



FALLS TOWNSHIP ZONING HEARING BOARD

Hearing commenced: 7:00 p.m.

Hearing adjourned: 7:40 p.m.

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

Members absent: Nastasha Raisley

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

Attorney Bidlingmaier states we have received a request to continue the Lakeview Terrace petition (#4). As you will recall this matter was previously listed at the June meeting, and during the course of testimony it was continued to allow the applicant to consider some of the Board's comments. The Township solicitor, Greg Heliniak, has requested a continuance to allow him to review the updated plans submitted by the applicant. The applicant's attorney is present; he has no objection to this matter being continued. We need a vote to continue this matter for the September 8, 2026 meeting.

Member Kiernan makes a motion to continue the Lakeview Terrace application until September 8, 2026.

Member Kilmer seconds the motion.

All in favor 5-0. Motion carries.

Petition #1: Erdinc Karakurt, 2 Primrose Lane, Levittown, PA 19054; TMP #13-041-074; Zoned: NCR. Requesting a dimensional variance to place a 6 ft. solid fence in the secondary front yard along Pinewood Drive. Section 209-37.C(2).

Fehime Karakurt (wife of applicant) gets sworn in.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 8.

Mrs. Karakurt states we moved to this property in January. The fence is not in good shape and we would like to replace the fence for privacy and security for our teenage daughters.

Member Kiernan asks about the sight triangle.

Mr. Neubauer states as long as they are a foot off the sidewalk, it will be good.

No public comment

Member Mackey makes motion that the application of Erdinc Karakurt requesting a dimensional variance from Section 209-37.C(2) of the Falls Township Zoning Ordinances be GRANTED to allow a 6 ft. solid fence in the secondary front yard along Pinewood Drive at the property located at 2 Primrose Lane, Levittown, PA 19054, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board, conditioned on the fence being installed 1 ft. off the sidewalk to maintain the sight triangle.

Member Kiernan seconds the motion.

All in favor 5-0. Motion carries.

Petition #2: Matthew Harwood, 701 N. Lafayette Avenue, Morrisville, PA 19067; TMP #13-038-043; Zoned: NCR. Requesting a dimensional variance to widen the driveway to 25 ft. Section 209-43.1.C(3).

Amanda Harwood (wife of Matthew Harwood) gets sworn in.

Atty. Bidlingmaier marks ZHB 1 – 9.

Mrs. Harwood states they have a rock 20 ft. wide driveway, and we would like to asphalt the driveway and expand it another 5 ft. for a total width of 25 ft. We have two teenage sons and would like to put up a basketball hoop. We had a basketball hoop on the street, but it was hit by a car. Our road is a cut through road so it is a high traffic road. We are trying to take precautions and improve our property by asphaltting the driveway.

No Board comments.

No public comment.

Member Mackey makes a motion that the application of Matthew Harwood requesting a dimensional variance from Section 209-43.1.C(3) of the Falls Township Zoning Ordinances be GRANTED to allow the driveway to be widened to 25 ft. at the property located at 701 N. Lafayette Avenue, 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 #3: Oksana Cheeseman, 4 Bernard Drive, Morrisville, PA 19067; TMP #13-054-073; Zoned: NCR. Requesting a dimensional variance to place a 6 ft. solid fence in the secondary front yard along Simons Drive. Section 209-37.C(2).

Oksana Cheeseman gets sworn in.

Atty. Bidlingmaier marks ZHB 1 – 8.

Ms. Cheeseman states they moved into this house in August of 2025. There was a wood fence with chicken wire surrounding the property. However, after moving in, we realized this house sits in a high traffic area. My daughters do not feel secure with the current fence since you can see into the yard. There is a lot of foot traffic as well. Therefore, we would like to install a 6 ft. privacy fence 5 ft. off the sidewalk.

Member Mackey asks about the sight triangle.

Mr. Neubauer says as long as they install the fence 5 ft. off the sidewalk, the fence will be fine.

No public comment.

Member Mackey makes a motion that the application of Oksana Cheeseman requesting a dimensional variance from Section 209-37.C(2) of the Falls Township Zoning Ordinances be GRANTED to allow a 6 ft. privacy fence in the secondary front yard along Simons Drive at the property located at 4 Bernard Drive, Morrisville, PA 19067, as depicted on the plans and in accordance with the testimony presented to the Zoning Hearing Board, conditioned on the fence being installed 5 ft. off the sidewalk to maintain the sight triangle.

Member Krier seconds the motion.

All in favor 5-0. Motion carries.

