

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – APRIL 16, 2024

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on April 16, 2024. Mr. Solor called the meeting to order. He stated since there are only four members present this evening, in order to have an approval, there must be three votes in favor; and Applicants may decide if they wish to have their matter Continued to another meeting.

Those present:

Zoning Hearing Board: Peter Solor, Chair  
James Dougherty, Vice Chair  
Judi Reiss, Secretary  
Mike McVan, Member

Others: James Majewski, Community Development Director  
Dan McLoone, Planner  
Adam Flager, Zoning Hearing Board Solicitor

Absent: Matthew Connors, Zoning Hearing Board Member  
Daniel Grenier, Supervisor Liaison

APPEAL #Z-24-2 – PISTORIO  
Tax Parcel #20-027-006  
183 TAYLORSVILLE ROAD, YARDLEY, PA 19067

Mr. Dougherty moved, Ms. Reiss seconded and it was unanimously carried to Continue the Appeal to May 7, 2024.

APPEAL #Z-24-7 – GEONNOTTI  
Tax Parcel #20-037-030  
694 COUNTESS DRIVE, YARDLEY, PA 19067

Mr. Flager marked the Exhibits as follows: The Application was marked as Exhibit A-1. The two-sheet Site Plan was marked as Exhibit A-2. The Impervious Surface Breakdown Calculations and Stormwater Management Small Project Volume Control were collectively 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. The Notice to the neighbors was marked as Exhibit B-3.

Mr. Michael Geonnotti was sworn in.

Mr. Geonnotti stated they are looking to put in a fiberglass pool in the back yard this summer. He stated they had Cavanaugh Engineering who did the original plan for their house two years ago come back in and do the Site Plan for the fiberglass pool with a small concrete apron around it. He stated they are asking for a Variance for the impervious surface coverage which they will exceed by a few percent.

Mr. Dougherty asked for the existing and proposed impervious surface and what it will be after remediation. Mr. McLoone stated the allowable is 18%, the existing is 23.7%, and proposed is 25.1%. He stated after mitigation it will be about 18.5%. Mr. Dougherty asked if there is a reason they are not remediating back to the allowable 18%. Mr. Geonnotti stated he would have to speak to Cavanaugh about that. He asked if he should go back to Cavanaugh. Mr. Dougherty stated he feels that can be taken care of tonight if the Board agrees.

Mr. Solor stated in general, we are trying to reduce the stormwater issues in the Township; and because they are asking for a Variance to increase the impervious surface, the Zoning Hearing Board typically tends to ask for mitigation back to what it should be for the area to help reduce stormwater impacts. Mr. Geonnotti asked what that entails. Mr. Solor stated we would be asking for the infiltration basins to be a little bit larger than what are shown.

Mr. McLoone stated there are two basins proposed on each side, and they may need to make them one foot deeper and a couple feet longer. Mr. Geonnotti stated that would not be a problem. He asked if they would need a new Plan to show that, and Mr. Dougherty stated that would not be needed by the Zoning Hearing Board. Mr. Geonnotti stated he could get his engineer to revise the Plan.

Ms. Tamara Brown, 581 Kings Road, was sworn in. Ms. Brown stated her home shares a property line with the home at 694 Countess Drive.

Ms. Brown she asked about the increased impervious surface and the potential for risk for stormwater run-off. She stated when her neighbors purchased the property and tore down the previous home, during the construction of the new home a basement was dug and large piles of dirt from the hole were spread on their back yard resulting in their yard having a bit higher grade than her property.

Ms. Brown stated they would like to be assured that the proper provisions have been made for adequate drainage of stormwater run-off which will prevent it from coming onto her property. She stated they would also like to know the plan for the soil which will be excavated to install the pool.

Mr. Solor stated as noted previously overall there will be less stormwater run-off.

Mr. Geonnotti stated with regard to the dirt that will be excavated for the pool, they do not need any more dirt in the back yard so that will be removed during the excavation. He stated with regard to the stormwater run-off, before the fence was put in, the property was pretty level with everyone else. He stated everyone did raise concerns with them given what they were doing and because they had such a big pile of dirt; but most of the dirt that was excavated for the basement was taken off site, and they just re-graded basically back to where the original plan of the house was.

Mr. Dougherty asked if we issue a U & O in Lower Makefield Township. Mr. Majewski stated we issue a Building Permit. Mr. Dougherty asked what is issued post-construction. Mr. Majewski stated a Certificate of Occupancy is issued for a new home. He stated for a Permit, we just close out the Permit. Mr. Dougherty stated when this house was issued its Certificate of Occupancy, he assumes the rear yard grading was part of the inspection, and Mr. Majewski stated that would be typical. Mr. Dougherty asked Mr. Majewski if he or Mr. McLoone have any recollection of any grading issues, and Mr. Majewski stated he is not aware of any. Mr. Dougherty stated he was asking these questions to ascertain that while grading may have been an issue during construction, he assumes that with our engineer's inspecting it, it is probably in good shape. He added that they are going to mitigating back to the allowable 18% from where it is now at 23.7% so it should be an improvement. Mr. Majewski advised Ms. Brown that she can always call the Township if she has any issues.

Mr. Geonnotti stated the way it is graded, all the water sheds down each side where the stormwater management will be. He stated their next-door neighbor was concerned as they are a little higher than their neighbor, but everything comes down and sheds on either side of the house. Mr. Solor stated that is what the Grading Plan shows, and it is focused on the two infiltration areas and towards Mr. Geonnotti's house.

Ms. Reiss stated she lives in this neighborhood and the normal topography goes down somewhat because there is a creek behind Countess all the way. She stated her house is higher than the house next door to her on one side and slightly lower on the other side.

Mr. Geonnotti stated they kept that in mind when they built the new foundation, and they did not raise the new foundation since they would have had to increase the grading around it; and they kept everything to the old scale of the existing house.

Mr. Dougherty moved, Ms. Reiss seconded and it was unanimously carried to approve the Appeal wherein the required impervious surface is 18%, currently the existing is 23.7%, proposed is 25.1%, and they will re-submit their Stormwater Management Plan for Township approval showing that the stormwater management will be mitigated back to an effective 18%.

There being no further business, Mr. Dougherty moved, Ms. Reiss seconded and it was unanimously carried to adjourn the meeting.

Respectfully Submitted,

Judi Reiss, Secretary