount of conflict points. She believes the data shows that there will not be cars backed up to the entrance point to limit access to the dry belt queue or the bypass lane to the vacuum spaces. There will also be employees on site to prevent that from happening.

Discussion occurs regarding the stacking at other locations.

Member Krier asks about staff at the shared access lane into Wawa and if staff will be there to assist with traffic flow.

Ms. Kelly says yes, there is an employee at the pay stations, one employee at entrance of the wet tunnel, and at least one employee at all times in the vacuum area to assist customers and maintain the traffic flow.

Member Mackey asks about signage (yes).

Atty. VonSpreckelsen states that land development (once conditional use approval is given) will take care of many of the questions regarding signage, circulation, etc.

Member Mackey asks about the noise and any data about the noise levels.

Ms. Kelly says there are different types of equipment, but we have not done a complete analysis yet. However, we are aware of the issue of noise and can take measures to minimize the noise (like putting the producer which is the motor for the vacuums inside a concrete structure).

Public Comment

Randall Reber, expresses concern about gasoline tankers trying to deliver gas, buffering along W. Trenton Ave is minimal, decibel levels for the vacuum, traffic flow when turning left into site off of Pine Grove, and that no loading zone is not feasible.

Chairman McTague asks what the height for a barrier in the front yard is.

Mr. Takita responds in a commercial district you can go up to 8 ft.

Chairman McTague asks, based on this resident's comments, if the applicant would be willing to accept a condition of a 6 to 8 ft. sound barrier along the vacuums parallel along Pine Grove Road?

Atty. VonSpreckelsen says yes.

Member Krier asks if there is enough distance for a tractor trailer tanker to go around the curve to exit the property.

Ms. Kelly states the same condition exists now, and they are not changing that access.

No further public comment.

No further Board comments.

Member Mackey states the application of Flagship Pennsylvania OPCO, LLC, requesting the following variances from the following sections of the Falls Township Zoning Ordinances be GRANTED to allow a car wash that is permitted by conditional use (sections previously read into the record) with the stipulation that a 6 to 8 ft. sound barrier be placed along the Pine Grove side of the vacuums, at the property located 547 W. Trenton Avenue, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kiernan seconds the motion.

Chairman McTague asks Mr. Reber to come back to the podium so Atty. Bidlingmaier can explain party status. Mr. Reber does not request party status. Chairman McTague also explains that this entire project will get a full review when it goes before the Planning Commission.

All in favor 5-0. Motion carries.

Petition #2: Fairless Defense LLC, 1900 S. Pennsylvania Avenue, Morrisville, PA 19067; TMP #13-047-088-001; Zoned: RD-3. Requesting the following variances to permit the construction and use of an indoor shooting range: 1) Section 209 – Attachment – to permit a front yard setback of 25 ft. where 35 ft. is required; 2) Section 209-32.4(c)4 – to permit the use in the riverfront district; 3) Section 209-42.H(28) – to permit 21 parking spaces for Applicant’s use when 66 parking spaces are required; and 4) Section 209-44 – to permit a setback of 48 ft. from top of bank relative to Biles Creek.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 6 and Exhibit A-1 (proof of neighbor notification).

Chelsea Jackman, Esquire, from Begley, Carlin and Mandio presents the application and states the applicant is currently in the Township at 914 Trenton Road and has been at the Trenton Road location for approximately 3 years for firearm sales. They are looking to expand that business and to add an indoor shooting range as part of the business in the future. The first step would for Fairless Defense to relocate to this location and a bit later seek to construct an addition for the shooting range. This parcel has had a history of non-conforming uses. This shooting range provides a longer term use consistent with the character of the surrounding neighborhood and would allow for training and practice shooting. The gun range will be contained to the building – no outdoor shooting. If variances are granted, land development would follow.

Atty. Jackman goes through the variances requested.

William Benscoter (owner of Fairless Defense) gets sworn in and adopts and confirms the testimony provided by Atty. Jackman. He states he wants to get all his zoning approvals for the gun range in place so he can then occupy the property for his gun sales business and at a later date move forward with the shooting range.

James Oakes (Tri-State Engineers) gets sworn in and the Board recognizes him as an expert in civil surveying. Mr. Oakes detailed the site's unique features, including the jog in the front right-of-way, the FEMA floodplain, and Biles Creek, which necessitate specific setbacks. He confirmed the proposed addition would meet minimum requirements for a gun range and cause no disturbances to the FEMA area. The board discussed the variances requested: a 25-foot front yard setback, use in the Riverfront District, reduced parking spaces, and a setback from Biles Creek.

Mr. Takita asked if there will be rifles as well as pistols (yes).

No Board questions.

No public comment.

Member Mackey makes a motion that the application of Fairless Defense LLC requesting the following variances from the following sections of the Falls Township Zoning Ordinances be GRANTED to permit the construction and use of an indoor shooting range: 1) Section 209 – Attachment – to permit a front yard setback of 25 ft. where 35 ft. is required; 2) Section 209-32.4(c)4 – to permit the use in the riverfront district; 3) Section 209-42.H(28) – to permit 21 parking spaces for Applicant’s use when 66 parking spaces are required; and 4) Section 209-44 – to permit a setback of 48 ft. from top of bank relative to Biles Creek at the property located at 1900 S. Pennsylvania Avenue, Morrisville, PA 19067, as depicted on the plan and in accordance with the testimony presented to the Zoning Hearing Board.

Member Kilmer seconds the motion.

All in favor 5-0. Motion carries.

8:20 p.m. Hearing adjourned