Petition #5: Halle Properties, LLC, 111-115 Lincoln Highway, Fairless Hills, PA 19030; TMP #13-004-555, 13-004-608, 13-004-609, 13-004-612, 13-004-616 and 13-004-617; Zoned: HC. Requesting the following variances to construct an approximately 7,020 sq. ft. motor vehicle repair garage: 1) Section 209-23(G), Table 4 -- to permit a minimum front yard setback of 65 ft. whereas 100 ft. is otherwise required; 2) Section 209-23(I)(1) and 209-42(H)(17) -- to permit 34 proposed parking spaces whereas 81 parking spaces are otherwise required; 3) Section

209-23(H)(2) -- to permit a buffer of 5 ft. from the street line whereas a 30 ft. buffer is otherwise required, and a buffer of 0 ft. from the adjacent lot line, whereas a buffer of 10 ft. is otherwise required; 4) Section 209-38(1)(E)(2) -- to permit a buffer of 0 ft. between the proposed development and an adjacent commercial use, whereas 25 ft. buffer is otherwise required; 5) Section 209-42(B)(1) -- to permit parking within the planting buffer, whereas parking within the planting buffer is otherwise prohibited; and 6) Section 209-42(F)(1)(b) -- to permit parking within the buffer areas, whereas parking within the buffer areas are otherwise prohibited.

Atty. Bidlingmaier marks ZHB Exhibits 1 – 7 and Applicant Exhibit A-7 (proof of neighbor notification).

Lenoard Altieri, Esquire, presents the application and states they are seeking dimensional variances associated with the redevelopment of the property which is located in the HC zoning district. The property consists of approximately 103,419 sq. ft. or 2.37 acres. The applicant is proposing to construct a 7,020 sq. ft. Discount Tire / American Tires facility. Although the applicant requests several variances, the vast majority of these variances relate to the existing non-conformities which are already on the property. Rather than intensifying the existing non-conformities, this proposal substantially improves the site, modernizing an aging commercial development, enhances circulation and aesthetics and allows for commercial use specifically contemplated within this zoning district. The requested variances facilitate the productive re-use of this property while improving existing conditions and advancing the purpose and intent of the Falls Township zoning ordinance. The redevelopment will retain the existing commercial development pattern while substantially modernizing the site and, where practical, reduce the degree of existing non-conformities. He shows the existing conditions plan as well as a truck circulation plan for the redevelopment.

Atty. Altieri lists the variances and the reasoning behind each variance (front yard setback, parking spaces, buffers, parking).

John Alejnikov, branch manager of Chalfont branch of Bohler Engineering, gets sworn in, and adopts the testimony of Atty. Altieri as his own,

Chairman McTague asks if they know the prior use of the property.

Mr. Alejnikov thinks at some point it may have had some kind of vehicular use there as historical google information shows many cars in the lot.

Member Krier says he noticed that the property is within the 100 year flood plain and the building is in the 100 ft. margin off the flood plain. How does this get rectified?

Mr. Alejnikov says the 100 year flood plain is denoted by the lines on the plan. The area of development is outside of that 100 year flood plain. In terms of any margins regarding this, there is no relief necessary for that. However, we are providing landscaping around the property, and we are preserving as much landscaping as necessary.

Member Kiernan asks how many people will be employed?

Mr. Alejnikov says 10 people on a shift. There will be 6 bays.

Chairman McTague asks if there will be any heavy duty truck repair.

Mr. Alejnikov says no, their core business is primarily tire sales.

Public Comment

Jennifer Metzger, a Falls Township resident, seeks clarification on the buffers and the non-conformities of those buffers.

Member Mackey says he understands her concerns, but all the neighboring properties are also in a non-conforming status as well, so that should be taken into consideration.

Mr. Alejnikov explains more about the buffers and how they are improving what is currently there.

Jennifer Metzger asks if they need disability spaces for parking (yes).

No further public comment.

Member Mackey makes a motion that the application of Halle Properties requesting the following variances from the following Falls Township Zoning Ordinances be GRANTED to permit the construction of a 7,020 sq. ft. motor vehicle repair garage: 1) Section 209-23(G), Table 4 -- to permit a minimum front yard setback of 65 ft. whereas 100 ft. is otherwise required; 2) Section 209-23(I)(1) and 209-42(H)(17) -- to permit 34 proposed parking spaces whereas 81 parking spaces are otherwise required; 3) Section 209-23(H)(2) -- to permit a buffer of 5 ft. from the street line whereas a 30 ft. buffer is otherwise required, and a buffer of 0 ft. from the adjacent lot line, whereas a buffer of 10 ft. is otherwise required; 4) Section 209-38(1)(E)(2) -- to permit a buffer of 0 ft. between the proposed development and an adjacent commercial use, whereas 25 ft. buffer is otherwise required; 5) Section 209-42(B)(1) -- to permit parking within the planting buffer, whereas parking within the planting buffer is otherwise prohibited; and 6) Section 209-42(F)(1)(b) -- to permit parking within the buffer areas, whereas parking within the buffer areas are otherwise prohibited at the property located at 111 – 115 Lincoln Highway, Fairless Hills, PA 19030, 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.

7:40 p.m. Hearing adjourned