

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – APRIL 20, 2021

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held remotely on April 20, 2021. Mr. Zamparelli called the meeting to order at 7:30 p.m. and called the Roll. He noted that since there are only four member present this evening, if there is a tie vote, the Appeal would be denied.

Those present:

Zoning Hearing Board:                      Anthony Zamparelli, Chair  
   Pamela VanBlunk, Vice Chair  
   Matthew Connors, Secretary  
   Peter Solor, Member

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

APPEAL #21-1911 – WILLIAM MOLONEY  
Tax Parcel #20-003-036-015  
1240 SILVER STREAM DRIVE, YARDLEY, PA 19067

Mr. Flager stated this Appeal was originally to be heard on April 6; however, the Applicant had a family emergency, and the Board agreed to a Continuance until this evening.

Mr. William Moloney was 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. Moloney stated his neighbor on one side has put in a black, aluminum rail fence to match the exterior fence on the property that was put in by the builder, Toll Bros. so he has that shared fence running down the left side of his property. Mr. Maloney stated his neighbor on the other side (Lot 12) already had a Hearing a month ago, and got approval to put in the same fence running down their shared line in the back of the property. Mr. Moloney stated he is looking for approval to connect the fence on either side and put in a gate

on either side – one would be a 4' gate, and the other would be an 8' gate on the driveway side. In order to connect the fences, he will need to cross the Easement that is running between himself and Lot #14 and an Easement that is running semi-perpendicular to his Lot that is crossing over into Lot #12.

Mr. Zamparelli stated this is just an Easement, and there are no impervious issues, and Mr. Moloney agreed. Mr. Moloney stated it is an open-rail fence.

It was noted that the Township is not participating in this matter.

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

Mr. Zamparelli stated there is a stipulation that if the Board were to approve this, the fence would need to be 2" above the ground; and if the fence has to be removed, it would be at the Applicant's expense. Mr. Moloney stated he agrees to these Conditions, and he had indicated that in his Application and the specs show that the fence is 2" above the ground.

Ms. VanBlunk moved, Mr. Solor seconded and it was unanimously carried to grant the Variance as submitted.

APPEAL #21-1912 – JAY BAYLISS  
Tax Parcel #20-057-090  
507 AMERICAN DRIVE, YARDLEY, PA 19067

Mr. Jay Bayliss was 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. Bayliss stated he is trying to install an in-ground pool in his back yard with the decking, and this will take him over the impervious surface by about 3%. Mr. Zamparelli asked if he is proposing mitigation for that 3%, and Mr. Bayliss stated that is shown on the drawing.

Mr. Majewski stated the calculations submitted by the Applicant's surveyor have been reviewed, and they are actually providing stormwater management to bring this back down to an effective impervious surface of 18%. The existing impervious surface is at 19 ½%, and they are adding 500 square feet which brings them up to 22.3%. He stated they are asking for the 22.3% with the stormwater management which brings it back to an effective 18%.

It was noted that the Township is not participating in this matter.

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

The moderator noted that the Applicant's architect is present if they need to speak to him; however, the Board did not feel that was necessary as Mr. Majewski was satisfied with the calculations and proposed design.

Mr. Connors moved, Ms. VanBlunk seconded and it was unanimously carried to approve the Appeal as submitted subject to Township review of the stormwater as installed to an effective rate of 18%.

Mr. Majewski advised Mr. Bayliss that he will need to submit the Permit to the Township for review and approval with all of the appropriate details.

#### OTHER BUSINESS

Mr. Majewski stated there had been an Appeal heard previously where there had been a question about the wetlands. Mr. Majewski stated he had gone out to the site and did not feel that there were any wetlands on the property. The Applicant hired a wetlands specialist who went out and confirmed that the nearest wetlands to the property is over 80' away so there is no wetlands or wetlands buffer on the property; and therefore no Variance is needed, and the Application will be withdrawn. There are no other Applications for May 4 so the Board could cancel that meeting. It was noted that the next meeting of the Zoning Hearing Board will be held on Monday, May 17 because Tuesday is the Primary Election.

Mr. Solor moved, Ms. VanBlunk seconded and it was unanimously carried to cancel the May 4 meeting.

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There being no further business, the meeting was adjourned at 7:45 p.m.

Respectfully Submitted,

Matthew Connors, Secretary