

TOWNSHIP OF LOWER MAKEFIELD  
ZONING HEARING BOARD  
MINUTES – JULY 15, 2025

The regular meeting of the Zoning Hearing Board of the Township of Lower Makefield was held in the Municipal Building on July 15, 2025. Mr. Dougherty called the meeting to order at 7:30 p.m. He stated that there are only four members present this evening; and if there is a tie, the Appeal is not approved. He stated the Applicants have the option to continue their Appeal to a future date when there are five members present.

Those present:

Zoning Hearing Board:        James Dougherty, Chair  
   Peter Solor, Vice Chair  
   Christian Schwartz, Secretary  
   Judi Reiss, Member

Others:                             Dan McLoone, Planner  
   Maureen Burke Carlton, Township Solicitor  
   Adam Flager, Zoning Hearing Board Solicitor

Absent:                             Mike McVan, Zoning Hearing Board Member  
   Suzanne Blundi, Supervisor Liaison

APPEAL #Z-25-26 – MURPHY/PINCHUK  
Tax Parcel #20-028-068  
194 RIVER ROAD, WASHINGTON CROSSING, PA 18977

Mr. Dougherty stated they have requested a Continuance to September 16, 2025.

Mr. Schwartz moved, Ms. Reiss seconded, and it was unanimously carried to approve a request for Continuance to September 16, 2025.

APPEAL #Z-25-25 – MEGINNISS/1 SUTPHIN ROAD  
Tax Parcel #20-042-109  
1 SUTPHIN ROAD, YARDLEY, PA 19067

Mr. Dougherty stated they have requested a Continuance to August 19, 2025.

Mr. Schwartz moved, Ms. Reiss seconded, and it was unanimously carried to approve the Continuance to August 19, 2025.

APPEAL #Z-25-29 – SKY  
Tax Parcel #20-026-004  
102 COLLEGE AVENUE, YARDLEY, PA 19067

Mr. Kirill Sky 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 Chicken Coop Renderings were marked as Exhibit A-3. The letters from neighbors in support were marked as Exhibit A-4. 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. Sky stated he and his family would like to have a limited number of chickens that will be in an enclosed containment full time in the coop/cage. They will be positioned inside the property so that none of the neighbors will ever be able to see or hear them. He stated he also collected signatures from his neighbors. He stated he learned that some of his neighbors who live in Yardley have permission from their Township to keep chickens on their properties. He stated he has not heard any objections from his neighbors. He stated he will not have any roosters. He stated they will also be pets since he has learned that when chickens are raised from a young age, they are very tame, you can play with them, and they recognize people.

Mr. Schwartz stated the letters provided from the neighbors include every property around the subject property except for the property directly behind the subject property at 21 Sandy Run. He asked Mr. Sky if he had any discussions with those residents. Mr. Sky stated the lady living there has a very busy schedule, and he tried four times to speak to her. He stated he does not have her phone number, and they do not have “a ring on the door.” He stated even though he saw someone was home a couple of times, they would not open the door.

Mr. Schwartz asked Mr. Sky if he has ever raised chickens before, and Mr. Sky stated he has not. Mr. Schwartz asked if he has learned about raising chickens, and Mr. Sky stated he has watched a number of videos. He stated one of his neighbors is helping him build the chicken coop, and that neighbor already has chickens so he could ask him any questions he has.

Mr. Schwartz asked if there will be a fenced area around the coop where the chickens can roam free, and Mr. Sky stated there will. Mr. Sky stated it will be an 8' by 20' area covered on all sides so that no predatory birds or animals will be able to get in. He reviewed the materials he will use which are durable. Mr. Schwartz asked if the chickens will remain in the 8' by 20' area or will they be able to roam around the property. Mr. Sky stated they will never do that since he promised his neighbors that they would never see the chickens, and he also does not want them to get attacked by predatory animals.

Mr. Schwartz stated when Variances are granted, they usually go with the property and stay with it for the duration of the property; but when it comes to livestock, chickens, etc. he feels the human element is a very important piece of it. He stated he wants to make sure that the rest of the Board members understand his position is that when a Variance is granted for someone with chickens it is for that particular resident at the time; and if they were to sell the property, he is not comfortable leaving that on the property for the next buyer.

Mr. Flager stated Variances run with the land. He stated Mr. Sky could voluntarily agree to that, although he is not sure that would be enforceable.

Mr. Solor asked Mr. McLoone if what is shown on the Application is dimensionally accurate and is not in an area that would impact any of the resource-protection of steep slopes, setbacks, etc.; and Mr. McLoone stated that is correct.

Mr. Dougherty asked if the chicken coop model that was submitted is the exact model that will be built; and Mr. Sky stated he purchased that plan and he will try to build the chicken coop according to that plan.

Mr. Dougherty stated he feels what Mr. Schwartz is asking for is outside of the governance of the Board. He stated while we could ask Mr. Sky to agree to what Mr. Schwartz has requested, Mr. Flager has indicated that he is not sure that would be enforceable. Mr. Dougherty asked Ms. Carlton's opinion; and Ms. Carlton stated she agrees with Mr. Flager that Variances run with the land, and it would be difficult to enforce a termination of the Variance upon the sale of the property.

Mr. Solor stated the property on the north side is accessed from the far side of the creek with no access on the east side of the creek, and Mr. McLoone stated it does look like it is landlocked.

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

Mr. Solor moved and Mr. Schwartz seconded to approve the Appeal as written.

Mr. Dougherty stated there have been a number of Applicants who have come in front of the Board over the last few months seeking chicken coops, and they were denied; however, this situation is entirely different. He stated this Applicant has 2 ½ acres, it is a very private lot; and based on the nature of the lot, the chicken coop will be in a very private location.

Ms. Carlton stated the Township was participating in this Appeal; but based on the presentation by the Applicant, she would agree with Mr. Dougherty that this is a different Application from previous Application where the Township either participated and voiced displeasure or opposed. She stated given the nature of the location of this property and the fact that there are really no surrounding neighbors that have opposed it or will be effected by it, the Township would not oppose it.

Motion carried unanimously.

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

Respectfully Submitted,

Christian Schwartz, Secretary