

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – SEPTEMBER 6, 2022

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on September 6, 2022. Mr. Solor called the meeting to order at 7:35 p.m.

Those present:

Zoning Hearing Board: Peter Solor, Chair  
Matthew Connors, Vice chair  
Judi Reiss, Secretary  
Mike McVan, Member

Others: James Majewski, Community Development Director  
Dan McLoone, Planner  
Adam Flager, Zoning Hearing Board Solicitor  
Fredric K. Weiss, Supervisor Liaison

Absent: James Dougherty, Zoning Hearing Board Member

APPEAL #22-1973 – ROBERT PETERS  
Tax Parcel #20-021-098  
1566 CLARK DRIVE, YARDLEY, PA 19067

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. Robert Peters was sworn in and stated he is requesting a Variance for a shed on his property. He stated he has been a resident for thirty-six years.

Mr. Majewski stated he understands stormwater management is being proposed, and he asked what will be the increase in impervious surface. Mr. Peters stated there will be no increase, and he put a “prep site in.” He stated where the shed is sitting there is a “prep site,” and the water will go into the stone and drain out underneath. Mr. Majewski stated the shed covering the ground is considered impervious surface even if water can get beneath it. He stated that is why a Variance is required. Mr. Majewski stated he understands that the shed is 145 square feet. Mr. Peters stated the ground contact and the supporting beams is a little over 23 square feet.

Mr. Peters provided pictures, and Mr. Flager marked the paper with two photographs attached as Exhibit A-3.

Ms. Reiss asked Mr. Peters if he is putting in anything to mitigate the difference. Mr. Peters stated he is putting in the “prep site.” He noted the pictures provided; and he stated there are irrigated shim pipes underneath the stone, and the water runs out the back. Mr. Majewski stated what is being proposed will mitigate the additional impervious because the water will be allowed to percolate into the soil beneath the shed.

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

Ms. Reiss moved, Mr. McVan seconded and it was unanimously carried to grant the Appeal with the proposed mitigation measure subject to review and approval by the Township.

APPEAL #22-1974 – BOB HESSER (HYDROSCAPE POOLS)  
Tax Parcel #20-065-267  
1463 WOODVIEW ROAD, YARDLEY, PA 19067

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. Nathan Simcox, Hydroscape Pools, was sworn in and stated they want to put in a fiberglass pool and will counteract the impervious space with the pool decking. He noted the back corner by the shed area where there is room for an infiltration trench, and the run-off will be focused to that area to collect and percolate into the water table and compensate for the difference.

Mr. Solor asked about the status of the shed with the setbacks from the property lines. Mr. Majewski stated he could not find a Permit for that shed, and that will need to be relocated. Mr. Simcox stated he can work with the homeowner on that and make sure that it is within spec. Mr. Majewski stated 10’ off the property line is the requirement. Mr. Simcox stated he will let the homeowners know that needs to be taken care of in tandem with this Permit.

Mr. Connors asked Mr. Majewski if he is comfortable with the calculations, and Mr. Majewski stated he is.

There was discussion on what will be the effective impervious surface whether it will be brought back to what is existing or to what is allowed. Mr. Majewski stated what is proposed would bring it back to slightly below what is currently existing which would be 25.8%. Mr. Connors stated the proposal is to go from 26% to 32%, back to just under 26%; and Mr. Majewski agreed. Mr. Solor stated the area is Zoned for 24%. Mr. Connors stated he would prefer taking it to 24%. Mr. Simcox stated they could get it to the 24% and they will adjust the size of the pit. Mr. Majewski stated bringing it back to the 24% that is permitted from a stormwater management perspective would increase the length of the trench by 3'. He added that the lot is a very small sized lot. Mr. Flager asked if that would be 3' per trench or total, and Mr. Majewski stated it would be per trench.

Ms. Eileen Sung, 332 Tall Meadow Lane, was sworn in. Ms. Sung stated the subject property is next to her and at a little bit higher elevation, and she is concerned because she and her neighbors get flooding in their back yards when it rains. She stated while her yard gets minimal, her neighbors to the right get a lot of flooding. She is concerned that it will get even worse when they build the pool. Mr. Solor stated they discussed the effective impervious surface, and they are asking the Applicant to put in more below-grade drainage storage to compensate for more than what he is installing. He stated on average theoretically there will be less run-off coming off this property.

Mr. Connors moved, Ms. Reiss seconded and it was unanimously carried to approve the Appeal as submitted subject to reducing the effective impervious ratio to 24% subject to review and approval by the Township. Wood frame shed to be moved to the Code-required clearances from the property line.

#### OTHER BUSINESS

Mr. Majewski stated due to the fact that there are no Applications that need to be heard at the October 4 meeting and that it is also Yom Kippur, the October 4 meeting should be cancelled.

Mr. Solor moved, Mr. Connors seconded and it was unanimously carried to cancel the October 4 meeting.

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There being no further business, Ms. Reiss moved, Mr. Solor seconded and it was unanimously carried to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,

Judi Reiss, Secretary