

TOWNSHIP OF LOWER MAKEFIELD
ZONING HEARING BOARD
MINUTES – SEPTEMBER 20, 2022

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on September 20, 2022. Mr. Solor called the meeting to order at 7:30 p.m.

Those present:

Zoning Hearing Board: Peter Solor, Chair
James Dougherty, Member
Mike McVan, Member

Others: James Majewski, Community Development Director
Dan McLoone, Planner
Barbara Kirk, Township Solicitor (left meeting in progress)
Adam Flager, Zoning Hearing Board Solicitor
Fredric K. Weiss, Supervisor Liaison

Absent: Matthew Connors, Zoning Hearing Board Vice Chair
Judi Reiss, Zoning Hearing Board Secretary

APPEAL #22-1975 – ZUBAIDA FOUNDATION
Tax Parcel #20-041-002
855 BIG OAK ROAD, YARDLEY, PA 19067

Mr. Flager stated Mike Meginnis, their attorney, requested a Continuance today to the October 18 meeting in response to some of the concerns of the neighbors. They are going to have a question and answer session on Thursday, September 29 at 6:30 p.m. at the offices of Begley, Carlin & Mandio located at 680 Middletown Boulevard in Langhorne. Any interested members of the public can attend and voice their concerns, and the hope is that those concerns can be addressed and problems resolved. They have requested the Continuance to October 18 to provide time to meet with the neighbors and try to resolve some issues with the Application.

Mr. Dougherty moved and Mr. McVan seconded to Continue the Appeal to October 18, 2022.

Mr. Flager stated they have waived all applicable deadlines under the MPC.

Ms. Cheryl Dacey, 4 Williams Lane, stated she feels the Q & A session will help; and if there is a Revised Plan that everyone agrees to, she would still want to participate at the Zoning Hearing Board meeting. Mr. Solor stated if there is a Revised Plan, they will post it. Ms. Dacey stated she received Notice, and her attorney sent her previous documents where they were able to see the lines of the protected woodlands and how much the tree line was changed. She asked how they could get information before the meeting on October 18.

Ms. Kirk asked Ms. Dacey if she is represented by William Ottinger, and Ms. Dacey stated she is. Ms. Kirk stated Mr. Ottinger called her today; and he can always contact her office to get a copy of the Plan. She added it will be the Township's Website once it is filed.

Ms. Dacey stated she does not have a way to notify the rest of the residents, and she asked how they could get that information if they do not have an attorney. Mr. Solor stated it will be on the Township's Website. Mr. Majewski stated residents can also e-mail him that they are interested in being a Party to this, and he will inform them about all correspondence that is appropriate.

Motion to Continue carried unanimously.

APPEAL #22-1977 – DANIELLE CARCIA & MARC DICKERSON
Tax Parcel #20-047-059
15 GLENOLDEN ROAD, YARDLEY, PA 19067

Mr. Flager stated Ed Murphy, who represents the Applicant, has requested a Continuance to the October 18 meeting and has waived any of the deadlines under the MPC.

Mr. Dougherty moved, Mr. McVan seconded and it was unanimously carried to Continue the Appeal to October 17, 2022.

Ms. Kirk left the meeting at this time.

APPEAL #22-1976 – ANDREW HIBSHMAN
Tax Parcel #20-060-142
375 HIDDEN OAKS 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. Andrew Hibshman and Mr. Steven Pelberg were sworn in.

Mr. Hibshman stated they are adding an addition to the back of their house for an in-law suite for his father-in-law who is with him tonight and his mother-in-law. He stated there are Variances requested for a setback issue with Stony Hill Road and a slight increase in the impervious surface.

Mr. Dougherty asked what is the stormwater management mitigation proposed, and Mr. Hibshman stated the proposal is to add another seepage pit. He stated they have one seepage pit because they put in a pool a couple of years ago. Mr. Majewski stated he verified the numbers.

Mr. Flager marked the floor plans as Exhibit A-3.

Mr. Solor stated they are “pretty close on the impervious surface area,” and he asked if they could remove a couple hundred square feet of pavement and no longer require the impervious surface Variance. Mr. Hibshman stated he feels they could do that if they needed to.

Mr. Solor asked if the in-law suite requires anything additional. Mr. Majewski stated they are showing a kitchen, but they would not be allowed to have a second stove. Mr. Hibshman stated his mother-in-law does not cook. Mr. Majewski stated a microwave and refrigerator would be fine.

It was noted that the contractor was on-line; however he was not sworn in.

Mr. Solor asked Mr. Hibshman if he would consider reducing his pavement but still let him have the future 12 by 20 pool house and shed. Mr. Solor stated he does understand the limitations with the fact that they are against Stony Hill Road. Mr. Hibshman stated while they would agree to that if needed, they would prefer not to and would like the Plan to be approved as designed.

Mr. Dougherty stated he is fine with the Plan as submitted since they do have stormwater management mitigation, and he does not have an issue with the setback. Mr. McVan stated he is also okay with the Plan as submitted.

Mr. Majewski stated in order to reduce the impervious surface down to 21%, they would have to remove 436 square feet. Mr. Hibshman stated the shed would probably have to come down, and they would like to keep that if they could.

Mr. McVan asked if the future pool house is part of the impervious surface, and he asked how that is connecting to the pool. Mr. Hibshman stated it is not a pool house, and it is just a shed for storage. He stated they may go with something a little smaller, but it is not meant to be a pool house. Mr. Majewski stated that was included in the calculations. Mr. Hibshman stated while they could design it so that it would be on rock, they would prefer to have a slab so that they do not have issues with animals.

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

Mr. Dougherty moved, Mr. McVan seconded and it was unanimously carried to approve the Appeal as submitted subject to approval of the Township for stormwater management mitigation.

OTHER BUSINESS

Mr. Solor stated there will not be a meeting on October 4, 2022; and he next meeting will be October 18, 2022.

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

Respectfully Submitted,

Peter Solor, Chair

