

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – JUNE 3, 2008

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on June 3, 2008. Chairman Malinowski called the meeting to order at 7:35 p.m.

Those present:

Zoning Hearing Board: David Malinowski, Chairman
 Paul Bamburak, Vice Chairman
 Anthony Zamparelli, Member

Others: Robert Habgood, Code Enforcement Officer
 John Donaghy, Township Solicitor
 James Majewski, Township Engineer
 Allen Toadvine, Zoning Hearing Board Solicitor
 Matt Maloney, Supervisor Liaison

Absent: Gregory J. Smith, Zoning Hearing Board Secretary
 Jerry Gruen, Zoning Hearing Board Member

APPEAL #03-1235(A) – CARA MIA, LLC – REMAND

Mr. Toadvine stated testimony was previously closed and briefs were submitted. He stated he received a letter from John Koopman requesting that the Board defer their decision until June 17 when there is a full Board present. This was agreed to by the Applicant's attorney, Mr. VanLuvanee, and Mr. Bray.

Mr. Bamburak moved, Mr. Zamparelli seconded and it was unanimously carried to continue the matter until June 17.

APPEAL #07-1434 – DAN MARRAZZO

Mr. Toadvine stated he received a letter from the Applicant's attorney, Mr. Thomas J. Smith, dated 5/30/08. This letter was marked as Exhibit B-8. He stated Mr. Smith indicated in the letter that they are still working some things out and would like the matter continued until July 15, 2008. He stated everyone is in agreement with the continuance, and they have waived the time limits.

Mr. Bamburak moved, Mr. Zamparelli seconded and it was unanimously carried to continue the matter until July 15, 2008.

APPEAL #08-1473 – DAVID AND JANET GOODWIN, JR.

Mr. Toadvine stated Ms. Frick received a letter from the Applicant's attorney, Mr. Rockafellow, dated 5/28/08 which was marked as Exhibit B-1. Mr. Toadvine stated the letter asked that the matter not be put on the June 3 Agenda and indicated he is not sure that he will be ready by the June 17 meeting but would advise Mr. Toadvine. He then asked in his letter that the matter be held in abeyance for rescheduling until he responds to Mr. Toadvine. Mr. Toadvine stated he wrote to Mr. Rockafellow indicating that the Township would need a date specific to continue the matter, and that he would have to waive the time limits in order for the Board to grant a continuance. He has not yet heard back from Mr. Rockafellow. He suggested that the Board continue the matter until June 17, and he will write Mr. Rockafellow again advising him that the matter has been continued until June 17 unless a letter is received from Mr. Rockafellow waiving the time limits and requesting a date specific.

Mr. Bamburak moved, Mr. Zamparelli seconded and it was unanimously carried to continue the matter until June 17.

APPEAL #08-1475 – JIM AND DANA MC KISSICK

Jim and Dana McKissick were present and were sworn in. The Application submitted was marked as Exhibit A-1. Attached to the Application is a one-page Plan dated 3/31/08, last revised 4/22/08, and this was marked as Exhibit A-2.

Mr. McKissick stated they would like to install an in-ground pool including decking which results in impervious surface 2% above that which is permitted. Mr. Majewski stated he agrees with the existing and proposed impervious surface calculations as submitted. Mr. McKissick stated their property backs up to open farm land.

Mr. Malinowski asked the reason they need wide decking, and Mr. McKissick stated what they have proposed is standard decking. He stated when they purchased their house it had a wrap-around driveway in the front, and they did not realize they were at their limit for impervious surface. He stated they have five children and they would like to install a pool. He stated what is proposed is a regular sized pool and the decking is not oversized. They have lived in the home since June, 2000.

Mr. Malinowski asked if they have added any impervious surface, and Mr. McKissick stated they did install a block patio and felt that it was pervious, but he has been advised that in Lower Makefield a block patio is considered impervious.

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Mr. Toadvine asked if they have any existing water problems on the property, and Mr. McKissick stated they do not.

Mr. Donaghy stated the Township is not participating in this matter.

There was no one present in the audience to comment on this matter, and the Public Hearing portion was closed.

Mr. Bamburak moved, Mr. Zamparelli seconded and it was unanimously carried to grant the Variance to allow 20.8% impervious surface.

There being no further business, Mr. Bamburak moved, Mr. Zamparelli seconded and it was unanimously carried to adjourn the meeting at 7:50 p.m.

Respectfully Submitted,

David Malinowski, Chairman