

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – NOVEMBER 1, 2021

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on November 1, 2021. Mr. Connors called the meeting to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Matthew Connors, Secretary
James Dougherty, Member
Peter Solor, Member

Others: James Majewski Director Planning & Zoning
Adam Flager, Zoning Hearing Board Solicitor
Frederic K. Weiss, Supervisor Liaison

Absent: Anthony Zamparelli, Zoning Hearing Board Chair
Pamela VanBlunk, Zoning Hearing Board Vice Chair

APPEAL #21-1935 – JOHN & KERRY MCCLINTOCK
Tax Parcel #20-035-006-010
770 Sandy Run Road, Yardley, PA 19067

Mr. John McClintock and Mr. Colin Craige, Munz Construction, were sworn in.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Craige stated the project is a detached, two-car garage off the existing driveway space. Variances requested are for the height of the accessory structure, the side yard setback, and the impervious surface. Mr. Flager stated there is also a request for a Variance for the accessory structure being located in an area other than the fourth of the lot furthest from the road. Mr. Majewski stated three of the Variances, other than the impervious surface request, are from 200-69A14a. They propose to decrease the side yard to 5' 6" where 10' is otherwise required. A Variance is also requested for the accessory structure to be located in an area other than the fourth

of the lot furthest removed from the road, as well a Variance to allow for a height of 16' 9" where 15' is required. He stated they are also requesting a Variance for the impervious surface.

Mr. Connors stated with regard to the impervious surface they are going from 33.3% to 33.7%, and they are proposing a dry well to catch roof leaders. Mr. Craige stated the architect has come up with two separate dry wells, one to provide the impervious surface reduction for the proposed garage, and one will provide the impervious surface reduction for the existing impervious surfaces that are over the allowable and bringing it back to what is required.

Mr. Majewski stated he has reviewed the calculations.

Mr. Solor noted the side yard setback, and he asked why it could not be shifted to the 10' as it seems that there is space. Mr. McClintock stated they would be so close to the house that they would not have much space to get between. He stated what is shown also lines up with the driveway.

Mr. Craige stated they have looked at this proposal several times, and from a design aspect, they felt this was the most suitable which is why they are seeking the side yard setback. He also noted the clearance between the garage and the house would be limited.

Mr. Connors asked about shifting it further back which would reduce the side yard setback. Mr. McClintock stated there is a buried propane tank in that location. He added his wife also did not want the garage back too far to impact the yard space. Mr. Craige stated usable space in the yard is valuable to them.

Mr. Connors asked what is to the right of the property, and Mr. McClintock stated there is an abandoned house. He stated they no longer cut the grass. He stated it is about two to three acres and then there is the train line. He stated no one lives in the house on the garage side. Mr. Connors asked the nearest portion of this abandoned house to the property line, and Mr. McClintock estimated that it is more than 100' away.

Mr. Majewski showed an aerial of the property. It was noted it is wooded between the two properties.

Mr. Dougherty asked what the impervious will be taken back to with the dry wells, and Mr. Craige stated it would be back to the allowable 28%.

Mr. Majewski stated he verified the calculations were correct.

There was no one from the public wishing to speak on this matter.

Mr. Solor moved, Mr. Dougherty seconded and it was unanimously carried to allow to decrease the side yard setback to 5' 6" where 10' is otherwise required, to allow for the accessory structure to be located in an area other than the fourth of the lot furthest from the road, to allow a height of 16' 9" where 15' is otherwise required, to allow an increase in impervious surface to 33.7% with mitigation back to 28% with approval of the Township.

APPEAL #21-1936 – LANCE & ROBYN QUINN

Tax Parcel #20-025-237

808 Winthrop Drive, Yardley, PA 19067

Mr. Lance Quinn as sworn in.

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The Site Plan was marked as Exhibit A-2. The Impervious Surface and Stormwater Calculations was marked as Exhibit A-3. The Proof of Publication was marked as Exhibit B-1. The Proof of Posting was marked as Exhibit B-2.

Mr. Quinn stated they are looking to put in a 12' by 16' storage shed. It will be built off site, and then delivered. It will be set 10' off the property line in the back of the property. He stated it will take them over the impervious surface. He added that they were already over the impervious surface when they purchased the house.

Mr. Connors stated the existing impervious surface is 21.2%, and they are seeking to go to 22.7%. The District allows for 18%.

Mr. Quinn stated he noticed that he made a mistake when he did the calculations. He stated the structure is 12' by 16', but he believes that he used the 14' by 18' number which would be the pad underneath which is crushed stone. He stated while this does not change the number much, it could be .2% on the impervious surface change.

Mr. Connors asked if they added anything to the property since they have been there. Mr. Quinn stated they have not. He added that he actually removed a dog run five years into their ownership that the previous owner had put in which was concrete. He stated that would probably give about half of what they require for the shed; however, he does not have proof of that because he does not have pictures.

Mr. Solor stated they would be looking for mitigation; and while this is not a large increase, they are already over the limit for the area. He stated he feels they would be looking for him to bring it back to 18%.

Mr. Connors asked about adding trees, and he asked Mr. Majewski the Township's preference on mitigation. Mr. Majewski stated the Township officially does not have a preference. The Stormwater Ordinance provide for either an infiltration trench, planting trees, or even taking credit for existing trees. He stated the Zoning Hearing Board can put on any Conditions that they feel are appropriate in this circumstance.

Mr. Connors asked if the property is treed, and Mr. Quinn stated that is reflected on the Stormwater Management Plan. He added that there are two large trees about 100' from here and another large oak that is not represented on the Plan that is probably 25' further than the 100'. He stated the front yard has three large trees as well.

Mr. Dougherty stated he feels trees would make sense for this little bit of impervious surface. Mr. Connors stated this is a fairly small structure, and they could add trees to mitigate it. Mr. Solor stated he would be in favor of that as well. Mr. Quinn stated he would agree to that.

There was no one from the public wishing to speak on this matter.

Mr. Dougherty moved, Mr. Solor seconded and it was unanimously carried to approve the Variance pending consultation with the Township engineer regarding using tree plantings to mitigate the additional impervious surface.

OTHER BUSINESS

There was discussion about upcoming meetings. Mr. Flager stated the next meeting will be on Tuesday, November 16. It was noted that the Jennings Appeal and Dr. Faust/Bucks County Smiles will be heard that evening.

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On Tuesday, November 30 there will be a Special Meeting to hear the Deck Appeal. There will also be a regular meeting on Tuesday, December 7.

There being no further business, Mr. Solor moved, Mr. Dougherty seconded and it was unanimously carried to adjourn the meeting at 7:55 p.m.

Respectfully Submitted,

Matthew Connors, Secretary